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THE

Statutes at Large,

From the Thirteenth Year of the Reign of

KING *GEORGE* the THIRD

To the Sixteenth Year of the Reign of

KING *GEORGE* the THIRD, inclusive.

To which is prefixed,

A TABLE of the TITLES of all the Publick and Private Statutes during that Time.

With a COPIOUS INDEX.

VOLUME the TWELFTH.

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MDCCLXXVI.

THE

Statutes at Large,

Anno decimo quarto GEORGII III. Regis,

Being the SEVENTH Seſſion of the

THIRTEENTH Parliament of GREAT BRITAIN.

THE

A

TABLE

OF THE

Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the fourteenth Year of the Reign of GEORGE III.

PUBLIC ACTS.

Anno 14 Georgii III.

1. AN Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-four.
2. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-four.
3. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
4. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
5. An Act to allow the Exportation of Corn, Grain, and other Articles, to his Majeſty's Sugar Colonies in *America*; and to extend the Proviſions of an Act made in the laſt Seſſion of Parliament (intituled, *An Act to regulate the Importation and Exportation of Corn)*, allowing the Exportation of Wheat, Meal, Flour, Rye, Barley, or Malt, to the Iſlands of *Guernſey* and *Jerſey*, to Bread, Biſcuit, and Peaſe; and to allow the Exportation of all the ſaid Articles to the Iſland of *Alderney*.
6. An Act for further continuing two Acts, made in the ſixth and ninth Years of his Majeſty's Reign, for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, in his Majeſty's Dominions in *America*.
7. An Act for better paving, cleanſing, and lighting, the Streets, Lanes, and Publick Paſſages, in the Town of *Cardiff*, and Liberties thereof, in the County of *Glamorgan*, and for removing and preventing Nuiſances and Annoyances therein.
8. An Act to explain and amend two Acts, made in the tenth and twelfth Years of his preſent Majeſty's Reign, for paving, lighting, and watching, the Town of *Plymouth*, in the County of *Devon*; and for regulating the Carmen and Porters within the ſaid Town.
9. An Act to continue for a further Time an Act, made in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act to continue and amend an Act, made in the fifth Year of the Reign of his preſent Majeſty*, intituled, *An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from* Ireland, *for a limited Time, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the* Britiſh *Dominions in* America, *for a limited Time.*
10. An Act for reducing the Duty payable upon the Exportation of *Gum Senega*, granted by an Act, made in the fifth Year of the Reign of his preſent Majeſty (intituled, *An Act for laying certain Duties upon* Gum Senega *and* Gum Arabic, *imported into or exported from* Great Britain, *and for confining the Exportation of* Gum Senega *from* Africa *to* Great Britain *only)*.
11. An Act to allow the Exportation of a limited Quantity of Biſcuit and Peaſe to the Iſland of *Newfoundland*, for the Benefit of the *Britiſh* Fiſhery there.
12. An Act for veſting a Piece of Waſte Ground within, and Parcel of, the Manor of *Clapham*, in the County of *Surrey*, in Truſtees, and for enabling them to build a new Pariſh Church thereon.
13. An Act for enabling Sir *John Ramſden*, Baronet, to make and maintain a navigable Canal, from the River *Calder* (between a Bridge called *Cooper's Bridge* and the Mouth of the River *Colne)* to *The King's Mill*, near the Town of *Huddersfield*, in the Weſt Riding of the County of *York*.
14. An Act to repeal a Clauſe in an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; which regulates the Width of the Wheels, and the Length of Carriages liable to be weighed; and for indemnifying Perſons who have offended againſt the ſaid Clauſe.

The TITLES of the STATUTES.

15. An Act for making perpetual two Acts, paſſed in the tenth and eleventh Years of the Reign of his preſent Majeſty, *for regulating the Trials of controverted Elections, or Returns of Members to ſerve in Parliament.*

16. An Act for amending and rendering more effectual an Act, made in the thirtieth Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for draining and preſerving certain Fen Lands, Low Grounds, and Commons, in the Townſhips or Hamlets of* March *and* Wimblington, *and in the Pariſh of* Upwell, *in the* Iſle *of* Ely, *and County of* Cambridge), ſo far as the ſame relates to the ſeveral Fen Lands and Low Grounds lying in the ſixth Diſtrict, in the ſaid Act deſcribed.

17. An Act for appointing Commiſſioners to put in Execution an Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-four*, together with thoſe named in two former Acts for appointing Commiſſioners of the Land Tax.

18. An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-four.

19. An Act to diſcontinue, in ſuch Manner, and for ſuch Time, as are therein mentioned, the landing and diſcharging, lading or ſhipping, of Goods, Wares, and Merchandiſe, at the Town, and within the Harbour, of *Boſton*, in the Province of *Maſſachuſet's Bay*, in *North America*.

20. An Act for the Relief of Priſoners charged with Felony, or other Crimes, who ſhall be acquitted or diſcharged by Proclamation, reſpecting the Payment of Fees to Gaolers, and giving a Recompence for ſuch Fees out of the County Rates.

21. An Act for more effectually carrying into Execution certain Propoſals, made by the moſt Noble *Henry* Duke of *Buccleugh*, the moſt Noble *Charles* Duke of *Queenſberry* and *Dover*, and others, for redeeming the Annuities granted by the Company of the Bank of *Ayr*, in that Part of *Great Britain* called *Scotland*, known under the Firm of *Douglas, Heron, and Company*.

22. An Act to enable his Majeſty to grant unto Major General *Simon Fraſer* the Lands and Eſtate of the late *Simon* Lord *Lovat*, upon certain Terms and Conditions.

23. An Act for amending and rendering more effectual ſeveral Acts of Parliament of the ſixteenth and ſeventeenth, and twenty-ſecond Years of King *Charles* the Second, and of the eleventh Year of his late Majeſty, for draining and preſerving certain Lands called *Deeping Fens*, in the County of *Lincoln*.

24. An Act for paving, repairing, lighting, and watching, the Streets, and other publick Paſſages and Places within that Part of the Pariſh of *Clerkenwell* called *Saint James's*, and removing Obſtructions and Annoyances therein; for widening the Paſſage from *Clerkenwell Green* to the Pariſh Church; and for watching and lighting certain Highways within the ſaid Pariſh.

25. An Act for the more effectual preventing Frauds, and Embezzlements, by Perſons employed in the Woollen Manufactory.

26. An Act to allow the Exportation of a limited Quantity of Wheat-meal or Flour, Oats, Oatmeal, Grotts, Barley, Peaſe, Beans, Malt, and Biſcuit, to *Hudſon's Bay*, in *North America*, for the Benefit of the *Hudſon's Bay Company*, and their Servants reſiding there.

27. An Act for fixing and regulating a public Market and Shambles for the Sale of Meat within the Town and Borough of *Swanſea*, in the County of *Glamorgan*.

28. An Act to continue an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, for laying a Duty of two Pennies *Scots*, or one ſixth Part of a Penny *Sterling*, upon every *Scots* Pint of Ale and Beer, which ſhall be brewed for Sale, brought into, tapped, or ſold, within the Town of *Kinghorn*, and Liberties thereof.

29. An Act for the better Relief and Employment of the Poor within the Pariſh of *Saint Leonard, Shoreditch*, in the County of *Middleſex*; and for building a Workhouſe, and for purchaſing a Piece of Land for a Burial Ground, for the Uſe of the ſaid Pariſh.

30. An Act for providing a Workhouſe, and for better governing, regulating, and maintaining the Poor, within the *Old Artillery Ground*, in the Liberty of the *Tower of London*; and for paving, cleanſing, lighting, and watching, the Streets, Lanes, and other open Paſſages and Places within the ſame; and for preventing Obſtructions and Annoyances therein.

31. An Act for repairing the Highways and Bridges in the County of *Fife*.

32. An Act to enable the Governor and Company of the Bank of *Scotland* to increaſe the Capital Stock of the ſaid Company.

33. An Act for dividing and incloſing the open Fields, Meadows, ſtinted common Paſtures, and other common and waſte Lands and Grounds, in the Pariſh of *Tetney*, in the County of *Lincoln*; and for draining and improving Part of the ſaid Pariſh.

34. An Act for granting further Time to the United Company of Merchants of *England*, trading to the *Eaſt Indies*, to expoſe to Sale the Singlo and Bohea Teas remaining in their Warehouſes unſold, on the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-four; and for allowing the Drawbacks on the Exportation of ſuch Teas.

35. An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the Time being, to compound certain Debts due to his Majeſty, and affecting the Eſtates heretofore of *Charles Maſon* Eſquire, deceaſed, in the Counties of *Montgomery* and *Salop*; and, upon Payment of ſuch Compoſition, to diſcharge and exonerate the ſaid Eſtates therefrom.

36. An Act to explain and amend an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; ſo far as the ſame relates to the continuing and granting an additional Term of five Years to Acts made for amending Turnpike Roads.

37. An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers.

38. An Act for paving, repairing, cleanſing, and lighting, the Streets and Lanes in the City of *Hereford*, and Suburbs thereof, and removing Nuiſances and Annoyances therein, and for creating a Fund towards the Expences thereof, by incloſing divers waſte Grounds within the Liberties of the ſaid City, and for the better Application of Charity-money for ſetting the poor People of the ſaid City to work, and to enable Bodies Corporate to alienate their Houſes and Lands within the ſaid City.

39. An Act for the impartial Adminiſtration of Juſtice in the Caſes of Perſons queſtioned for any Acts done by them in the Execution of the Law, or for the Suppreſſion of Riots and Tumults, in the Province of *Maſſachuſet's Bay*, in *New England*.

40. An

40. An Act for diveſting out of the Crown the Plantation and Eſtate of *Ulyſſes Fitzmaurice* Eſquire, deceaſed, and for veſting the ſame in Truſtees, to be ſold for Payment of his Debts, and for other Purpoſes therein mentioned.
41. An Act for further continuing ſo much of two Acts, made in the ſixth and thirteenth Years of the Reign of his preſent Majeſty, as relates to the opening and eſtabliſhing certain free Ports in the Iſland of *Jamaica*.
42. An Act to prohibit the Importation of light Silver Coin of this Realm, from foreign Countries, into *Great Britain* or *Ireland*; and to reſtrain the Tender thereof beyond a certain Sum.
43. An Act for rebuilding the Offices of the Six Clerks of the King's Court of Chancery; and for erecting the Offices for the Regiſter and Accountant General of the ſaid Court, for the better preſerving the Records, Decrees, Orders, and Books of Account, kept in ſuch Offices.
44. An Act to amend an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures; and for the better Payment of their Wages.*
45. An Act for the better regulating the Government of the Province of the *Maſſachuſet's Bay*, in *New England*.
46. An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the Time being, to pay, out of the Revenue of the Crown, certain Rewards for apprehending Highwaymen, and other Offenders in the County Palatine of *Durham*.
47. An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.
48. An Act for regulating Inſurances upon Lives, and for prohibiting all ſuch Inſurances, except in Caſes where the Perſons inſuring ſhall have an Intereſt in the Life or Death of the Perſons inſured.
49. An Act for regulating Madhouſes.
50. An Act to enable certain Perſons, during the Minority of Sir *John Saint Aubyn* Baronet, to renew and grant Leaſes of Lands, and to ſell other Lands, all at *Plymouth* Dock, in the County of *Devon*, for the Uſe of his Majeſty, his Heirs and Succeſſors.
51. An Act to confirm certain Sales and Purchaſes of Eſtates, made by the Governors of the free Grammar School of King *Edward* the Sixth, in *Macclesfield*, in the County of *Cheſter*; to enable them to make other Sales, Purchaſes, and Exchanges; and to improve and extend the Benefits of the Foundation of the ſaid School.
52. An Act to enable the Inhabitants of *Groſvenor Square*, in the County of *Middleſex*, to pave, cleanſe, light, water, and embelliſh the ſaid Square; and for other Purpoſes therein mentioned.
53. An Act for making a navigable Cut or Canal, from the Port or Harbour of *Bude*, in the Hundred of *Stratton*, in the County of *Cornwall*, to the River *Tamer*, in the Pariſh of *Calſtoke*, in the ſaid County.
54. An Act for the better providing ſuitable Quarters for Officers and Soldiers in his Majeſty's Service in *North America*.
55. An Act for making commodious Ways and Paſſages within the Pariſh of *Saint Stephen*, in the City of *Briſtol*; and for enlarging the Burying Ground belonging to the ſaid Pariſh.
56. An Act for making and eſtabliſhing publick Quays or Wharfs at *Kingſton upon Hull*, for the better ſecuring his Majeſty's Revenues of Cuſtoms, and for the Benefit of Commerce in the Port of *Kingſton upon Hull*; for making a Baſon or Dock, with Reſervoirs, Sluices, Roads, and other Works, for the Accommodation of Veſſels uſing the ſaid Port; and for appropriating certain Lands belonging to his Majeſty, and for applying certain Sums of Money out of his Majeſty's Cuſtoms at the ſaid Port for thoſe Purpoſes; and for eſtabliſhing other neceſſary Regulations within the Town and Port of *Kingſton upon Hull*.
57. An Act to repeal ſo much of an Act, made in the laſt Seſſion of Parliament, for reducing into one Act the general Laws relating to Turnpike Roads, as exempts Perſons from the Payment of Tolls at Side Gates erected at Places ſpecified in any Act of Parliament.
58. An Act for repealing an Act, made in the firſt Year of the Reign of King *Henry* the Fifth; and ſo much of ſeveral Acts of the eighth, tenth, and twenty-third Years of King *Henry* the Sixth, as relates to the Reſidence of Perſons to be elected Members to ſerve in Parliament, or of the Perſons by whom they are to be choſen.
59. An Act for preſerving the Health of Priſoners in Gaol, and preventing the Gaol Diſtemper.
60. An Act for indemnifying the Innkeepers and Victuallers within the Hundred of *Godley*, in the County of *Surrey*, againſt the Penalties to which they are or may be liable, for ſelling Ale, Beer, Wine, or Spirituous Liquors, without proper Licences, upon certain Conditions.
61. An Act to explain and amend two ſeveral Acts of Parliament, for erecting Hoſpitals and Workhouſes within the City and County of the City of *Exon*, for the better employing and maintaining the Poor there; and to raiſe further Sums of Money for the more effectually carrying the Purpoſes of the ſaid Acts into Execution.
62. An Act for better governing and employing the Poor, and making and collecting the Poor's Rates, within the Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*, in the County of *Middleſex*.
63. An Act for building a Bridge croſs the River *Air*, at *Carlton*, in the Weſt Riding of the County of *York*.
64. An Act to explain ſo much of an Act, made in the laſt Seſſion of Parliament (intituled, *An Act to regulate the Importation and Exportation of Corn*), as relates to the Method of aſcertaining the Prices of Corn and Grain exported.
65. An Act to alter and amend an Act, paſſed in the twenty-fifth Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for annexing certain forfeited Eſtates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to eſtabliſh a Method of managing the ſame, and applying the Rents and Profits thereof for the better civilizing and improving the Highlands of* Scotland, *and preventing Diſorders there for the future*; ſo far as the ſame relates to the granting Leaſes of the ſaid Eſtates.
66. An Act for the Repeal of all former Acts concerning the Longitude at Sea, except ſo much thereof as relates

to

to the Appointment and Authority of the Commiſſioners thereby conſtituted, and alſo ſuch Clauſes as relate to the conſtructing, printing, publiſhing, vending, and licenſing, of Nautical Almanacks, and other uſeful Tables; and for the more effectual Encouragement and Reward of ſuch Perſon and Perſons as ſhall diſcover a Method for finding the ſame, or ſhall make uſeful Diſcoveries in Navigation; and for the better making Experiments relating thereto.

67. An Act to continue the ſeveral Laws therein mentioned, for granting Liberty to carry Rice from his Majeſty's Provinces of *Carolina* and *Georgia*, in *America*, directly to any Part of *Europe*, Southward of *Cape Finiſterre*; for granting the like Liberty to export Rice from *South Carolina* and *Georgia* directly, to any Part of *America*, to the Southward of the ſaid Provinces; for granting the like Liberty in the Exportation of Rice from *Eaſt* and *Weſt Florida*, and from any Part of *America*, Southward of South *Carolina* and *Georgia*.

68. An Act to prevent Frauds in the buying and ſelling of Hops.

69. An Act for raiſing a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-four.

70. An Act for applying a certain Sum of Money, for calling in, and recoining, the deficient Gold Coin of this Realm; and for regulating the Manner of receiving the ſame at the Bank of *England*; and of taking, there, an Account of the Deficiency of the ſaid Coin, and making Satisfaction for the ſame; and for authoriſing all Perſons to cut and deface all Gold Coin, that ſhall not be allowed to be current by his Majeſty's Proclamation.

71. An Act to prevent the Exportation to foreign Parts of Utenſils made uſe of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom.

72. An Act for aſcertaining the Duty on printed, painted, ſtained, or dyed Stuffs, wholly made of Cotton, and manufactured in *Great Britain*, and for allowing the Uſe and Wear thereof, under certain Regulations.

73. An Act to extend ſo much of an Act, paſſed in the twelfth Year of the Reign of his preſent Majeſty, as relates to Diſtillers or Makers of Low Wines and Spirits from Corn, to every Kind of Diſtiller; and for the more effectual ſecuring the Revenue of Exciſe ariſing from Low Wines and Spirits; and for aſcertaining the Allowance to be made to the Manufacturers of Wool and Linen, in reſpect of the Duties on Soap imported and uſed in the Woollen and Linen Manufactures.

74. An Act for reducing the Rates and Duties payable upon the Importation of great Raiſins.

75. An Act for enlarging the preſent, or providing a new Workhouſe, for the Uſe of the Pariſh of *Saint Saviour Southwark*, and for regulating the Poor in ſuch Workhouſe; for widening *King Street*, at the Entrance into the *High Street*, *Southwark*, for making a Carriage Way from the ſaid *High Street*, through the *Greyhound Inn*, into *Queen Street*, and for improving the Paſſage from thence into *Gravel Lane*, leading towards the *Black Friars Bridge* Road, in the Pariſh of *Chriſt Church*.

76. An Act for redeeming the Sum of one million of the capital Stocks of three Pounds *per Centum* Annuities, in the Manner, and on the Terms, therein mentioned; and for eſtabliſhing a Lottery.

77. An Act for the Relief of Inſolvent Debtors; and for the Relief of Bankrupts, in certain Caſes.

78. An Act for the further and better Regulation of Buildings, and Party-walls; and for the more effectually preventing Miſchiefs by Fire within the Cities of *London* and *Weſtminſter*, and the Liberties thereof, and other the Pariſhes, Precincts, and Places, within the Weekly Bills of Mortality, the Pariſhes of *Saint Mary-le-bon*, *Paddington*, *Saint Pancras*, and *Saint Luke at Chelſea*, in the County of *Middleſex*; and for indemnifying, under certain Conditions, Builders and other Perſons againſt the Penalties to which they are or may be liable for erecting Buildings within the Limits aforeſaid contrary to Law.

79. An Act for explaining an Act, made in the twelfth Year of the Reign of Queen *Anne*, intituled, *An Act to reduce the Rate of Intereſt, without any Prejudice to Parliamentary Securities.*

80. An Act to continue the ſeveral Laws therein mentioned, for the better Encouragement of the making of Sail Cloth in *Great Britain*; and for ſecuring the Duties upon foreign-made Sail Cloth, and charging foreign-made Sails with a Duty.

81. An Act for altering and amending an Act, made in the ſixteenth Year of his late Majeſty's Reign, intituled, *An Act to explain and amend the Laws touching the Election of Members to ſerve for the Commons in Parliament for that Part of* Great Britain *called* Scotland; *and to reſtrain the Partiality, and regulate the Conduct, of returning Officers at ſuch Elections*, by altering the Time of Notice, ordered by the ſaid Act to be given, in the Service of Complaints to the Court of Seſſion, of Wrongs done in Elections, and by regulating the Manner, and ſettling the Place, of Election of a Burgeſs to ſerve in Parliament for a Diſtrict of Boroughs in *Scotland*, when the Election of the Magiſtrates and Council of a Borough, which ought in courſe to be the preſiding Borough at an Election, happens to be reduced, and made void, by a Decree of the Court of Seſſion, and not revived by the Crown, when ſuch Election is made.

82. An Act for explaining and altering an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain and amend, and reduce into one Act of Parliament, the general Laws now in being for regulating of Turnpike Roads in that Part of* Great Britain *called* England; *and for other Purpoſes*; ſo far as the ſame relates to the Payment of additional Tolls at Weighing Engines, and the Number of Horſes to be uſed in Carriages drawn on Turnpike Roads; and for allowing certain Exemptions with reſpect to Weight and Payment of Toll in particular Caſes.

83. An Act for making more effectual Proviſion for the Government of the Province of *Quebec*, in *North America*.

84. An Act to prevent certain Inconveniencies that may happen by Bills of Naturalization.

85. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-four; and for further appropriating the Supplies granted in this Seſſion of Parliament, for carrying to the Aggregate Fund a Sum of Money which hath ariſen by the Two Sevenths Exciſe; and for enabling the Barons of the Exchequer in *Scotland* to make out a Certificate for the Payment of the Sum of five hundred Pounds to Lady *Anne Mackenzie*, out of the Balance remaining of the Sum of ſeventy-two thouſand Pounds, granted for paying the Creditors of the forfeited Eſtates in *Scotland*.

86. An Act to continue ſeveral Laws therein mentioned, relating to the allowing a Drawback of the Duties upon the Exportation of Copper Bars imported; to the clandeſtine running of uncuſtomed Goods, and preventing Frauds relating to the Cuſtoms; to the Encouragement of the Silk Manufactures, and for taking off ſeveral Duties on Merchandiſe exported, and reducing other Duties; to prevent the clandeſtine running of Goods, and the

the Danger of Infection thereby; to the Premiums upon Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine; to the encouraging the Growth of Coffee in his Majesty's Plantations in *America*; to the free Importation of Cochineal and Indico; to the prohibiting the Importation of Books reprinted abroad, and first composed, written, and printed in *Great Britain*; to the Bounty on the Exportation of *British*-made Cordage; to the free Importation of certain raw Hides and Skins from *Ireland*, and the *British* Plantations in *America*; to the regulating the Fees of Officers of the Customs, and Naval Officers in *America*; to the preventing the spreading of the contagious Disorder among the Horned Cattle in *Great Britain*; and to extend the Provisions of an Act of the twelfth Year of the Reign of King *George* the First, for the Improvement of his Majesty's Revenues of Customs, Excise, and Inland Duties, so far as relates to the commencing Prosecutions for Penalties against the Revenue of Customs to subsequent Acts.

87. An Act to prevent the Mischiefs that arise from driving Cattle within the Cities of *London* and *Westminster*, and Liberties thereof, and the Bills of Mortality.

88. An Act to establish a Fund towards further defraying the Charges of the Administration of Justice, and Support of the Civil Government within the Province of *Quebec*, in *America*.

89. An Act to enable his Majesty to allow the Administrator, with the Will annexed, or other the personal Representative, of Sir *Joseph Jekyll* Knight, deceased, to sell ten thousand Pounds *South Sea* Stock, Part of a Legacy given by him to the Use of the Sinking Fund, and to receive the Dividends due thereon, as also on ten thousand Pounds *East India* Stock; and for applying the same as therein is mentioned.

90. An Act for the better Regulation of the Nightly Watch and Beadles within the City and Liberty of *Westminster*, and Parts adjacent; and for other Purposes therein mentioned.

91. An Act more effectually to improve and complete the Navigation of the River *Thames*, westward of *London Bridge*, within the Liberties of the City of *London*, and to prevent any Vessel or Barge from being moored in *Taplow Mill Stream*, in the County of *Bucks*.

92. An Act for regulating and ascertaining the Weights to be made Use of in weighing the Gold and Silver Coin in this Kingdom.

93. An Act for rebuilding the Church of the Parish of *Lewisham*, in the County of *Kent*.

94. An Act for establishing a new Church or Chapel erecting at *Toxteth Park*, in the Parish of *Walton*, near *Liverpool*, in the County Palatine of *Lancaster*.

95. An Act for rebuilding the Parish Church of *Battersea*, in the County of *Surrey*, and for enlarging the Churchyard of the said Parish Church.

96. An Act to amend an Act, passed in the tenth and eleventh Years of the Reign of King *William* the Third, intituled, *An Act for the making and keeping navigable the Rivers of* Aire *and* Calder, *in the County of* York; and for improving the Navigation of the said River *Aire*, from *Weeland* to the River *Ouze*; and for making a navigable Canal from the said River *Aire*, at or near *Haddlesey*, to the River *Ouze*, at the *Old Brick Garth* at *Ouze Gate End*, within the Township of *Selby*, in the said County; and for other Purposes.

97. An Act to continue, amend, and render more effectual an Act, made in the sixth Year of the Reign of his present Majesty, *for repairing the Road from the Turnpike at* Tunbridge Wells, *in the County of* Kent, *to* Ringles Cross, *near* Uckfield, *in the County of* Sussex.

98. An Act to enlarge the Term and Powers of an Act, made in the thirty-second Year of his late Majesty, for repairing and widening the High Road from *Wetherby* to *Grassington*, in the County of *York*.

99. An Act for enlarging the Term and Powers of an Act, made in the twenty-eighth Year of his late Majesty, *for repairing and widening the Roads from the Town of* Manchester *to the Town of* Rochdale, *and from a Place called* The White Smithy, *in the Township of* Crumpsal, *to the Town of* Bury, *and from a Place called* Besses of the Barn *to* Ratcliffe Bridge, *in the County Palatine of* Lancaster; and for impowering the Trustees under the said Act to repair a Lane called *Sheepfoot Lane*, in the said County.

100. An Act for enlarging the Term and Powers of an Act, passed in the twenty-sixth Year of the Reign of his late Majesty King *George* the Second, for repairing and widening the Roads from *Henshall's Smithy*, upon *Cranage Green*, through the Town of *Nether Knutsford*, and by the South Guide Post in *Mere*, and *Bucklow Hill*, to the Town of *Altrincham*, in the County Palatine of *Chester*; and from the said Guide Post to *Warrington*, in the County of *Lancaster*; and from *Bucklow Hill* aforesaid, to *Penny's Lane*, near *Northwich*, in the said County of *Chester*.

101. An Act for repairing and widening several Roads near the Towns of *Hockerton*, *Kirklington*, *Southwell*, *Normanton*, and *Winkbourne*, in the County of *Nottingham*.

102. An Act to enlarge the Terms and Powers of two Acts, made in the twenty-sixth and twenty-seventh Years of the Reign of his late Majesty King *George* the Second, for repairing several Roads leading into the City of *Glasgow*, so far as the same relate to the Road leading from the said City of *Glasgow*, through *Cowcaddens*, to that Part of the Water of *Kelvine*, called *The Milnford of Garscube*.

103. An Act for explaining and amending an Act, made in the thirty-second Year of his late Majesty, *for improving the Navigation of the River* Clyde, *to the City of* Glasgow; *and for building a Bridge cross the said River, from the said City to the Village of* Gorbells; and Part of another Act, made in the eighth Year of his present Majesty, for explaining and amending the said Act; and for repairing, widening, and enlarging, the old Bridge across the River of *Clyde*, from the City of *Glasgow* to the Village of *Gorbells*.

104. An Act to enlarge the Term and Powers of an Act, made in the twenty-eighth Year of the Reign of King *George* the Second, for repairing and widening the Road from *Basingstoke*, through *Wortin*, *Overton*, *Whitchurch*, *Husband Priors*, *Andover*, and *Middle Wallop*, in the County of *Southampton*, to a Place called *Lobcomb Corner*, in the Parish of *Winterslow*, in the County of *Wilts*, for including the Road from *Spittle House*, over *Weyhill*, to *Mullens Pond*, as directed by an Act, made in the twenty-ninth Year of his said Majesty; and for amending the Roads from *Andover*, through *Charlton*, towards *Tangley*, and from *Charlton* to *Clanfield Bottom*, and from *Weyhill* to *Sarson Street*, and also the Road through the said Town of *Basingstoke*.

105. An Act to continue the Terms of two Acts, made in the twenty-sixth and twenty-seventh Years of the Reign of his late Majesty King *George* the Second, for repairing several Roads leading into the City of *Glasgow*, so far as the same relate to the Roads from the City of *Glasgow*, to *Yocker Bridge*, to *Renfrew Bridge*, to the *Three Mile House*, to the Town of *Airdrie*, and from the Village of *Gorbells* to *The Chapel of Cambuslang*, in the Counties of *Lanerk* and *Renfrew*.

106. An Act for recovering, improving, and maintaining, the Navigation of the Haven of *Hedon*, in *Holderness*, in the East Riding of the County of *York*.

107. An Act for draining and preserving the Low Grounds and Carrs, within the Parishes, Townships, and Places of

of *Wineſtead*, *Pattrington*, *South Frodingham*, *Hollym*, *Rimſwell*, *Owthorne* otherwiſe *Seathorne*, *Withernſea*, *Ingland Hill*, and *Walker Fields*, in *Holderneſs*, in the Eaſt Riding of the County of *York*.

108. An Act for better governing and employing the Poor, and making and collecting the Poor's Rates, within the Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*, in the County of *Middleſex*.

109. An Act to enlarge the Term of an Act, made in the ſeventh Year of the Reign of his preſent Majeſty, for repairing and widening ſeveral Roads, leading from the Town of *Ayr*, and other Roads therein mentioned, in the County of *Ayr*; and for repairing and widening certain other Roads within the ſaid County of *Ayr*.

110. An Act to enlarge the Term and Powers of an Act, paſſed in the thirty-third Year of the Reign of his late Majeſty King *George* the Second, *for repairing and widening the High Roads from* Hinckley *to* Woeful Bridge; *and alſo from* Hoo-aſh Lane, *through* Old Lane, *and from* Swannington *to* Lee Gutter, *and from thence to* Melbourne Common; *and from* Ibſtock *to* Meaſham, *in the Counties of* Leiceſter *and* Derby; and for repairing and widening the Road from *Phiney's Houſe*, in the Liberty of *Oſbaſton*, to *Cheſire's Houſe*, in the Liberty of *Carlton*, and alſo the Road from the Turnpike Road at *Swannington*, along *Burton's Lane*, to the *Coal Fields*; and alſo the Road from the Toll-gate in *Old Lane* to the *Leiceſter* and *Aſhby-de-la-zouch* Turnpike Roads.

111. An Act to enlarge the Term and Powers of ſo much of an Act of Parliament, made and paſſed in the twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, for repairing and widening ſeveral Roads therein mentioned, from the Town of *Tewkeſbury*, in the County of *Glouceſter*, as relates to the Second Diſtrict of Roads therein mentioned; and to amend the Road from *Elſtone* Church to the Turnpike Road from *Cirenceſter* to *Glouceſter*, near a Place called *Comb End Beeches*, in the ſaid County of *Glouceſter*.

112. An Act for continuing, altering, and amending an Act, made and paſſed in the twenty-ſixth Year of his late Majeſty King *George* the Second, intituled, *An Act for repairing and widening ſeveral Roads leading from the Town of* Bewdly, *in the County of* Worceſter, *to the ſeveral Places therein mentioned, in the Counties of* Worceſter *and* Salop *reſpectively*.

113. An Act for enlarging the Term and Powers of an Act, made in the twenty-ſeventh Year of King *George* the Second, for repairing and widening the Road from the Borough of *Leiceſter* to and by the North Side of the Town of *Uppingham*, in the County of *Rutland*, and to *Wansford*, in the County of *Northampton*; and from thence to *Peterborough*, in the ſaid County of *Northampton*; and for repairing the Road from the Termination of the ſaid Road at *Peterborough* to the Market Place there.

114. An Act for enlarging the Term and Powers of ſo much of an Act, made in the fourth Year of the Reign of his preſent Majeſty, as relates to the Road from the Town of *Rotherham*, in the County of *York*, to the Turnpike Road at the Eaſt End of *Tankerſley Park*, in the ſaid County.

115. An Act to enlarge the Term and Powers of an Act, made in the twenty-ſecond Year of his late Majeſty King *George* the Second, for repairing the Road from *North Shields*, in the County of *Northumberland*, to the Town of *Newcaſtle upon Tyne*.

116. An Act for impowering the Truſtees for repairing the Road from the Stone's End in *Saint Leonard Shoreditch*, to the furthermoſt Part of the Northern Road, in the Pariſh of *Enfield*, in the County of *Middleſex*, to cauſe Part of the ſaid Road to be lighted, watched, and watered; and for lighting, watching, and watering the Pariſh of *Saint Mary Stoke Newington*, in the ſaid County.

117. An Act to enlarge the Term and Powers of an Act, paſſed in the ninth Year of his preſent Majeſty, for repairing and widening the Road from *Beverley* to the Ferry at *Heſsle*, and from the *Malton* Guide-poſt to the Gravel Pit at *Cottingham*, in the County of *York*; and for repairing and widening other Roads therein mentioned.

118. An Act for continuing the Term and enlarging the Powers granted by an Act, paſſed in the twenty-eighth Year of his late Majeſty's Reign, *for repairing the Road from the North End of* Brown's Lane, *in* Great Stoughton, *in the County of* Huntingdon, *through* Kimbolton *and* Higham Ferrers, *to the Way-poſt near* Wellingborough Bridge, *in the County of* Northampton, *and from the Pound in* Kimbolton *to the Way-poſt in* Great Catworth Field, *near* Brington Bridge, *in the ſaid County of* Huntingdon; and for repealing ſo much of an Act of the tenth Year of his preſent Majeſty's Reign, as relates to the Road between the North End of *Brown's Lane*, and the South End thereof.

PRIVATE ACTS.

Anno 14 *Georgii* III.

1. AN Act for dividing and incloſing the open Fields, common Paſtures, and other unincloſed Grounds, within the Manor and Townſhip of *Swinton*, in the Pariſh of *Appleton in the Street*, in the North Riding of the County of *York*.

2. An Act for dividing and incloſing the open and commonable Fields, within the Pariſh of *Duddington*, in the County of *Northampton*.

3. An Act for dividing and incloſing the common and open Fields, Waſtes, and common Grounds, within the Townſhip and Liberty of *Ibſtock*, in the County of *Leiceſter*.

4. An Act for dividing and incloſing the common Meadows, Commons, and waſte Lands, within the Manor and Pariſh of *Severn Stoke*, in the County of *Worceſter*.

5. An Act for dividing and incloſing the open and common Fields and Downs, within the Pariſh of *Abbot's Ann*, in the County of *Southampton*.

6. An Act for dividing and incloſing ſeveral common Fields, Grounds, and Paſtures, within the Pariſh of *Owmby*, in the County of *Lincoln*.

7. An Act for dividing and incloſing the open Field Land, or ſtinted Paſture, common, and waſte Grounds, within the Manor of *Butterton*, in the Pariſh of *Mayfield*, in the County of *Stafford*.

8. An Act for dividing and incloſing the open and common Fields, lot Grounds, and commonable Lands, within the Pariſh of *Staunton*, in the County of *Glouceſter*.

9. An Act for dividing and incloſing certain open Arable Fields, Meadows, and ſtinted common Paſtures, in the Pariſh of *Weſt Retford*, in the County of *Nottingham*.

10. An Act to enable *Thomas Purnell Jones* Eſquire, and his Iſſue, to take and uſe the Surname and Arms of *Purnell*.

11. An Act for naturalizing *Samuel Rapillard* and *Abraham Delapierre*.

12. An Act for naturalizing *Louis de Saumaize*.

13. An Act for naturalizing *Peter Van Yzendoorn*.

14. An Act for naturalizing *Theodore George Gleichman*.

15. An Act for naturalizing *George Chriſtopher Degen*.

16. An Act to enable Truſtees, with the Conſent of the Perſons claiming under the Will of *Mary Price* Spinſter, deceaſed, to cut down and ſell the Timber upon the ſettled Eſtates of the ſaid *Mary Price*, in the County of *Merioneth*;

Merioneth; and to inveſt the Monies ariſing therefrom in the Purchaſe of Lands and Hereditaments, to be ſettled to the Uſes of the ſaid Will; and for other Purpoſes.

17. An Act for veſting certain Eſtates in the County of *Devon*, late of *Thomas Benſon* Eſquire, deceaſed, in Truſtees, to be ſold, to raiſe Money, to be applied under the Direction of the Court of Exchequer, in Payment of certain Legacies affecting the ſame Eſtates.

18. An Act for veſting the Eſtate late of *William Watts* Eſquire, called *South Hill*, or *Fiſher's Lodge*, in the County of *Berks*, in Truſtees, to ſell the ſame; and to lay out the Money ariſing by ſuch Sale in the Purchaſe of another Eſtate, to be ſettled to the Uſes of his Will.

19. An Act for dividing and incloſing the Common Fields, Half-year Lands, common Paſtures, common Meadows, Lammas Meadows, Commons, commonable Lands, Heaths, and waſte Grounds, within the Pariſh of *Tottington*, in the County of *Norfolk*.

20. An Act for dividing, allotting, and incloſing, the open and common Fields, Crofts, Brecks, and other Half-year Cloſes, in the Pariſhes of *Beetley*, *Great Bittering*, and *Greſſenhall*, in the County of *Norfolk*, within the Liberty of *Sheepwalk*, called *Beetley Sheepwalk*; and for dividing, allotting, and incloſing, certain Commons and waſte Lands, within the ſaid Pariſh of *Beetley*.

21. An Act for enabling the Right Honourable *John* Earl *Spencer* to incloſe the ſeveral open and common Fields in the Pariſh of *Dunton*, in the County of *Bucks*; and for veſting certain Glebe Lands, and the Tithes belonging to the Rectory of *Dunton* aforeſaid, in the ſaid *John* Earl *Spencer*; and for making a Compenſation to the Rector of the ſaid Pariſh in lieu thereof.

22. An Act for dividing and incloſing the open Fields, Meadow, Paſture, and all other commonable Grounds, within the Manor of *Ratcliffe upon Wreak*, in the County of *Leiceſter*.

23. An Act for dividing and incloſing certain open common Fields, Paſtures, and waſte Grounds, called *Cropredy Field* and *Aſt Mead*, within the Pariſh of *Cropredy*, in the County of *Oxford*.

24. An Act for dividing and incloſing certain open and common Fields, common Meadows, common Grounds, and commonable Places, in the Pariſh of *Waddeſdon*, in the County of *Bucks*.

25. An Act for dividing, allotting, and incloſing, the open Fields, Waſtes, and commonable Places, of *Huckleſcote* and *Donnington on the Heath*, in the Pariſh of *Ibſtock*, in the County of *Leiceſter*.

26. An Act for dividing and incloſing the Commons and waſte Grounds, within the Manor or Lordſhip of *Oſwaldtwiſle*, in the Pariſh of *Whalley*, in the County Palatine of *Lancaſter*.

27. An Act for dividing and incloſing all the open Fields, Meadows, Paſtures, and commonable Grounds, within the Townſhip or Liberty of *Sutton Saint Ann's*, otherwiſe *Sutton Bonnington*, commonly called *Saint Ann's End*, in the County of *Nottingham*.

28. An Act for dividing and incloſing ſeveral Pieces and Parcels of Land, called *Biſhop's Itchington Heath*, *Chriſtmas Hill*, *Palmer's Furze*, *the Olt*, and commonable Places, within the Pariſh of *Biſhop's Itchington*, in the County of *Warwick*.

29. An Act for dividing and incloſing certain open common Fields, Meadows, Ings, and other commonable Lands and waſte Grounds, within the Pariſh of *Weſt Keal*, in the County of *Lincoln*.

30. An Act for dividing and incloſing the common Paſture or waſte Ground, called *Cottmore*, and ſuch Part of the common Paſture or waſte Ground, called *Radley*, as lies within the Diſtricts of *Southwell* and *Weſthorpe*, in the Pariſh of *Southwell*, in the County of *Nottingham*.

31. An Act for dividing and incloſing certain common Fields, common Meadows, Paſtures, and other commonable Lands, within the Pariſh of *Old Stratford*, otherwiſe *Stratford upon Avon*, in the County of *Warwick*.

32. An Act for dividing and incloſing certain Commons and waſte Grounds, called *Newthorpe Great Common* and *Begerley Common*, in the Pariſh of *Greaſley*, in the County of *Nottingham*.

33. An Act for dividing and incloſing the open and common Fields, common Paſtures, common Meadows, and other commonable Lands, of and within the Pariſh and Liberties of *Staverton*, in the County of *Northampton*.

34. An Act for dividing and incloſing the open and common Fields, and other commonable Lands, in the Pariſh of *Halford*, and County of *Warwick*.

35. An Act for dividing and incloſing the common and open Fields, Meadows, Paſtures, Heath, and waſte Grounds, within the Manor and Pariſh of *Wilsford*, otherwiſe *Willesford*, in the County of *Lincoln*.

36. An Act to diſſolve the Marriage of *Richard Heatley*, with *Arabella Dawſon*, his now Wife; and to enable him to marry again; and for other Purpoſes therein mentioned.

37. An Act to enable *Thomas Aſsheton* Eſquire, and his Sons, and the Heirs Male of their Bodies, to take and uſe the Surname of *Smith*, purſuant to the Will of *William Smith* Eſquire, deceaſed.

38. An Act to enable the Honourable *Henrietta Charlotte Keck* Spinſter, and her Iſſue, to take, uſe, and bear, the Surname and Arms of *Tracy*, purſuant to the Will of *Robert Tracy* Eſquire, deceaſed.

39. An Act for naturalizing *Nicholas Joachim Haeſeler* and *John Erich*.

40. An Act for naturalizing *Jacob Julien Baumgartner*.

41. An Act for confirming an Agreement between *William* Earl of *Radnor* and the Preſident and Fellows of *Queen's College Cambridge*, for an Exchange of the Advowſon of *Seagrave*, in the County of *Leiceſter*, for the Advowſon of *Great Chiverel*, in the County of *Wilts*.

42. An Act for veſting in *John* Earl of *Breadalbane*, and his Heirs, in Fee-ſimple, certain Lands, Part of his entailed Eſtate, in the County of *Argyll*; and for ſettling, in lieu thereof, other Lands lying contiguous to, and interſperſed with, the ſaid entailed Eſtate.

43. An Act for enabling the Dean and Chapter of *Canterbury*, *Henry Penton* Eſquire, and *Thomas Brandon*, to grant Building Leaſes, purſuant to two ſeveral Agreements entered into for that Purpoſe.

44. An Act to ſubject and charge the Rectory and Parſonage Impropriate of *Sunning* otherwiſe *Sonynge*, in the Counties of *Berks* and *Oxon*, and the Manor, Lands, Tithes, and Hereditaments, thereunto belonging, with the Payment of three ſeveral perpetual yearly Rent Charges, or annual Payments, to Doctor *Thomas Greene* and his Succeſſors, Deans of *Sarum*; and for diveſting the Fee-ſimple and Inheritance of the ſaid Premiſes out of him and his Succeſſors; and for veſting the ſame, ſo charged, in *Robert Palmer* Eſquire, his Heirs and Aſſigns.

45. An Act for veſting Part of the Freehold and Leaſehold Eſtates, deviſed by the Will of *John Mitford* Eſquire, deceaſed, in Truſtees, to ſell the ſame, for diſcharging Incumbrances, and for laying out the Reſidue of the Money ariſing by Sale in the Purchaſe of other Lands and Hereditaments, to be ſettled in lieu thereof, to the like Uſes.

46. An

46. An Act for veſting Part of the ſettled Eſtates of *William Foſter*, and *Levina Davey Foſter*, his Wife, in *Holdingham* and *New Sleaford*, in the County of *Lincoln*, in the ſaid *William Foſter*, in Fee-ſimple; and for ſettling other Eſtates of the ſaid *William Foſter*, in *Alderchurch*, otherwiſe *Algarkirke*, in the ſaid County, of greater Value, in lieu thereof.

47. An Act for dividing, allotting, and incloſing, the common Fields, common Meadows, and waſte and commonable Lands, within the Pariſh of *Upton Snodſbury*, in the County of *Worceſter*.

48. An Act for dividing and incloſing ſeveral open Fields, Meadows, Paſtures, and Commons, within the Pariſh of *Spridlington*, in the County of *Lincoln*.

49. An Act for dividing and incloſing certain open Fields and Meadows, ſtinted common Paſtures, and free Commons, in the Pariſh of *Heapham*, in the County of *Lincoln*.

50. An Act for dividing and incloſing the open Fields, Meadows, common Paſtures, and waſte Grounds, in the Manor and Pariſh of *Ludborough*, in the County of *Lincoln*.

51. An Act for dividing and incloſing the open and common Fields, Meadows, Paſtures, Fens, Heath, and waſte Lands, within the Pariſh of *Potterhanworth*, in the County of *Lincoln*.

52. An Act for dividing and incloſing ſeveral Fields, Commons, and waſte Lands, in the Manor of the Foreign of *Kidderminſter*, in the Pariſh of *Kidderminſter*, in the County of *Worceſter*.

53. An Act for dividing and incloſing the open common Fields, Meadows, Paſtures, and other common Lands, within the Hamlets of *Twyford* and *Charndon*, in the Pariſh of *Twyford*, in the County of *Buckingham*.

54. An Act to amend an Act, paſſed in the tenth Year of the Reign of his preſent Majeſty, intituled, *An Act for dividing and incloſing ſuch of the open Parts of the Diſtrict called the Foreſt of* Knareſborough, *in the County of* York, *as lie within the eleven Conſtableries thereof; and for other Purpoſes therein mentioned.*

55. An Act for dividing and incloſing the open Arable Fields, Meadows, Paſtures, Commons, and waſte Grounds in the Pariſh of *Wroot*, in the County of *Lincoln*.

56. An Act for dividing and incloſing the common Fields, waſte Grounds, and commonable Lands, within the Pariſh of *Foleſhill*, in the County of the City of *Coventry*.

57. An Act for dividing and incloſing the common and open Fields, Meadows, and commonable Lands, in the Pariſh of *Warmington*, in the County of *Northampton*.

58. An Act for dividing, allotting, and incloſing, the common Fields, Half-year Incloſures, Lammas Meadows, Brecks, Heaths, Warrens, Commons, and waſte Lands, within the Pariſh of *Weeting*, in the County of *Norfolk*.

59. An Act for dividing, allotting, and incloſing, the old whole Year Lands, common Fields, Half-year Incloſures, Lammas Meadows, Heaths, Commons, and waſte Lands, within the Pariſh of *Barton*, otherwiſe *Barton Bendiſh*, or *Eaſtmore*, in the County of *Norfolk*.

60. An Act for naturalizing *Guſtav. Nicolaus Eggers*.

61. An Act for naturalizing *John Everth*.

62. An Act for naturalizing Captain *David Francis De Bezancenet*.

63. An Act for naturalizing *Chriſtian Frederick Eſberger*.

64. An Act for veſting the ſettled Eſtates of *Francis Creuzé* and *Sarah* his Wife, in the County of *Worceſter*, in Truſtees to be ſold; and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands, to be ſettled to the ſame Uſes.

65. An Act for Sale of the Freehold and Copyhold Eſtates, late of *John Wilſon* Eſquire, deceaſed, ſituate in the County of *Surrey*; and for laying out the Money to ariſe by ſuch Sale for the Benefit of *John Wilſon*, an Infant, his eldeſt Son and Heir at Law.

66. An Act for veſting Part of the Eſtates late of *George Palmes* Eſquire, deceaſed, in the Lordſhip or Townſhip of *Nabourn*, otherwiſe *Naburn*, in the Eaſt Riding of the County of *York*, in Truſtees, to be ſold; and to apply the Monies thereby ariſing in Payment of the Debts of the ſaid *George Palmes*, deceaſed; and for other Purpoſes therein mentioned.

67. An Act to enable the Vicar of the Pariſh Church of *Saint Nicholas*, in the Town and County of the Town of *Newcaſtle upon Tyne*, to demiſe or leaſe Part of the Land belonging to the ſaid Vicarage to *William Lowes* Eſquire, for the Purpoſes, and upon the Conditions, in ſuch Leaſe to be mentioned.

68. An Act for dividing and incloſing certain open and common Fields, Commonable Down Lands, and other Commonable Places, in the Pariſh of *Titcombe*, otherwiſe *Tidcombe*, in the County of *Wilts*.

69. An Act for dividing and incloſing the ſeveral open Fields, Meadows, Paſtures, and other unincloſed Grounds, within the Townſhip of *Bainton*, in the Eaſt Riding of the County of *York*; and for making a Compenſation in lieu of the Tithes of all the ſaid Townſhip, and of the Townſhip of *Neſwick*, in the Pariſh of *Bainton* aforeſaid.

70. An Act for dividing and incloſing ſeveral open and common Fields, and common Meadows, within the Hamlet or Chapelry of *Defford*, in the County of *Worceſter*; and for draining and levelling, and alſo for regulating the Stocking with Cattle, a certain Common called *Defford Common*.

71. An Act for dividing, allotting, and incloſing, the open unincloſed Fields, and Parcels of Land, within the Manor and Pariſh of *Garton*, in the Eaſt Riding of the County of *York*.

72. An Act for dividing and incloſing the open Arable Fields, Meadows, Paſtures, Commons, and waſte Grounds, in the Pariſh of *Finningley*, in the Counties of *Nottingham* and *York*

73. An Act for dividing and incloſing the open and common Fields, Meadows, Commonable Lands, and Commons, within the Manor, Pariſh, and Liberties of *Ellington*, in the County of *Huntingdon*.

74. An Act for incloſing the open and common Fields, and common and waſte Grounds, within the Pariſh of *Potton*, in the County of *Bedford*.

75. An Act for dividing and incloſing the open and common Fields, Meadows, and common Grounds, within the Pariſh of *Harringworth*, in the County of *Northampton*.

76. An Act for dividing and incloſing the open and common Fields, common Meadows, and common and waſte Grounds, and alſo a ſtinted or common Paſture, called *The Cow Common*, within the Manor and Pariſh of *Stoke Hammond*, in the County of *Bucks*.

77. An Act for dividing and incloſing the open and common Fields, and common Downs, in the Tithings of *Milton Lilburne*, *Milton Abbotts*, and *Milton Havering*, in the Pariſh of *Milton*, in the County of *Wilts*.

78. An Act for dividing and incloſing the open and common Fields, Meadows, Paſtures, and other Commonable Lands and Grounds, within and belonging to the Chapelry or Townſhip of *Bricklehampton*, in the County of *Worceſter*.

79. An Act for dividing and incloſing the ſeveral open Arable Fields, and other unincloſed Grounds, within the Townſhip

Townſhip of *Rudſton*, in the Eaſt Riding of the County of *York*.

80. An Act for dividing, allotting, and incloſing, the open and common Fields, Meadows, Commonable Lands and Commons, within the Townſhip, Pariſh, and Liberties of *Eaſton*, in the County of *Huntingdon*.

81. An Act for dividing and incloſing ſeveral open common Fields, common Paſtures, Ings, Commons, and other waſte Lands and Grounds, within the Townſhips of *Acombe* and *Holdgate*, in the County of the City of *York*.

82. An Act for dividing and incloſing the open and common Fields, Hills, Meadow, Paſtures, Lot Grounds, and Commonable Lands, within the Pariſh of *Oxenton*, in the County of *Glouceſter*.

83. An Act to explain and amend an Act, made in the tenth Year of his preſent Majeſty's Reign, for dividing and incloſing the open common Fields, common Paſtures, and other Commonable Lands and Grounds, within the Pariſh of *Saint Neots*, in the County of *Huntingdon*; and for regulating the Uſage and Stocking of divers Commonable Lands and Commons within the ſaid Pariſh.

84. An Act to enable *John Meadows* the elder, Gentleman, and his Iſſue Male, to take, uſe, and bear, the Surname and Arms of *Theobald*, purſuant to the Will of *Elizabeth Theobald*, Widow, deceaſed.

85. An Act for naturalizing *Paul Burnand*.

86. An Act for naturalizing *Luder Hoffham* and *Nicholas Hane*.

87. An Act for naturalizing *Victor Buſigny*.

88. An Act for veſting the Eſtate of the Honourable *William Hanger*, ſituate in the County of *Kent*, entailed by the Will of the Right Honourable *Gabriel* Lord *Coleraine*, in the Kingdom of *Ireland*, deceaſed, in Truſtees, to be ſold; and for applying the Monies ariſing by ſuch Sale in the Purchaſe of other Lands and Hereditaments, to be ſettled to the ſame Uſes.

89. An Act for veſting one Moiety of the Bridge built croſs *Stonehouſe Creek*, near *Plymouth Dock*, in the County of *Devon*, in Truſtees, in Truſt, to raiſe a Moiety of the Expences of building the ſame; and alſo for enabling certain Perſons to grant Building and other Leaſes, during the Minority of Sir *John Saint Aubyn* Baronet, of the reſpective Eſtates deviſed to him by the Wills of his Father and Sir *William Maurice* Baronet, deceaſed; and likewiſe for veſting certain Houſes in *Middleſex* and *London* in Truſtees, in Truſt to ſell the ſame.

90. An Act for veſting the Manor of *Thorngumbald*, and certain Meſſuages, Lands, Tenements, and Hereditaments, in *Thorngumbald* and *Paul*, or one of them, in *Holderneſs*, in the Eaſt Riding of the County of *York*, late the Eſtate of *Thomas Gee* Eſquire, deceaſed, in Truſtees, to be ſold; and for applying Part of the Monies thereby ariſing in diſcharging the Incumbrances affecting the ſame Eſtate; and for laying out the Reſidue in the Purchaſe of other Lands and Hereditaments, to be ſettled to the ſame Uſes.

91. An Act to enable *Walter Smyth* Eſquire, to make and eſtabliſh an Exchange of the Manor of *Binderton*, and certain Lands, Tenements, and Hereditaments, in the Pariſh of *Binderton*, in the County of *Suſſex*, for other Lands and Hereditaments in the ſame County, belonging to Sir *Jeames Peachy* Baronet.

92. An Act for dividing and incloſing the open and common Fields, Commons, Fens, and waſte Grounds, in the Pariſh of *Timberland*, in the County of *Lincoln*.

93. An Act for dividing and incloſing the common Fields, common Ings, Meſne, Incloſures, Commons, or waſte Grounds, within the Pariſh of *Rawmarſh*, in the Weſt Riding of the County of *York*.

94. An Act for naturalizing *John Michael Lange*.

95. An Act for impowering the moſt Noble *William* Duke of *Devonſhire* to make Leaſes of Mines and Quarries, within the Eſtates late of *Richard* Earl of *Burlington* and *Corke*, deceaſed, in the County of *York*.

96. An Act for veſting a Meſſuage and Lands, called *Eaſt Leach Grove* (Part of the ſettled Eſtate of the Right Honourable *Frederick Henry* Lord *Chedworth*, in the County of *Glouceſter*), in Truſtees, in Truſt, to ſell and convey the ſame, purſuant to an Agreement for that Purpoſe; and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands, to be ſettled to the like Uſes.

97. An Act to enable Sir *Edward Swinburne* Baronet, to charge certain Moors and waſte Lands, within the Pariſhes of *Edlingham* and *Simonburne*, in the County of *Northumberland*, or either of them, late the Eſtate of Sir *John Swinburne* Baronet, deceaſed, after he ſhall have cultivated and improved the ſame in the Manner therein mentioned.

98. An Act for veſting divers Freehold Eſtates, late of *Robert Barbor* Eſquire, deceaſed, in Truſtees, to be ſold, to raiſe Money, to be applied, under the Direction of the Court of Chancery, in Payment of the Debts, Legacies, and Charges, charged upon and affecting the ſame; and for other the Purpoſes therein mentioned.

99. An Act for impowering the Judges of the Court of Seſſion in *Scotland* to ſell the Whole, or ſuch Parts and Portions, of the Eſtate and Barony of *Kinroſs*, in the County of *Kinroſs*, belonging to *James Bruce Carſtairs* Eſquire, as ſhall be ſufficient for Payment of the Debts affecting the ſame; and for ſettling the Remainder of the ſaid Eſtate and Barony, in Tail, on the ſame Perſons, and to the ſame Uſes and Purpoſes, as mentioned in a Deed of Entail, made by Sir *William Bruce* Baronet, bearing Date the ſixteenth Day of *February*, in the Year one thouſand ſix hundred and eighty-three.

100. An Act to enable certain Truſtees therein named to raiſe Money, by Sale of certain Eſtates of *John Smith*, and *James Smith* his Son, in the City of *Coventry*, and County of the ſame City, for the Payment of Debts and Incumbrances, and other Purpoſes therein expreſſed.

101. An Act for amending and rendering effectual the Powers of Sale and Revocation of Uſes, contained in the Marriage Articles and Settlement of *Richard Sterne* Eſquire, and *Mary* his Wife, of divers Meſſuages, Lands, and Hereditaments, in the County of *York*, therein compriſed.

102. An Act for enabling and impowering Truſtees to accept, grant, and make, Building and other Leaſes, Contracts, and Agreements, of certain Meſſuages, Lands, and Premiſes, late of *William Baker* Eſquire, deceaſed, during the Minority of his Son *Peter William Baker*, an Infant; and alſo, during ſuch Minority, to receive the Rents and Profits thereof, and all other his Perſonal Eſtates, and the Intereſt, Dividends, and Proceed thereof, and apply the ſame as in the Act mentioned; and for other Purpoſes.

103. An Act for veſting the Eſtates late of *James Colebrooke* Eſquire, deceaſed, in the County of *Kent*, in Truſtees, to be ſold; and for purchaſing other Eſtates to be ſettled to the ſame Uſes, ſubject to the Annuities, and other Charges and Incumbrances thereon; and for other Purpoſes therein mentioned.

104. An Act to enable the Maſter and Scholars of *Baliol College*, in the Univerſity of *Oxford*, in their Collegiate Capacity, to convey certain Lands and Poſſeſſions belonging

longing to the ſaid College, in the Counties of *Salop* and *Radnor*, to *William Pierce Hall*, and *John Woodhouſe*, Eſquires, in Exchange for other Lands in the County of *Radnor*, of greater Value, to be conveyed to, and held by, them reſpectively, to the Uſes, and upon the Truſts, therein mentioned.

105. An Act for confirming to the reſident Freemen or Burgeſſes, and reſident Widows of deceaſed Freemen or Burgeſſes, of the Town of *Newcaſtle upon Tyne*, their full Right and Benefit to the Herbage of *The Town Moore*, *Caſtle Leazes*, and *Nuns Moor*, within the Liberties of the ſaid Town, for two Milch Cows each, in ſuch Manner as has been uſed; and for improving the Herbage of the ſaid *Town Moor*, *Caſtle Leazes*, and *Nuns Moor*, reſpectively.

106. An Act for dividing and incloſing the Commons, or Waſtes, called or known by the Names of *Wedmore Moor*, *Churchland Moor*, *Tadam* and *Yeel Moor*, and *Mudgeley Moor*, within the Pariſh of *Wedmore*, in the County of *Somerſet*.

107. An Act for confirming and eſtabliſhing the Diviſion, Extinction of Right of Intercommon, and Exchanges of certain Lands, in *Balmbrough*, *Shoeſton*, and *Sunderland*, in the County of *Northumberland*, made between the ſeveral Perſons intereſted therein; and for appointing Arbitrators, to ſettle the Claims of the reſpective Lords of the Manors of *Hexham* and *Blanchland*, in the ſaid County, to a Tract of diſputed Ground lying contiguous to the ſaid Manors.

108. An Act for dividing and incloſing the open and common Fields, common Paſtures, common Meadows, and other commonable Lands, of and within the Pariſh and Liberties of *Hellidon*, in the County of *Northampton*.

109. An Act for dividing and incloſing the open and common Fields, common Heath, common Paſtures, common Meadows, and other commonable Lands, of and within the Hamlet and Liberties of *Hollowell*, in the Pariſh of *Guilſborough*, in the County of *Northampton*.

110. An Act for dividing and incloſing the open and common Fields, Meadows, commonable Lands and Commons, within the Manor and Townſhip of *Graffham*, in the County of *Huntingdon*.

111. An Act to diſſolve the Marriage of *Stephen Popham*, Gentleman, with *Ann Yate Whiteſide*, his now Wife; and to enable him to marry again; and for other Purpoſes therein mentioned.

112. An Act to enable *George Dickerdine* Eſquire, and his Heirs, to take and uſe the Name and Surname of *Rice Fellowe*, and to bear the Arms of *Fellowe*, purſuant to the Will of *Rice Fellowe* Eſquire, deceaſed.

113. An Act to enable the Truſtees named in a certain Act of Parliament, paſſed in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for giving further Powers to the Truſtees named in a certain Act of Parliament, made in the ninth Year of the Reign of his preſent Majeſty*, intituled, *An Act to impower the Truſtees of the Will of the late General* Pulteney, *and other Truſtees appointed by this Act, to purchaſe and exchange Lands and Grounds in the Manor of* Bathwick, *in the County of* Somerſet, *for the Purpoſe of making certain Roads and Ways to and from a free Bridge by them intended to be built over the River* Avon, *in the ſaid County; and alſo to impower the Perſons in Poſſeſſion of the ſaid Eſtate for the Time being, under the ſaid Will, to grant Leaſes of certain Lands and Houſes in the ſaid Manor; and likewiſe to enable the ſaid Truſtees to grant certain Grounds and Springs of Water, within the ſaid Manor of* Bathwick, *to the Mayor, Aldermen, and Citizens of* Bath; *and for extending the Juriſdiction of the ſaid Mayor, Aldermen, and Citizens, over Part of the ſaid Manor of* Bathwick; *and for other Purpoſes therein mentioned; and for enlarging the Powers of Leaſeing, given by the ſaid Act, to the Perſons therein named; and for other Purpoſes*, to raiſe a Sum of Money for the Purpoſes therein mentioned.

114. An Act for allotting and dividing the open Fields and Commons, in the Manor of *Laleham*, in the Counties of *Middleſex* and *Surrey*.

A

TABLE

OF THE

Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the fifteenth Year of the Reign of GEORGE III.

PUBLIC ACTS.

Anno 15 *Georgii* III.

1. AN Act to allow the Importation of *Indian* Corn and Maize, under certain Reſtrictions.
2. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-five.
3. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-five.
4. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
5. An Act to repeal ſo much of an Act, made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to prevent the Exportation to Foreign Parts of Utenſils made uſe of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom*, as relates to Wool Cards uſed in the Woollen Manufactures of this Kingdom, intended to be exported to any of his Majeſty's Colonies or Plantations in *America*.
6. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
7. An Act to continue for a further Time an Act, made in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act to continue and amend an Act, made in the fifth Year of the Reign of his preſent Majeſty*, intituled, *An Act for Importation of ſalted Beef, Pork, Bacon, and Butter, from* Ireland, *for a limited Time, and for allowing the Importation of ſalted Beef, Pork, Bacon, and Butter, from the* Britiſh *Dominions in* America, *for a limited Time*; and for extending the Proviſions of the ſaid Acts to Potatoes, and all Kinds of Pulſe.
8. An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-five.
9. An Act to amend an Act, made in the ninth Year of the Reign of his preſent Majeſty, for making and maintaining a navigable Canal from the *Coventry* Canal Navigation to the City of *Oxford*.
10. An Act to reſtrain the Trade and Commerce of the Provinces of *Maſſachuſet's Bay* and *New Hampſhire*, and Colonies of *Connecticut*, and *Rhode Iſland*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *Britiſh* Iſlands in the *Weſt Indies*; and to prohibit ſuch Provinces and Colonies from carrying on any Fiſhery on the Banks of *Newfoundland*, or other Places therein mentioned, under certain Conditions and Limitations.
11. An Act to amend an Act, made in the eleventh Year of his preſent Majeſty's Reign, *For improving and completing the Navigation of the River* Thames *and* Iſis, *from the City of* London *to the Town of* Cricklade, *in the County of* Wilts.
12. An Act to enable the Commiſſioners, acting by virtue of an Act, made in the twenty-ſeventh Year of the Reign of his Majeſty King *George* the Second, *For draining and preſerving the North Level, Part of the Great Level of the Fens, called* Bedford Level, *and divers Lands adjoining thereto, in the Manor of* Crowland; to charge further Taxes upon the ſaid North Level, and the ſaid adjoining Lands.
13. An Act for the better Relief and Employment of the Poor within the Hundreds of *Eaſt* and *Weſt Flegg*, in the County of *Norfolk*.
14. An Act to explain and amend an Act, made in the fourteenth Year of his preſent Majeſty, intituled, *An Act to amend an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King* George *the Second*, intituled, *An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures*; *and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Preſſers, and of all*

all Perſons employed in the ſaid ſeveral Manufactures; and for the better Payment of their Wages.

15. An Act to amend and render more effectual in his Majeſty's Dominions in *America* an Act, paſſed in the preſent Seſſion of Parliament, intituled, *An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters*, and for extending the Proviſions of the ſaid Act to his Majeſty's Marine Forces in *America*.

16. An Act to enable Sir *Nigel Greſley* Baronet, and *Nigel Bowyer Greſley* Eſquire, his Son, to make and maintain a navigable Cut or Canal from certain Coal Mines in *Apedale* to *Newcaſtle under Lyme*, in the County of *Stafford*.

17. An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

18. An Act to reſtrain the Trade and Commerce of the Colonies of *New Jerſey*, *Penſylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *Britiſh* Iſlands in the *Weſt Indies*, under certain Conditions and Limitations.

19. An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the Time being, to compound with the Repreſentatives of *Hugh Barlow*, *Herbert Lloyd*, and *William Skyrme*, a Debt due to his Majeſty from *William Williams*, deceaſed.

20. An Act to amend and render more effectual two Acts, paſſed in the ſixth and tenth Years of the Reign of his preſent Majeſty, for making a navigable Cut or Canal from the River *Trent*, at or near *Wilden-Ferry*, in the County of *Derby*, to the River *Merſey*, at or near *Runcorn-Gap*.

21. An Act for the better Relief and Employment of the Poor within the Pariſh of *Saint Mary le Bone*, in the County of *Middleſex*; and for building a Workhouſe in the ſaid Pariſh.

22. An Act for veſting Part of the Garden of the Society of *Lincoln's Inn*, in the County of *Middleſex*, in the Accountant General of the Court of Chancery, and his Succeſſors, for ever, for the Purpoſe of erecting thereon Offices for the Accountant General, and for the Regiſter of the ſaid Court.

23. An Act for building a Workhouſe, and for the better Relief and Employment of the Poor, within the Pariſh of *Saint James, Clerkenwell*, in the County of *Middleſex*.

24. An Act for incorporating certain Perſons, for the Relief of poor Widows and Children of Clergymen within the County of *Huntingdon*.

25. An Act for taking down the Common Gaol of the County of *Hertford*, and for building a new Gaol in a more commodious Situation.

26. An Act for appointing Commiſſioners for putting in Execution an Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-five*.

27. An Act for admeaſuring Waggons and other Carriages uſed in loading Coals on Board Ships at the ſeveral Ports of this Kingdom, in the ſame Manner as at the Ports of *Newcaſtle*, and *Sunderland*.

28. An Act for altering, explaining, and amending ſeveral Acts of the Parliament of *Scotland*, reſpecting Colliers, Coal-bearers, and Salters.

29. An Act to repeal two Acts, made in the Parliament of *Scotland*, the twenty-eighth Day of *June*, one thouſand ſix hundred and thirty-three, intituled, *Act anent the Clan* Gregour, and the fifteenth Day of *June*, one thouſand ſix hundred and ninety-three, intituled, *Act for the Juſticiary in the Highlands*, ſo far as relates to the *Mac Gregours*; and to revive an Act of the ſaid Parliament of the twenty-ſixth Day of *April*, one thouſand ſix hundred and ſixty-one, relative to the People called *Mac Gregours*.

30. An Act for allowing the Officer appointed to mark or ſtamp the Weights to be made uſe of in weighing the Gold and Silver Coin of this Kingdom, in purſuance of an Act made in the laſt Seſſion of Parliament, to take certain Fees in the Execution of his Office.

31. An Act for the Encouragement of the Fiſheries carried on from *Great Britain*, *Ireland*, and the *Britiſh* Dominions in *Europe*, and for ſecuring the Return of the Fiſhermen, Sailors, and others employed in the ſaid Fiſheries, to the Ports thereof, at the End of the Fiſhing Seaſon.

32. An Act to repeal an Act, paſſed in the thirty-firſt Year of the Reign of her Majeſty Queen *Elizabeth*, (intituled, *An Act againſt the erecting and maintaining of Cottages.*)

33. An Act for ſettling *Buckingham Houſe* with the Appurtenances upon the Queen, in caſe ſhe ſhall ſurvive his Majeſty, in lieu of his Majeſty's Palace of *Somerſet Houſe*; for enabling the Lords Commiſſioners of his Majeſty's Treaſury to ſell and diſpoſe of *Ely Houſe* in *Holborn*, and for applying the Money to ariſe by Sale thereof, together with other Monies, in erecting and eſtabliſhing publick Offices in *Somerſet Houſe*, and for embanking certain Parts of the River *Thames* lying within the Bounds of the Manor of the *Savoy*, and for other Purpoſes therein mentioned.

34. An Act for encouraging the Manufactures of Rape Oil, and other vegetable Oils, in this Kingdom, by reducing the Duties on Rape Seed, and other Seeds producing Oil, imported from *Ireland*; and for allowing the free Importation of Rape Cakes for Manure from *Ireland* to this Kingdom.

35. An Act to permit the free Importation of raw Goat Skins into this Kingdom for a limited Time.

36. An Act to explain and amend an Act, made in the tenth Year of the Reign of his preſent Majeſty, intituled, *An Act to enable the Speaker of the Houſe of Commons to iſſue his Warrants to make out new Writs for the Choice of Members to ſerve in Parliament, in the Room of ſuch Members as ſhall die during the Receſs of Parliament*; and for enabling the Speaker of the Houſe of Commons to make out new Writs for the Choice of Members to ſerve in Parliament, in the Room of ſuch Members as ſhall during the Receſs of Parliament become Peers of *Great Britain*, and be ſummoned to Parliament; and for ſuſpending the Execution of the ſaid Act with reſpect to the Borough of *Shafteſbury*, in the County of *Dorſet*, during the next Receſs of Parliament.

37. An Act to permit the Importation of painted Earthen Ware (except Galley Tiles), the Manufacture of *Europe*, to be ſold in *Great Britain*, and for charging the ſame with a Duty *ad valorem*.

38. An Act for raiſing a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-five.

39. An

39. An Act to impower Juſtices of the Peace to adminiſter Oaths where any Penalty is to be levied, or Diſtreſs to be made, in purſuance of any Act of Parliament, wherein the ſame is not expreſsly directed.

40. An Act for amending and explaining an Act, paſſed in the fourteenth Year of his Majeſty's Reign, intituled, *An Act to eſtabliſh a Fund towards further defraying the Charges of the Adminiſtration of Juſtice, and Support of the Civil Government within the Province of* Quebec, *in* America.

41. An Act for redeeming the Sum of one Million of the Capital Stocks of three Pounds *per Centum* Annuities, in the Manner and on the Terms therein mentioned; and for eſtabliſhing a Lottery.

42. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-five; and for further appropriating the Supplies granted in this Seſſion of Parliament.

43. An Act for Lighting and Watching the Hamlet of *Highgate* in the County of *Middleſex*.

44. An Act to continue, for a limited Time, ſo much of an Act made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty a Sum of Money to be raiſed by Exchequer Bills, and to be advanced and applied in the Manner and upon the Terms therein mentioned, for the Relief of the United Company of Merchants of* England *trading to the* Eaſt Indies, as obliges the ſaid Company to export annually Goods and Merchandiſes of the Growth, Product, or Manufacture of *Great Britain* to their Settlements in the *Eaſt Indies* to a certain Value.

45. An Act for allowing the Cloathing and Accoutrements neceſſary for his Majeſty's Forces, paid out of his Majeſty's Revenues ariſing in the Kingdom of *Ireland*, to be exported from thence to the Places where ſuch Forces are ordered to ſerve, and for granting a Bounty upon Flax Seed imported into *Ireland* for a limited Time.

46. An Act for amending and rendering more effectual an Act paſſed in the eleventh Year of his preſent Majeſty's Reign, intituled, *An Act for regulating and improving the Fiſheries in the River* Tweed, *and the Rivers and Streams running into the ſame, and alſo within the Mouth or Entrance of the ſaid River*.

47. An Act for enabling his Majeſty to licenſe a Playhouſe in the Town of *Manchester*, in the County Palatine of *Lancaſter*.

48. An Act to continue the Term of an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, *For laying a Duty of two Pennies* Scots *upon every* Scots *Pint of Beer and Ale which ſhall be ſold or vended, brewed, brought in, or tapped, for Sale, within the Town of* Anſtruther Eaſter, *and Liberties thereof*.

49. An Act for taking down the Church of *All Saints*, in the Town of *Fulbourne*, and County of *Cambridge*; and for the better repairing, and keeping in Repair, the Church of *Saint Vigors* in the ſaid Town.

50. An Act to enable the Inhabitants of the Pariſh of *Saint Paul Covent Garden*, in the County of *Middleſex*, to purchaſe or hire a convenient Piece of Ground, for the Purpoſe of erecting a Workhouſe thereon for the Reception and Employment of the Poor of the ſaid Pariſh; and for providing an additional Burial Ground for the Uſe of the ſaid Pariſh.

51. An Act to reſtrain the Negociation of Promiſſory Notes and Inland Bills of Exchange under a limited Sum, within that Part of *Great Britain* called *England*.

52. An Act for enlarging the Term of Letters Patent, granted by his preſent Majeſty to *William Cookworthy* of *Plymouth*, Chymiſt, for the ſole Uſe and Exerciſe of a Diſcovery of certain Materials for making Porcelain, in order to enable *Richard Campion* of *Briſtol*, Merchant (to whom the ſaid Letters Patent have been aſſigned) to carry the ſaid Diſcovery into effectual Execution for the Benefit of the Publick.

53. An Act for enabling the two Univerſities in *England*, the four Univerſities in *Scotland*, and the ſeveral Colleges of *Eton*, *Weſtminſter*, and *Wincheſter*, to hold in Perpetuity their Copy Right in Books, given or bequeathed to the ſaid Univerſities and Colleges for the Advancement of uſeful Learning and other Purpoſes of Education; and for amending ſo much of an Act of the eighth Year of the Reign of Queen *Anne*, as relates to the Delivery of Books to the Warehouſe Keeper of the Stationers Company, for the Uſe of the ſeveral Libraries therein mentioned.

54. An Act for paving and regulating, and for preventing Nuiſances and Obſtructions within *New Gravel Lane*, and the ſeveral Streets, Lanes, Paſſages, and Places, within the Pariſh of *Saint Paul Shadwell*, in the County of *Middleſex*, not compriſed in an Act paſſed in the eleventh Year of his preſent Majeſty's Reign, for paving and regulating *Roſemary Lane*, and the other Places therein mentioned.

55. An Act to explain and amend an Act paſſed in the fourteenth Year of his preſent Majeſty's Reign, intituled, *An Act for the better Relief and Employment of the Poor within the Pariſh of* Saint Leonard, Shoreditch, *in the County of* Middleſex; *and for building a Workhouſe; and for purchaſing a Piece of Land for a Burial Ground, for the Uſe of the ſaid Pariſh*.

56. An Act for applying the Funds provided for rebuilding the Offices of the Six Clerks of the King's Court of Chancery, by an Act made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for the Regiſter and Accountant-general of the ſaid Court, for the better preſerving the Records, Decrees, Orders, and Books of Account, kept in ſuch Offices*; in building Offices for the ſaid Six Clerks in the Garden of *Lincoln's Inn*, inſtead of rebuilding the preſent Six Clerks Office in *Chancery Lane*; and for other Purpoſes.

57. An Act for Watering *Piccadilly*, from the End of *Berkeley Street* to *Hyde Park Gate*, in the Pariſh of *Saint George Hanover Square*, in the County of *Middleſex*.

58. An Act for lighting the Streets, Lanes, Roads, and publick Paſſages, within the Town of *Hampſtead*, and Parts adjacent within the Pariſh of *Hampſtead*, in the County of *Middleſex*; and for eſtabliſhing a Nightly Watch therein, and a Patrole between the ſaid Town and *London*.

59. An Act for the better Relief and Employment of the Poor within the Hundreds of *Mitford* and *Launditch*, in the County of *Norfolk*.

60. An Act for extending the Duty of two Pennies *Scots*, or one-ſixth Part of a Penny *Sterling*, payable on every Pint of Ale and Beer vended or ſold in the Village of *Port Glaſgow* and the Privileges thereof, over the Town of *Newark*; for ſupplying the Inhabitants of *Port Glaſgow* and *Newark* with freſh Water; for paving, cleaning, lighting, and watching the Streets of the ſaid two Towns; for erecting publick Markets therein; for repairing, and keeping in Repair, the Breaſt and Eaſt and Weſt Quays of the Harbour of *Port Glaſgow*, and other Purpoſes therein mentioned.

61. An Act for veſting in *James Watt*, Engineer, his Executors, Adminiſtrators, and Aſſigns, the ſole Uſe and Property of certain Steam Engines, commonly called *Fire Engines*, of his Invention, deſcribed in the ſaid Act, throughout his Majeſty's Dominions, for a limited Time.

62. An Act for completing and maintaining the Pier at the Town of *Mevagiſſey*, in the County of *Cornwall*.

63. An Act for repairing the Highways and Bridges in the Shire of *Argyll*.

64. An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Hundred of *Elloe*, in the County of *Lincoln*.

65. An Act for draining and preſerving certain Fen Lands, Low Grounds, and Commons, in the ſeveral Pariſhes of *Ramſey*, *Bury*, *Wiſtow*, *Warboys*, *Somerſham*, *Colne*, and *Pidley with Fenton*, in the County of *Huntingdon*, and in the Pariſhes of *Chatteris* and *Doddington*, within the *Iſle of Ely*, in the County of *Cambridge*.

66. An Act for draining and preſerving certain Lands and Grounds in the Pariſhes of *Wiſbech Saint Peter's* and *Wiſbech Saint Mary's*, and in the Hamlets of *Wiſbech Murrow* and *Wiſbech Guyhirn*, in the *Iſle of Ely*, and County of *Cambridge*.

67. An Act for amending and widening the Road leading from *Yarmouth Bridge* through the Hamlet of *South Town*, otherwiſe *Little Yarmouth*, to *Gorleſton*, in the County of *Suffolk*.

68. An Act for enlarging the Term and Powers granted in an Act, made in the third Year of his preſent Majeſty's Reign, for repairing the Road from *Newmarket*, over *Newmarket Heath*, to the Turnpike Road leading to *Stump Croſs*, in the Counties of *Cambridge* and *Suffolk*; for repairing the Road branching out of and leading from the aforeſaid Road, near *The Devil's Ditch*, on *Newmarket Heath*, to join the preſent Turnpike Road which leads to *Cambridge*; and for repairing the Highway, through the Town of *Newmarket* to the preſent Turnpike Road, from thence to *Thetford*.

69. An Act for continuing and enlarging the Term and Powers of an Act, made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing and widening the Road leading from* Porthaethwy Ferry *to* Holyhead, *in the County of* Angleſey.

70. An Act to enlarge the Term and Powers of ſeveral Acts for repairing the Road from *Beaconsfield*, in the County of *Bucks*, to *Stokenchurch*, in the County of *Oxford*.

71. An Act to continue the Term of an Act, made in the twenty-ſixth Year of the Reign of his late Majeſty King *George* the Second, for repairing and widening the ſeveral Roads in the County of *Peebles*, leading from *Tweed's Croſs* towards the City of *Edinburgh*, by *Blythe Bridge*, *La Mancha*, and *Whem*, and by *Linton* and *Carlops*, and from *Ingleſton*, through *Carlops*, until all the ſaid Roads join the Limits of the County of *Edinburgh*.

72. An Act for continuing and making more effectual ſeveral Acts of Parliament for repairing the Roads from *Luton*, in the County of *Bedford*, to *Weſtwood Gate*, in the ſaid County, and from *Luton* to *Saint Albans* in the County of *Hertford*.

73. An Act to enlarge the Term of ſeveral Acts, paſſed in the ſixth Year of the Reign of Queen *Anne*, the eleventh Year of the Reign of King *George* the Firſt, and the tenth, thirteenth, and thirty-firſt Years of the Reign of his late Majeſty King *George* the Second, for repairing the Highways from *Old Stratford*, in the County of *Northampton*, to *Dunchurch*, in the County of *Warwick*; and for more effectually amending the ſaid Highways.

PRIVATE ACTS.

Anno 15 *Georgii* III.

1. AN Act for naturalizing *Jacob Henry Suwe*.

2. An Act for dividing and incloſing the Open Arable Fields, Open Meadows, Common Paſtures, Common Grounds, and Waſte Grounds, within the Pariſh of *Flintham*, in the County of *Nottingham*.

3. An Act for dividing and incloſing the Open Fields, Meadows, and Common Paſtures within the Diſtrict of *Normanton*, in the Pariſh of *Southwell*, in the County of *Nottingham*, and alſo the Open Meadow called *Cow Meadow*, in the ſaid Pariſh of *Southwell*.

4. An Act for dividing and incloſing the Open Common Fields, Meadows, Paſtures, and other Common Lands, within the Hamlet of *Burcot* and Pariſh of *Dorcheſter*, in the County of *Oxford*.

5. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, Common Paſtures, and other Commonable Lands and Grounds, in the Manor and Pariſh of *Lidlington*, in the County of *Bedford*.

6. An Act to enable *James Greenalgh*, heretofore called *James Styth*, and his Iſſue, to take and uſe the Surname of *Greenalgh*, purſuant to the Will of *William Greenalgh* deceaſed.

7. An Act for naturalizing *George Ernſt de Hahn*.

8. An Act for veſting the Eſtate of *Chriſtopher Whichcote* Eſquire, and *Jane* his Wife, ſituate in the County of *Wilts*, entailed by the Will of *Francis Tregagle* Eſquire, deceaſed, in Truſtees, to be ſold, and for applying the Monies ariſing by ſuch Sale in diſcharging the Incumbrance therein mentioned, and for laying out the Remainder in the Purchaſe of other Lands and Hereditaments, to be ſettled to the ſame Uſes.

9. An Act to enable certain Truſtees, named in the Settlement of Sir *Stafford Northcote* Baronet, deceaſed, to raiſe a competent Sum of Money, by Way of Mortgage of Part of the Hereditaments compriſed in ſuch Settlement, to be applied in completing the Purchaſe of an undivided Moiety, or Half-part of the Manor of *Iddeſley*, in the County of *Devon*, to be ſettled to the ſame Uſes, and for the like Purpoſes, as the other undivided Moiety of the ſame Manor ſtands limited and charged by the Settlement and Will of the ſaid Sir *Stafford Northcote*.

10. An Act for veſting Part of the ſettled Eſtates of *Philip Wynell Mayow* Eſquire, in *Aſhbrenton* alias *Aſhprington*, in *Devon*, in Truſtees, to be ſold; and ſettling other Eſtates of greater Value in lieu thereof.

11. An Act for veſting certain Eſtates and Chattels, deviſed by the Will of *Richard Rainsford* Eſquire, deceaſed; and Part of certain Eſtates compriſed in a Settlement made on the Marriage of *Richard Raynsford* the younger Eſquire, in Truſtees, to ſell the ſame; and for applying the Money to ariſe by ſuch Sale in ſuch Manner as in the ſaid Act mentioned.

12. An Act for dividing and incloſing the Open Fields, and a Parcel of Common or Waſte Ground, in the Manors of *Goodmanham*, in the County of *York*.

13. An Act for dividing, incloſing, and improving, certain Commons, Lands, and Grounds, in the Townſhip of *Rigton*, in the Pariſh of *Kirkby Overblow*, in the County of *York*; and for other Purpoſes therein mentioned.

14. An Act for dividing and incloſing a large Open and Uncultivated Common, or Tract of Ground, Parcel of the Foreſt of *Mendip*, ſituate within the Pariſhes of *Doulting* and *Stoke Saint Michael*, otherwiſe *Stoke Lane*, in the County of *Somerſet*.

15. An Act for dividing and incloſing the Open and Common

mon Fields, Common Meadows, Common Paſtures, Common Grounds, and Commonable Lands, in the Pariſh of *Potterſpury*, and Hamlet of *Yardley Gobyon*, in the ſaid Pariſh of *Potterſpury*, and alſo a Parcel of Land called *Kenſon Field*, in the Pariſh of *Coſgrave*, in the County of *Northampton*.

16. An Act for dividing and incloſing the Waſtes, Moſſes, Heaths, and Commons, in the Pariſh of *Hanmer* in the County of *Flint*.

17. An Act for dividing and incloſing the Open Fields, Ings, Meadows, Common Paſtures, and other Commonable Lands, within the Pariſh of *Fulletby*, in the County of *Lincoln*.

18. An Act to enable *John Clarke* Eſquire (heretofore called *John Plomer*), and the Heirs Male of his Body, to take and bear the Surname and Arms of *Clarke*, purſuant to the Will of *Richard Clarke* Eſquire, deceaſed.

19. An Act for naturalizing *Charles Bigot*.

20. An Act for naturalizing *Louis Jouenne*.

21. An Act for veſting divers Manors, Lands, and Hereditaments, in the County of *Southampton*, the ſettled Eſtate of Sir *Jacob Wolf* Baronet, in Truſtees, to be conveyed to a Purchaſer thereof, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Eſtates, to be ſettled to the ſame Uſes.

22. An Act for declaring certain Lands, allotted to *John Harriſon* Eſquire, in the Pariſh of *Biſhop Norton*, in the County of *Lincoln*, to be Copyhold and Freehold reſpectively, purſuant to the Award of the Commiſſioners appointed by an Act of Parliament of the eleventh Year of the Reign of his preſent Majeſty, for dividing and incloſing certain Open Fields, Lands, and Grounds, in the Townſhip and Pariſh of *Biſhop Norton*, in the County of *Lincoln*.

23. An Act for dividing and incloſing the Open Arable Fields, Meadows, Paſtures, Commons, and Waſte Grounds, in the Townſhip and Pariſh of *Scrooby*, in the County of *Nottingham*.

24. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, within the Pariſh of *Scaldwell*, in the County of *Northampton*.

25. An Act for dividing, incloſing, and allotting, the ſeveral Commons and Waſte Lands within the Manor and Pariſh of *Wolverley*, in the County of *Worceſter*.

26. An Act for naturalizing *Daniel Henry Rucker*.

27. An Act for exchanging the Advowſon of the Church of *Hinton Mertell*, otherwiſe *Hinton Martell*, in the County of *Dorſet*, belonging to his Majeſty, for the Advowſon of the Church of *Fringford*, otherwiſe *Ferringford*, in the County of *Oxford*, belonging to the Right Honourable *Mary* Counteſs Dowager of *Shafteſbury*.

28. An Act for exchanging certain Lands and Tenements, Part of the Eſtates compriſed in the Settlement made on the Marriage of the Right Honourable *George* Lord Viſcount *Torrington*, for certain Lands and Tenements, belonging to the Preſident and Scholars of *Saint John Baptiſt College*, in the Univerſity of *Oxford*; and alſo for exchanging certain Mills and Lands thereto belonging, likewiſe compriſed in the ſaid Settlement, for certain Lands and Tenements belonging to *John Dilly* Gentleman.

29. An Act to confirm a Leaſe, made by *William Lambert*, an Infant, with the Conſent of his Guardians, to the Right Honourable *Edward Smith Stanley*, commonly called *Lord Stanley*, of Lands in the Pariſh of *Woodmanſtern*, in the County of *Surrey*.

30. An Act to enable the Reverend *John Blackburn*, Vicar of the Pariſh and Pariſh Church of *Baſſall*, in the County of *York*, to make and eſtabliſh an Exchange of certain Meſſuages, Tenements, Lands, and Hereditaments, in the ſaid County of *York*, for other Lands and Hereditaments, in the ſame County, belonging to *Henry Brewſter Darley* Eſquire.

31. An Act to exchange Lands between the Truſtees of a certain Charity Eſtate at *Hanwell*, in the County of *Middleſex*, and *William* and *Henry Berners*, Eſquires.

32. An Act for effecting an Exchange between *John Parker* and *Montagu Edmund Parker*, Eſquires, of Parts of their ſettled Eſtates, in the County of *Devon*; and for other Purpoſes therein mentioned.

33. An Act for veſting ſeveral Meſſuages, Lands, and Hereditaments, in the County of *Devon*, and City of *Exeter*, late the Eſtate of *Robert Stone* Gentleman, deceaſed, in Truſtees, to enable them to convey the ſame to the Purchaſers thereof; and to apply the Money ariſing by ſuch Sale in Payment of the Debts of the ſaid *Robert Stone*, purſuant to a Decree of the Court of Chancery.

34. An Act for veſting in Truſtees ſeveral Meſſuages, Lands, Tenements, and Hereditaments, in the Pariſhes of *Arthuret* and *Kirk Andrews*, in the County of *Cumberland*, Part of the Eſtate of *Catherine Widdrington*, commonly called *Catherine Lady Widdrington*, deceaſed, for a Term of five hundred Years, for raiſing and paying certain Sums of Money to the Reverend *Robert Graham* Clerk; and for other Purpoſes therein mentioned.

35. An Act for dividing and incloſing certain Common and Open Fields and Meadows, in the Pariſh of *Cranford* in the County of *Northampton*.

36. An Act for dividing and incloſing the Open and Common Fields, and all other Commonable Land, within the Pariſh of *Cleeve Prior*, in the County of *Worceſter*.

37. An Act for dividing and incloſing the Open and Common Fields, and other Commonable Lands, within the Pariſh of *Bengworth*, in the County of *Worceſter*.

38. An Act for dividing and incloſing the Open and Common Fields, and all other Commonable Land, within the Precincts of the Chapelry or Townſhip of *Pinvin*, in the County of *Worceſter*.

39. An Act to confirm and eſtabliſh an Agreement and Award, for dividing and incloſing the Common Fields, and other Commonable Lands and Grounds, within the Manor of *Adleſtrop*, in the County of *Glouceſter*.

40. An Act for dividing, allotting, and incloſing, the Open and Common Fields, Common Meadows, Common Paſtures, and all other the Commonable Grounds, in the Hamlets or Tithings of *Broadwell* and *Filkins*, in the Manor and Pariſh of *Broadwell*, otherwiſe *Broadwell Saint John*, in the County of *Oxford*.

41. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, Common Paſtures, Commonable Cloſes, Common Grounds, Heath, and Waſte Grounds, within the Manor and Pariſh of *Great Rollwright*, in the County of *Oxford*.

42. An Act for naturalizing *Charles Louis Spitta*.

43. An Act for naturalizing *John Peter Aubery*.

44. An Act to enable *John* Duke of *Argyll* to ſell certain Rights of Servitude over Lands, in the County of *Argyll*, belonging in Property to *Hugh Seton* Eſquire, and Sir *James Campbell* Baronet.

45. An Act for carrying into Execution an Agreement made between *John* Earl of *Breadalbane*, and *James Menzies* of *Culdares*, for the Exchange of certain Lands in the County of *Perth*.

46. An Act for veſting divers Manors, Meſſuages, Lands, and Hereditaments, in the Counties of *Eſſex* and *Norfolk*, being the ſettled Eſtates of *James* Lord Viſcount *Grimſton*, of the Kingdom of *Ireland*, in Truſtees, to be ſold, for diſcharging Portions and Incumbrances, and

for

for laying out the Reſidue of the Money ariſing by ſuch Sale in the Purchaſe of other Meſſuages, Lands, and Hereditaments, ſituate and being in the County of *Hertford*, to be ſettled, in lieu thereof, to the like Uſes.

47. An Act for eſtabliſhing and confirming Exchanges of divers Lands and Hereditaments, in the Pariſh of *Rowſham*, in the County of *Oxford*, purſuant to Articles of Agreement between Sir *Charles Cottrell Dormer*, *Benjamin Holloway* Eſquire, and the Reverend *Harry Lee*; and for other Purpoſes therein mentioned.

48. An Act to enable the Right Honourable Sir *John Shelley* Baronet, and the Truſtees named in the Settlement on his Marriage with Dame *Wilhelmina Shelley* deceaſed, his late Wife, to convey Part of the Eſtates, in the County of *Suſſex*, compriſed in ſuch Settlement, in Exchange for, or in lieu of, other Eſtates belonging to the ſaid Sir *John Shelley*, in the ſame County.

49. An Act for confirming and rendering effectual a Partition and Diviſion, made by and between Sir *James Pennyman* Baronet, *Charles Anderſon Pelham* Eſquire, and *Michael Newton* Eſquire, of divers Manors, Lands, and Hereditaments, in the Counties of *York*, *Lincoln*, and *Middleſex*, and City of *London*, late the Eſtates of Sir *Michael Warton* Knight, deceaſed; and for ſettling and limiting the entire and ſpecific Parts and Shares, which, upon the ſaid Partition and Diviſion, have been allotted to each of them, to the ſeveral Uſes therein mentioned.

50. An Act for veſting a Freehold Eſtate, late of *Eliab Harvey* Eſquire, deceaſed, called *Buckhouſe*, otherwiſe *Munckham*, ſituate in the Pariſhes of *Woodford* and *Chigwell*, in the County of *Eſſex*, in Truſtees, and their Heirs, in Truſt, to ſell and convey the ſame as therein mentioned; and for applying the Money ariſing by Sale thereof for the Benefit of *Edward Harvey*, an Infant, his only Son, and Heir at Law; and for the other Purpoſes therein mentioned.

51. An Act to enable *Peter Legh* Eſquire, and the Reverend *Aſhburnham Legh* Clerk, to grant Building and Improving Leaſes of Part of their ſettled Eſtates, within the Counties of *Lancaſter* and *Cheſter*.

52. An Act for veſting certain Manors, Meſſuages, Lands, Rents, and Hereditaments, in the Counties of *Kent* and *Middleſex*, Part of the ſettled Eſtates of *Meliora Dicconſon*, the Wife of *William Dicconſon* Eſquire, in Truſtees, to be ſold; and for inveſting the Money ariſing by ſuch Sale in the Purchaſe of other Lands and Hereditaments, to be ſettled to the ſame Uſes.

53. An Act to enable the Dean and Chapter of the Cathedral Church of *Worceſter*, and *Rowland Berkeley* Eſquire, to make and eſtabliſh an Exchange of certain Lands and Tithes, in the Pariſh of *Cotheridge*, in the County of *Worceſter*.

54. An Act for Sale of the Eſtate of *Elizabeth Smart*, an Infant, in the Counties of *Durham* and *Northumberland*.

55. An Act to ſubject and charge the Prebend Manor of *Mych Milton*, in the County of *Oxford*, and the Lands, Tenements, and Hereditaments, thereunto belonging, with the Payment of two ſeveral perpetual yearly Rent Charges, or annual Payments, to the Reverend *John Wheeldon*, and his Succeſſors, Prebendaries of the Prebend of *Mych Milton* aforeſaid; and for diveſting the Fee Simple and Inheritance thereof out of him and his Succeſſors, and for veſting the ſame, ſo charged, in the Reverend *Charles Sturges*, his Heirs and Aſſigns.

56. An Act for impowering the Judges of the Court of Seſſion in *Scotland* to ſell ſuch Part or Parts of the Eſtate of *Ednam*, in the County of *Roxburgh*, formerly belonging to *James Dickſon* Eſquire, deceaſed, and now to Captain *William Dickſon*, as ſhall be ſufficient for Payment of the Debts affecting the ſame.

57. An Act for veſting Part of the ſettled Eſtates of *William Peacocke* Eſquire, and *Emma* his Wife, in the Pariſh of *Llanedwan*, in the County of *Angleſea*, in the ſaid *William Peacocke*, in Fee Simple, and for ſettling an Eſtate of the ſaid *William Peacocke*, in the Pariſh of *Penmynydd*, in the ſame County, of greater Value, in lieu thereof.

58. An Act for veſting the Fee Simple and Inheritance of the Eſtates late of *Robert Doyne* Eſquire, deceaſed, in Truſtees, in Truſt, to ſell and diſpoſe of ſo much thereof as may be ſufficient to pay off and diſcharge all the Debts, Legacies, and other Incumbrances affecting the ſaid Eſtates; and for the other Purpoſes therein mentioned.

59. An Act for veſting the Eſtates of *Edmund Bull* Eſquire, in the County of *Hertford*, and City of *London*, in Truſtees, to be ſold, for the Payment of Debts and Incumbrances; and other Purpoſes therein expreſſed.

60. An Act for veſting in the Reverend *William Peacock* and his Heirs, in Fee Simple, Part of the Glebe Lands, and the Tithes, of the Pariſh of *Danby Wiſke*, and *Gafferton* otherwiſe *Yafferton*, in the County of *York*; and for ſettling certain Freehold Eſtates of the ſaid *William Peacock* in him and his Succeſſors, Rectors of the ſaid Pariſh, in lieu thereof; and for other Purpoſes therein mentioned.

61. An Act for veſting certain Freehold Eſtates, in the Counties of *Berks* and *Wilts*, deviſed by the Will of *William Pitt* Eſquire, deceaſed, in Truſtees, to be ſold, and for laying out the Money ariſing by ſuch Sale, in the Purchaſe of other Lands and Hereditaments, to be ſettled, in lieu thereof, to ſuch of the Uſes limited or deviſed by the ſaid Will, as are, or ſhall be, capable of taking Effect.

62. An Act to enable *Mordecai Greene* Eſquire, and *Mary* his Wife, to carry into Execution an Agreement made for and on the Behalf of *Alice Bland* Widow, deceaſed, with *Ralph Milner*; and alſo to grant Building and Repairing Leaſes of ſuch Parts of the Eſtates of the ſaid *Alice Bland*, as lie in or near the Town of *Mancheſter*, and alſo Leaſes for twenty-one Years, of other the Eſtates late of the ſaid *Alice Bland*.

63. An Act for veſting the Freehold and Copyhold Eſtates, entailed by the Will of *William Lock* Eſquire, deceaſed, in Truſtees, to be ſold; and for purchaſing other Eſtates, to be ſettled to the ſame Uſes, ſubject to the Annuities and other Charges thereon; and for other Purpoſes therein mentioned.

64. An Act for veſting the ſettled Eſtates deviſed by the Will of *Thomas Dudley*, deceaſed, in Truſtees, to be ſold, and for applying the Money ariſing by ſuch Sale in the Purchaſe of Lands, Tenements, or Hereditaments, to be ſettled to the like Uſes.

65. An Act for veſting certain Parts of divers Meſſuages, Wharfs, and Hereditaments, called *Mountague Cloſe*, in the County of *Surrey*, in Truſtees, in Truſt, to ſell the ſame; and for other Purpoſes therein mentioned.

66. An Act for veſting the ſeveral Eſtates of the late *Samuel Heming* Eſquire, ſituate in *Jamaica*, in Truſtees, in Truſt, to ſell the ſame, for the Payment of the Incumbrances thereon, and of his Debts; and for other Purpoſes.

67. An Act for incloſing and improving ſeveral Grounds, in the Pariſh of *Sledmire*, in the Eaſt Riding of the County of *York*.

68. An Act for dividing and incloſing the Open Fields, Meadows, Commons, and Waſte Grounds, lying in the Pariſh of *Hickling*, in the County of *Nottingham*.

69. An

69. An Act for dividing and inclosing the Open and Common Fields, Hills, Sleights, and other Commonable Lands, within the Hamlet of *Cutsden* otherwise *Cuttesden*, in the Parish of *Bredon*, in the County of *Worcester*.
70. An Act for dividing and inclosing the Common Fens, Common Meadows, Common Fields, and Waste Grounds, in the Parish of *Quadring*, and in *Quadring* Hundred, in the County of *Lincoln*.
71. An Act for dividing and inclosing the Commons and Common Meadows, in the Liberty of *Brinsley*, in the Parish of *Greasley*, in the County of *Nottingham*.
72. An Act for dividing, allotting, and inclosing, a certain Stinted Pasture, called *Stockham Marsh*, in the Parish of *Brembill*, in the County of *Wilts*; and for exonerating certain old Inclosures within the said Parish from the Payment of Tithes.
73. An Act for dividing and inclosing the Open Fields, and Commonable Places, of *Long Itchington*, and *Bascote*, in the County of *Warwick*.
74. An Act for dividing and inclosing certain Open Arable Fields, Meadows, Pastures, Commons, and Waste Grounds, in the Parish of *Sutton cum Lound*, in the County of *Nottingham*.
75. An Act for dividing and inclosing the Open Fields, Meadows, Common Pastures, and other Commonable Lands and Waste Grounds, within the Parish of *Knapwell*, in the County of *Cambridge*.
76. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, of and within the Parish and Liberties of *Braunston*, in the County of *Northampton*.
77. An Act for dividing and inclosing the Open and Common Field and Commonable Land, lying within the Townships, Liberties, and Precincts of *Upper Tadmarton* and *Lower Tadmarton*, in the County of *Oxford*.
78. An Act for dividing and inclosing the Open Fields, Meadows, and Commons or Waste Grounds, within the Hamlets of *Lea* and *Marston*, in the Parish of *Lea Marston*, in the County of *Warwick*; and also certain Pieces of Waste Ground, within the Liberty of *Dunton*, in the Parish of *Curdworth*, in the said County.
79. An Act for dividing and laying in Severalty the Open and Common Fields, and Part of the Open and Common Downs, called *Southcott* and *Kepnell Down*, *Work Down*, and other Commonable Places; and also for dividing and inclosing *Pewsey Common*, in the Parish of *Pewsey*, in the County of *Wilts*.
80. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Common Meadows, Common Pastures, and all other the Commonable Grounds, in the Parish of *Brize Norton*, in the County of *Oxford*.
81. An Act to render valid and effectual certain Articles of Agreement, for inclosing and dividing the Commons and Waste Grounds in the Manor and Parish of *Kildale*, in the County of *York*.
82. An Act for dividing and inclosing the Open Common Fields, Lands, Pastures, and Commonable Grounds, within the Township, Liberties, and Precincts of *Claydon*, in the Parish of *Cropredy*, in the County of *Oxford*.
83. An Act for dividing and inclosing the Open and Common Fields, and other Commonable Lands, in the Parish of *Todnam* otherwise *Todenham*, in the County of *Gloucester*.
84. An Act for dividing and inclosing a Moor, called *Alnham Moor* or *Alnham Common*, and also the *Infield Grounds* of the Township of *Alnham*, in the Parish of *Alnham*, in the County of *Northumberland*.
85. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Meadows, Commonable Lands, and Commons, within the Parish and Liberties of *Spaldwick with Upthorpe*, in the County of *Huntingdon*.
86. An Act to dissolve the Marriage of *Robert Greene* Merchant with *Juliana Greene*, otherwise *Judge*, his now Wife, and to enable him to marry again; and for other Purposes therein mentioned.
87. An Act for naturalizing *Levina Benjamina Goodricke*.
88. An Act for rendering effectual a Proposal, or Agreement, made between the Duke of *Buccleugh* and the Lord Bishop of *Winchester*, for exchanging and enfranchising certain Leasehold and Copyhold Lands and Hereditaments, in the Parish and Manor of *Adderbury*, in the County of *Oxford*; and for enabling the said Bishop to grant Leases in Manner therein mentioned.
89. An Act for appointing new Trustees, to carry into Execution an Act, passed in the eighth Year of his present Majesty's Reign, intituled, *An Act for the more effectually carrying into Execution an Act, made in the sixth Year of the Reign of his present Majesty*, intituled, *An Act for vesting in Trustees the settled Estate of* Washington *Earl* Ferrers, *in the County of* Derby, *to be sold, for satisfying the Incumbrances and Portions affecting the same, and the rest of the settled Estate, and for other Purposes therein mentioned*, in the Room and Stead of those appointed by the said Act, who are desirous of resigning the Trust thereby reposed in them.
90. An Act for the Sale and Enfranchisement of certain Copyhold Tenements and Premises, in the Parish of *Leeds*, in the County of *York*, Part of the Estate belonging to the Free Grammar School there, for the Purpose of erecting a publick Cloth Hall, and making Avenues or Passages thereto; and for applying the Purchase Money for the Benefit of the said School.
91. An Act to confirm several Building Leases, already granted by the Right Honourable the Earl of *Sefton*, of the Kingdom of *Ireland*, of Part of his settled Estates in the County of *Lancaster*; and to enable him during his Life, and after his Decease the Trustee during the Minority of any Infant, to grant other Building and Improving Leases; and for other Purposes in the said Act mentioned.
92. An Act for vesting certain Lands at *Hadley*, in the Parish of *Wellington*, in the County of *Salop*, devised by the Will of the Reverend *Joshua Pulford* Clerk, deceased, in *Joshua Freeman* and his Heirs.
93. An Act to enable the Reverend *Edmund Hodshon*, Rector of *Spennithorne*, in the County of *York*, to exchange the Tithes of the Townships of *Harnby* and *Spennithorne*, for Lands in the Parish of *Goverham*, in the County of *York*, belonging to Mr. *William Baynes*, to be settled to the same Uses.
94. An Act for explaining, amending, and enlarging, the Powers granted by an Act, passed in the eighteenth Year of his late Majesty King *George* the Second, intituled, *An Act for Sale of certain Leasehold Estates, late of* Sarah Eaton *deceased, and by her devised to the Provost, Fellows, and Scholars, of* Worcester College, *in the University of* Oxford, *and for laying out the Money arising thereby in the Purchase of Fee Simple Estates; and for other Purposes therein mentioned*; and for indemnifying the acting Trustee or Trustees, appointed under the said Act, for having expended a larger Sum of Money than allowed by that Act; and for other Purposes therein mentioned.
95. An Act for dividing and inclosing the Open and Common Fields, Common Meadows, and Commonable Lands, within the Parish of *Wootton Wawen* otherwise *Waves Wootton*, in the County of *Warwick*.

A

TABLE

OF THE

Public and Private Statutes,

CONTAINING

The TITLES of the ACTS of the ſixteenth Year of the Reign of GEORGE III.

PUBLIC ACTS.

Anno 16 *Georgii* III.

1. AN Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix.
2. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
3. An Act to enable his Majeſty for a limited Time to call out and aſſemble the Militia in all Caſes of Rebellion within this Realm of *Great Britain*, or any of the Dominions thereunto belonging; and to ſummon the Parliament in the Caſes and Manner therein mentioned.
4. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix.
5. An Act to prohibit all Trade and Intercourſe with the Colonies of *New Hampſhire*, *Maſſachuſet's Bay*, *Rhode Iſland*, *Connecticut*, *New York*, *New Jerſey*, *Penſylvania*, the Three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*, during the Continuance of the preſent Rebellion within the ſaid Colonies reſpectively; for repealing an Act, made in the fourteenth Year of the Reign of his preſent Majeſty, *to diſcontinue the Landing and diſcharging*, *Lading or Shipping*, *of Goods*, *Wares*, *and Merchandize*, *at the Town and within the Harbour of* Boſton, *in the Province of* Maſſachuſet's Bay; and alſo two Acts, made in the laſt Seſſion of Parliament, for reſtraining the Trade and Commerce of the Colonies in the ſaid Acts reſpectively mentioned; and to enable any Perſon or Perſons, appointed and authoriſed by his Majeſty to grant Pardons, to iſſue Proclamations, in the Caſes, and for the Purpoſes therein mentioned.
6. An Act for giving a public Reward unto ſuch Perſon or Perſons, being his Majeſty's Subject or Subjects, as ſhall diſcover a Northern Paſſage for Veſſels by Sea, between the *Atlantic* and *Pacific* Oceans; and alſo unto ſuch as ſhall firſt approach by Sea within one Degree of the Northern Pole.
7. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
8. An Act for making perpetual ſo much of an Act, made in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act to continue and amend an Act, made in the fifth Year of the Reign of his preſent Majeſty*, intituled, *An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from* Ireland, *for a limited Time; and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the* Britiſh *Dominions in* America, *for a limited Time*, as relates to the Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland:* And alſo another Act, made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act to permit the free Importation of Cattle from Ireland.*
9. An Act for the better Relief and Employment of the Poor within the Hundred of *Forehoe*, in the County of *Norfolk*.
10. An Act to enable his Majeſty, to make Leaſes, Copies, and Grants of Offices, Lands, and Hereditaments, Parcel of the Dutchy of *Cornwall*, or annexed to the ſame; and for other Purpoſes therein mentioned.
11. An Act to continue an Act made in the laſt Seſſion of Parliament, intituled, *An Act to amend and render more effectual in his Majeſty's Dominions in* America *an Act, paſſed in the preſent Seſſion of Parliament*, intituled, *An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters; and for extending the Proviſions of the ſaid Act to his Majeſty's Marine Forces in* America.
12. An Act to continue, for a further Time, an Act, made in the Seventh Year of his preſent Majeſty's Reign, intituled, *An Act to diſcontinue, for a limited Time, the Duties payable upon the Importation of Tallow, Hogs-lard, and Greaſe.*
13. An Act for the better ſecuring a Fund, belonging to certain

certain Perſons of the Theatre Royal in *Drury-lane*, applicable to charitable Uſes; and for other Purpoſes therein mentioned.

14. An Act for rectifying Miſtakes in the Names of ſeveral of the Commiſſioners appointed by an Act, made in the laſt Seſſion of Parliament, to put in Execution an Act made in the ſame Seſſion, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-five*; and for appointing other Commiſſioners, together with thoſe named in the firſt-mentioned Act, to put in Execution an Act of this Seſſion of Parliament, for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix.

15. An Act for the better maintaining, regulating, and employing the Poor within the Pariſh of *Saint George*, in the County of *Middleſex*; and for cleanſing and lighting the Squares, Streets, Lanes, Alleys, Courts, Yards, and other open Paſſages and Places; and for keeping and regulating a Nightly Watch within ſuch Parts of the ſaid Pariſh as are not within the Liberty of the Tower of *London*.

16. An Act for enlarging the Term and Powers, granted by three Acts of Parliament, for laying a Duty of two Pennies *Scots* upon every Pint of Ale and Beer brewed and vended within the Town of *Dundee*, and the Liberties and Suburbs thereof, for the Purpoſes in the ſaid Acts mentioned.

17. An Act for building a Bridge acroſs the River *Severn* from *Benthall*, in the County of *Salop*, to the oppoſite Shore at *Madeley Wood*, in the ſaid County; and for making proper Avenues or Roads to and from the ſame.

18. An Act for enlarging the Term of Letters Patent granted by his preſent Majeſty to *Elizabeth Taylor* of the Town of *Southampton*, Widow, for the ſole Uſe and Exerciſe of certain Engines, Tools, Inſtruments, and other Apparatus, for making Blocks, Sheavers, and Pins, uſed in the Rigging of Ships.

19. An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-ſix.

20. An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on board Merchant Ships, and other Trading Ships and Veſſels.

21. An Act to amend an Act, paſſed in the third Year of his late Majeſty's Reign, intituled, *An Act for making navigable the River* Stroudwater, *in the County of* Glouceſter, *from the River* Severn, *at or near* Framiload, *to* Wallbridge, *near the Town of* Stroud, *in the ſame County*; and for giving other Powers, for the Purpoſe of making a Navigation from *Framiload* to *Wallbridge* aforeſaid.

22. An Act for rebuilding the Pariſh Church of *Tardebigg*, in the Counties of *Worceſter* and *Warwick*.

23. An Act for the better Regulation and Government of the Pilots conducting Ships and Veſſels into and out of the Port of *Boſton*, in the County of *Lincoln*; and for affixing and ſetting down Mooring-poſts upon the Banks of High Marſhes within or adjoining to the Haven and Harbour of the ſaid Port; and for affixing and laying down Bridges over the Creeks upon the High Marſhes within or adjoining to the ſaid Haven and Harbour; and for preventing Miſchiefs by Fire in the ſaid Haven and Harbour.

24. An Act for veſting certain Eſtates, now held in Truſt for the Benefit of the Royal Hoſpital for Seamen at *Greenwich*, in the Commiſſioners and Governors of the ſaid Hoſpital, incorporated by his Majeſty's Letters Patent.

25. An Act for lighting and watching the Streets, Lanes, and other public Paſſages and Places, within the Borough of *Boſton*, in the County of *Lincoln*; and for removing and preventing Nuiſances, Annoyances, and Obſtructions therein.

26. An Act for lighting and watching the Villages of *Camberwell* and *Peckham*, in the County of *Surrey*, and certain Roads therein mentioned leading thereto; and for eſtabliſhing a Foot Patrole between *Peckham* and *Blackman-ſtreet* in the Borough of *Southwark*.

27. An Act for better cleanſing, lighting, and watching the Streets, Lanes, and other public Paſſages, within the Borough of *Dorcheſter*, in the County of *Dorſet*, and in the Tithing of *Colliton-row*, in the Town of *Dorcheſter* aforeſaid; for paving the Footways and repairing certain Horſeways of ſuch Parts thereof as are Turnpike; and for paving the Footways and repairing the Horſeways of ſuch Parts thereof as are not Turnpike; for removing Nuiſances, Annoyances, and Obſtructions therein; and for preventing Houſes or Buildings, hereafter to be erected in the ſaid Borough and Tithing, from being thatched.

28. An Act for making and maintaining a navigable Canal from or near the Town of *Stourbridge*, in the County of *Worceſter*, to join the *Staffordſhire* and *Worceſterſhire* Canal, at or near *Stourton*, in the County of *Stafford*; and alſo two collateral Cuts, one from a Place called *The Fens* upon *Penſnet-chace*, to communicate with the intended Canal near the Junction of *Wordeſley-brook* with the River *Stour*; and the other from a Place called *Black Delph*, upon the ſaid Chace, to join the firſt-mentioned collateral Cut at or near certain Lands called *The Lays*, in the Pariſh of *Kingſwinford*, in the ſaid County of *Stafford*.

29. An Act for veſting in *John Liardet*, Clerk, his Executors, Adminiſtrators, and Aſſigns, the ſole Uſe and Property of a certain Compoſition or Cement of his Invention, throughout his Majeſty's Kingdom of *Great Britain*, and in the Colonies and Plantations abroad, for a limited Time.

30. An Act more effectually to prevent the ſtealing of Deer, and to repeal ſeveral former Statutes made for the like Purpoſe.

31. An Act for ſecuring a Fund belonging to certain Perſons of the Theatre Royal, *Covent Garden*, applicable to charitable Uſes; and for other Purpoſes.

32. An Act to enable the Company of Proprietors of the Navigation from the *Trent* to the *Merſey*, to make a navigable Canal from the ſaid Navigation, on the South Side of *Harecaſtle*, in the County of *Stafford*, to *Froghall*, and a Rail-way from thence to or near *Caldon*, in the ſaid County; and to make other Railways.

33. An Act to remove the Danger of Fire amongſt the Ships in the Port of *Briſtol*, by preventing the landing certain Commodities on the preſent Quays; and for providing a convenient Quay and proper Places for landing and ſtoring the ſame; and for regulating the ſaid Quay, and the Lighters, Boats, and other Veſſels carrying Goods for Hire within the ſaid Port of *Briſtol*; and for other Purpoſes therein mentioned.

34 An Act for granting to his Majeſty ſeveral Duties on Coaches, and other Carriages therein mentioned; and ſeveral Rates and Duties upon Indentures, Leaſes, Bonds, and other Deeds; and upon Cards, Dice, and Newſpapers; and for raiſing the Sum of Two millions by Annuities, and a Lottery to be attended with Annuities.

35. An Act for raiſing a certain Sum of Money by Loans

or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix.

36. An Act for the Encouragement and Improvement of the Pilchard-fiſhery carried on within the Bay of *Saint Ives*, in the County of *Cornwall*.

37. An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majeſty's Sugar Colonies in *America*, and to the Iſland of *Saint Helena*, and to the other Settlements belonging to the United Company of Merchants of *England* trading to the *Eaſt Indies*, and of Biſcuit and Peaſe to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*; and for indemnifying all Perſons with reſpect to adviſing or carrying into Execution his Majeſty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles.

38. An Act for the Relief of Inſolvent Debtors; and for the Relief of Bankrupts, in certain Caſes.

39. An Act for repealing a Clauſe in an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the General Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; which relates to the counterſinking of the Tire of the Wheels of all Waggons, Wains, and other Carriages, to be uſed on Turnpike Roads; and for explaining a Proviſion in the ſaid Act, with reſpect to the Fellies and Tire of Carriages having the Fellies of the Wheels of the Gauge of ſix Inches or upwards.

40. An Act for obliging the Overſeers of the Poor, within the ſeveral Pariſhes and Places within that Part of *Great Britain* called *England*, to make Returns, upon Oath, to certain Queſtions, ſpecified in the Act, relative to the State of their Poor; and to authoriſe and require the Juſtices of the Peace, within their reſpective Diviſions and Juriſdictions, in the ſeveral Counties and Cities in *England* and *Wales*, to take ſuch Returns upon Oath, and to cauſe them to be tranſmitted to the Clerk of the Parliaments.

41. An Act for granting a Bounty upon Flax Seed, the Growth of the *United Provinces*, or of the *Auſtrian Netherlands*, imported into *Ireland*, for a limited Time.

42. An Act for allowing Corn, Grain, and Flour, imported into the Port of *Preſton*, to be landed without Payment of the Duties, under the like Reſtrictions as Corn, Grain, and Flour is allowed to be landed at the ſeveral Ports mentioned in an Act, made in the Thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to regulate the Importation and Exportation of Corn.*

43. An Act to authoriſe, for a limited Time, the Puniſhment by Hard Labour of Offenders who, for certain Crimes, are or ſhall become liable to be tranſported to any of his Majeſty's Colonies and Plantations.

44. An Act for ſuſpending for a limited Time, ſo much of an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the General Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*, as is to ſubject Carriages having the Fellies of the Wheels thereof of leſs Breadth or Gauge than ſix Inches, to the Payment of Double Tolls; and for vacating Contracts for Leaſing Tolls.

45. An Act for enabling his Majeſty to raiſe the Sum of One million, for the Uſes and Purpoſes therein mentioned.

46. An Act to enable the Commiſſioners of his Majeſty's Treaſury to order and allow, out of the Money ariſing by the Coinage Duty, a certain Sum therein mentioned, for the Expence of proſecuting Offenders againſt the Laws relating to the Coin, over and above the Sum yearly allowed for that Purpoſe.

47. An Act for the further Encouragement of the Whale Fiſhery carried on from *Great Britain* and *Ireland*, and the *Britiſh* Dominions in *Europe*; and for regulating the Fees to be taken by the Officers of the Cuſtoms in the Iſland of *Newfoundland*.

48. An Act for allowing further Time for the Exportation of, or Payment of the Duties upon, Bugles, when warehouſed upon Importation into this Kingdom; to impower the Commiſſioners of the Cuſtoms to order all Bonds relative to that Revenue, upon which no Proſecutions have been had for the Space of five Years, (except Bonds for Duties, and for the good Behaviour of Officers in the Execution of their Duty) to be deſtroyed; and for repealing the Duties upon Feather Beds imported into this Kingdom; and for charging the ſame with the like Duties as are payable upon Feathers for Beds.

49. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix; and for further appropriating the Supplies granted in this Seſſion of Parliament; for giving further Relief to the Widows of Commiſſion and Warrant Officers of the Royal Navy; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Certificates, Receipts, Annuity Orders, and other Orders, loſt, burnt, or deſtroyed.

50. An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid, and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

51. An Act for granting further Time for allowing the Drawback upon the Exportation of Muſlins and Callicoes, imported by the *Eaſt India* Company in the Years one thouſand ſeven hundred and ſeventy-three, and one thouſand ſeven hundred and ſeventy-four; for allowing further Time to the ſaid Company to expoſe to Sale ſuch Bohea and Singlo Teas and Coffee as remained unſold on the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-ſix; and alſo ſuch Bohea Teas as ſhall be imported on or before a certain Time; and for allowing the Drawbacks on the Exportation of ſuch Teas and Coffee; and for granting further Time for allowing the Drawback on the Exportation of Coffee imported in the Ship *Shrewſbury*, in the Year one thouſand ſeven hundred and ſeventy-three.

52. An Act to declare his Majeſty's natural-born Subjects inheritable to the Eſtates of their Anceſtors, whether Lineal or Collateral, in that Part of *Great Britain* called *Scotland*, notwithſtanding their Father or Mother were Aliens.

53. An Act to continue the Corporation of the Guardians of the Poor within the *Iſle of Wight*, and to confirm the Powers and Authorities now veſted in the ſaid Corporation, and to provide new Powers and Regulations for the Members of the ſame; and to repeal an Act, paſſed in the eleventh Year of the Reign of his preſent Majeſty,

intituled, *An Act for eſtabliſhing a Houſe or Houſes of Induſtry in the* Iſle of Wight, *for the Reception, Maintenance, and Employment of the Poor belonging to the ſeveral Pariſhes and Places within the ſaid Iſland.*

54. An Act to continue an Act, made in the fifth Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act to prevent the committing of Frauds by Bankrupts)*; and alſo an Act, made in the fourteenth Year of the Reign of his preſent Majeſty (intituled, *An Act to prohibit the Importation of light Silver Coin of this Realm from Foreign Countries into* Great Britain *or* Ireland, *and to reſtrain the Tender thereof beyond a certain Sum*).

55. An Act to enable the Truſtees of certain Charity Lands belonging to the Poor of *Salford*, in the County Palatine of *Lancaſter*, to grant Building Leaſes thereof.

56. An Act for ſupplying the Borough and Town of *Brecknock*, and Liberties thereof, with Water; and for paving, cleanſing, regulating, and lighting, the Streets, Lanes, and public Paſſages there; and for widening and making commodious ſome of the ſaid Streets, Lanes, and Paſſages.

57. An Act for paving, cleanſing, lighting, and watching, the Borough and Town of *Weymouth* and *Melcombe Regis*, in the County of *Dorſet*; and for removing all Encroachments, Obſtructions, and Annoyances therein.

58. An Act to explain and amend an Act made in the twelfth Year of his preſent Majeſty, *for paving, cleanſing, lighting, and watching, the Streets and Lanes in the Town and Pariſh of* Chatham, *in the County of* Kent; *and for removing and preventing Nuiſances and Annoyances therein*; and to extend the Proviſions of the ſaid Act to ſuch Parts of the *High-ſtreet* in *Chatham*, as are ſituate in the Pariſhes of *Saint Margaret* and *Gillingham*, and to other Places adjoining or contiguous to the ſaid Town.

59. An Act for lighting and watching the Town of *Portſmouth* in the County of *Southampton*; and for explaining and amending an Act, paſſed in the eighth Year of his preſent Majeſty's Reign, for the better paving and cleanſing the Streets and other public Paſſages in the ſaid Town, and for preventing Nuiſances and Annoyances therein, and for widening and rendering the ſame more commodious.

60. An Act to amend and render more effectual an Act, made in the eighth Year of the Reign of his preſent Majeſty, for opening certain Paſſages, and for paving the Streets, and other Places, in the Pariſh of *Saint Leonard, Shoreditch*, in the County of *Middleſex*, and for preventing Annoyances therein; and for extending the Powers of the ſaid Act to ſuch Part of a Lane, called *Hog-lane*, as lies within the Liberty of *Norton-Falgate*, in the ſaid County.

61. An Act for erecting a Lighthouſe or Lighthouſes and Landmarks in or near the Port of *Cheſter*, and for placing Buoys upon the Banks and Shoals leading into and in the ſaid Port; and for regulating of Pilots and perſons towing or tracking of Veſſels to and from the City of *Cheſter*; and for fixing the Rates payable for the ſame reſpectively.

62. An Act to enable the Commiſſioners of Sewers for ſeveral Limits in the Eaſtern Parts of the County of *Kent*, more effectually to drain and improve the Lands and Grounds within the *General Vallies*.

63. An Act for widening and improving ſeveral Streets in the Town of *Manchеſter*; and for opening new Streets or Paſſages within the ſaid Town.

64. An Act for draining, embanking, and preſerving, certain Fen Lands and Low Grounds called *The Parts* and *Alderlots*, in the Pariſhes of *Glatton* and *Holme*, in the County of *Huntingdon*.

65. An Act for making the River *Soar* navigable, from the River *Trent* to *Biſhop's Meadow*, within the Liberty of *Garenton*, in the County of *Leiceſter*; and for making and maintaining a navigable Cut or Canal from thence near, or up, and into *The Ruſhes*, at *Loughborough*, in the ſaid County.

66. An Act for making and maintaining a navigable Canal, within and from certain Lands, belonging to *Thomas Talbot Foley*, Eſquire, in the Pariſh of *Dudley*, in the County of *Worceſter*, to join and communicate with the *Stourbridge* Navigation, at a Place called *Black Delph*, upon *Penſnet-chaſe*, in the Pariſh of *Kingſwinford*, in the County of *Stafford*.

67. An Act for enlarging the Term and Powers of ſo much of an Act, made in the twenty-ninth Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for repairing and widening the High Roads from* Baſingſtoke *through* Popham lane, Sutton, Scotney, *and* Stockbridge, *in the County of* Southampton, *to a Place called* Lobcomb-corner *in the County of* Wilts; *and alſo for repairing and widening the Road from* Spittlehouſe *over* Weyhill *to* Mullen's Pond, *in the ſaid County of* Southampton; as relates to the Roads from *Baſingſtoke* to *Lobcomb-corner* in the County of *Wilts*.

68. An Act to enlarge the Term and Powers of an Act, paſſed in the twenty-ſecond Year of the Reign of his late Majeſty, intituled, *An Act for repairing the Road from the* Weſt Cowgate, *near the Town of* Newcaſtle upon Tyne, *through the Weſt End of* Kenton, Pont Eland, Higham Dykes, Newham Edge, Belſay Mill, *and* South Middleton, *to the North Side of the River* Wanſpeck, *in the County of* Northumberland.

69. An Act for continuing the Term and varying the Powers of two Acts, paſſed in the third and ſeventeenth Years of his late Majeſty King *George* the Second, for repairing the Road from that Part of *Chatham* which lies next to the City of *Rocheſter*, to *Saint Dunſtan's Croſs* near the City of *Canterbury*, in the County of *Kent*; and for amending and widening the Road from the preſent Turnpike Road at or near a Place called *Makenade-corner*, in the Pariſh of *Preſton*, to *Bagham-croſs* and *Shalmsford-lane-end*, in the Pariſh of *Chilham*, in the ſaid County.

70. An Act for continuing the Term and enlarging the Powers of an Act, made in the twenty-eighth Year of the Reign of his late Majeſty, *for widening and repairing the Road leading from* Horſham, *in the County of* Suſſex, *through* Capel, Dorking, Mickleham, *and* Leatherhead, *to the Watch-houſe in* Ebbiſham, *in the County of Surrey*; *and from* Capel *to* Stone-ſtreet, *in the Pariſh of* Ockley, *in the ſaid County of Surry*.

71. An Act for amending and keeping in Repair the Road from *Doncaſter* to the Turnpike-road which leads from *Bawtry* to *Retford* in the Counties of *York* and *Nottingham*.

72. An Act for enlarging the Term and Powers of an Act, made in the twenty-ninth Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for repairing and widening the Roads leading from the Eaſt Side of* Lincoln-heath, *to the City of* Peterborough; *and from the Eaſt End of* Marham-lane, *to the Town of* Walton, *in the County of* Northampton; *and from the Town of* Bourn, *to the Town of* Colſterworth; *and from* Donnington High Bridge, *to the Croſs-poſt, in the Pariſh of* Hacconby; *and from the Eaſt End of a Lane called* Haledrove, *to and through the Town of* Old Sleaford, *to the*

End of Long-hedge, *in the Parish of* Quarrington, *in the County of* Lincoln.

73. An Act for enlarging the Term and Powers of an Act, made in the twenty-ninth Year of the Reign of his Majesty King *George* the Second, intituled, *An Act for repairing and widening the Road from the* White Stoop *near the North End of the Town of* Derby, *through the Towns of* Duffield *and* Chesterfield, *in the County of* Derby, *to the Town of* Sheffield, *in the County of* York; *and from the said Town of* Duffield *to the* Moot Hall *in the Town of* Wirksworth, *in the said County of* Derby.

74. An Act for enlarging the Term and Powers of two Acts, made in the twenty-second and twenty-ninth Years of the Reign of King *George* the Second, *for repairing the Road from* Wansford-bridge, *in the County of* Northampton, *to the Town and Borough of* Stamford, *in the County of* Lincoln, *and from* Stamford *to* Bourn *in the said County*; and for repairing and widening the Road from the North End of the Bridge, to a Gate called *Scotgate* in *Stamford*, and from the Termination of the Turnpike-road in the Parish of *Bourn*, to the Market-cross in *Bourn*.

75. An Act for repairing and widening the Road from the Market-cross in the Township of *Clithero*, to *Salford*-bridge in the Town of *Blackburn*, in the County Palatine of *Lancaster*.

76. An Act to continue and render more effectual several Acts of Parliament for repairing the Highways leading to *Highgate-gatehouse* and *Hampstead*, and other Roads in the said Acts mentioned, in the County of *Middlesex*; and also to continue and render more effectual, *An Act to enable the respective Trustees of the Turnpike-roads leading to* Highgate-gatehouse *and* Hampstead, *and from* Saint Giles's pound *to* Kilbourne, *to make a New Road from the* Great Northern Road *at* Islington *to the* Edgeware Road *near* Paddington, so far as the same is by the said Act directed to be under the Care and Management of the Trustees of the said first mentioned Acts; and for making a Road from the said new Road, near *Queen's row*, to *Bagnigge-wash*, and for watching, lighting, and watering the said Roads.

77. An Act to enlarge the Term and Powers of an Act, passed in the twenty-fourth Year of the Reign of his Majesty King *George* the Second, *for repairing the Road leading from the Town of* Ludlow, *in the County of* Salop, *through* Woofferton *and* Little Hereford, *to a Place called* Monk's-bridge, *in the said County*; *and also from the said Town of* Ludlow *to a Place or House called* The Maidenhead *at* Orleton, *in the County of* Hereford.

78. An Act for continuing the Term, and altering, explaining, and enlarging the Powers of an Act of the twenty-sixth of King *George* the Second, for repairing and widening several Roads therein mentioned in the County of *Worcester*, and for repealing so much of an Act of the seventh Year of his present Majesty, as relates to the Road from *Knightsford-bridge* to a certain House at *Red Marley*, in the Parish of *Great Witley*, in the said County, and for putting the same under the Management of the Trustees for executing the said first mentioned Act; and for amending other Roads therein mentioned.

79. An Act for continuing and enlarging the Terms and Powers of two several Acts of Parliament respecting roads near the Borough of *Ashburton*, in the County of *Devon*.

80. An Act to enlarge the Term and Powers of an Act, passed in the fifth Year of his present Majesty's Reign, *for repairing and widening the Road from the* Great Bridge *in the Borough of* Warwick, *through* Southam *and* Daventry, *to the Town of* Northampton.

81. An Act to enlarge the Term and Powers of an Act, passed in the twenty-seventh Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for repairing and widening the Road from* Leicester *to* Narborough, *and from* Leicester *to* Coventry, *and from thence through* Kenilworth *to* Warwick, *and from thence to* Halford Bridge, *and from* Warwick *to* Stratford upon Avon, *and from* Coventry *to* Martyn's Gutter *leading towards* Stoneleigh *Town*; *and for supplying an Omission in an Act, passed in the last Session of Parliament, for repairing the Road from* Leicester *to* Ashby-de-la-Zouch, *in the County of* Leicester; so far as the same relates to the Road from *Coventry*, through *Kenilworth* to *Warwick*, and from the said City of *Coventry* to *Martyn's Gutter*.

82. An Act to enlarge the Term and Powers of an Act, passed in the twenty-fourth Year of the Reign of his Majesty King *George* the Second, so far as relates to repairing the Road from *Tadcaster* to *Halton-dyal*, in the West Riding of the County of *York*.

83. An Act for repairing, widening, and altering the Road from the Termination of the present Turnpike Road at *Elsdon High-cross*, near the Town of *Elsdon*, in the County of *Northumberland*, on the North-east Side of the River *Reed*, through *Overacres*, *Elishaw*, and *Catcleugh*, to the *Red Swyre* upon the Mid Border betwixt *England* and *Scotland*.

PRIVATE ACTS.

Anno 16 *Georgii* III.

1. AN Act for naturalizing *Frederick Molling* and *John George Bindheisen*.
2. An Act for naturalizing *Peter Henry Balemann*.
3. An Act to enable the Right Honourable *Robert Craggs* Lord Viscount *Clare*, and the Right Honourable *Wellbore Ellis*, to take, in *Great Britain*, the Oath of Office as Vice-Treasurer, and Receiver-general, and Paymaster-general, of all his Majesty's Revenues in the Kingdom of *Ireland*, and to qualify themselves for the Enjoyment of the said Offices.
4. An Act for naturalizing *John Martin Fuchs*.
5. An Act for naturalizing *Francis Anthony Rougemont*.
6. An Act for naturalizing *Anthony Ten Broeke*.
7. An Act for dividing and inclosing certain Commons, or Pieces of Waste Ground in the Parishes of *Bonsall*, *Wirksworth*, and *Matlock*, in the County of *Derby*.
8. An Act for naturalizing *Nis Nissen* and *Christopher Gabriel Marwæde*.
9. An Act for naturalizing *John William Paul* and *Claes Grill*.
10. An Act for naturalizing *Charles Quist*.
11. An Act for vesting certain Messuages, Lands, and Hereditaments, in the several Counties of *Durham*, *Middlesex*, *Berks*, and *Sussex*, and in the City of *London* (Part of the Freehold and Copyhold Estates devised by the Will of *George Bowes* Esquire, deceased), in Trustees, to be sold or exchanged, and for laying out the Money to arise thereby in the Purchase of other Messuages, Lands, Tenements, or Hereditaments, to be settled to the same Uses.
12. An Act for vesting the Advowson of the Rectory of *Pewsey* in the County of *Wilts* (Part of the Estate comprized in the Marriage Settlement of *Stephen* late Lord *Holland*, deceased) in Trustees and their Heirs, in Trust, to be sold, and for laying out the Money to arise thereby in finishing and compleating a Mansion-house at *Winterslow*, in the same County.
13. An Act for vesting certain Leasehold Pieces of Ground, in the Parish of *Saint George*, *Hanover Square*, in the County

County of *Middleſex*, together with a Capital Meſſuage built on Part thereof, deviſed by the Will of Sir *John Hales* Baronet, deceaſed, in Truſtees, in Truſt, to aſſign the ſame to *Henry Herbert* Eſquire, purſuant to an Agreement for that Purpoſe, and for applying the Conſideration-money in ſuch Manner as in the Act is mentioned.

14. An Act to ſubject and charge the Prebend of *Marſton Saint Lawrence*, in the County of *Northampton*, and the Lands, Tenements, and Hereditaments thereunto belonging, to and with the Payment of two ſeveral perpetual yearly Rent Charges to Doctor *Everard Buckworth*, and his Succeſſors in the ſaid Prebend; and for diveſting the Fee-ſimple and Inheritance thereof out of him and his Succeſſors, and for veſting the ſame, ſo charged, in *John Blencowe* Eſquire, his Heirs and Aſſigns.

15. An Act for dividing and incloſing the Open Fields, Meadow, Paſture, and other Commonable and Waſte Grounds, within the Liberties of *Gunby* and *North Witham*, in the County of *Lincoln*.

16. An Act for exchanging certain Lands, in the Pariſh and Liberties of *Spaldwicke with Upthrope*, for other Lands, in the Pariſh of *Long Stow*, in the County of *Huntingdon*, in the Manner, and for the Purpoſes therein mentioned.

17. An Act for dividing and incloſing certain Open Common Fields, Ings, Common Paſtures, and other Commonable Lands, within the Townſhips of *Aſterby* and *Goulceby*, in the County of *Lincoln*.

18. An Act for dividing and incloſing the Open and Common Fields, and alſo a certain Parcel or Tract of Common and Waſte Land called *The Link*, and other Common and Waſte Land, within the Manor and Pariſh of *Leigh*, otherwiſe *Ley*, in the County of *Worceſter*.

19. An Act for dividing and incloſing the Open and Common Fields, Meadows, Paſtures, Heath, and Waſte Grounds, within the Pariſh of *Duſton*, in the County of *Northampton*.

20. An Act for dividing and incloſing certain Open and Common Fields, Common Meadows, Commonable Paſtures, Common Grounds, and Commonable Lands, within the Pariſh of *Liddington* and Hamlet of *Medbourn*, in the ſaid Pariſh of *Liddington*, in the County of *Wilts*.

21. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and Commonable Lands, within the Townſhip, Hamlet, Precincts, or Liberties of *Blackthorn*, in the Pariſh of *Ambroſden*, in the County of *Oxford*.

22. An Act for dividing and incloſing the Open and Common Fields, in the Pariſh of *Deſborough*, in the County of *Northampton*.

23. An Act for dividing and incloſing certain Open Common Fields, Meadows, Paſtures, Ings, and other Commonable Lands and Waſte Grounds, within the Pariſh of *Raithby*, near *Spilſby*, in the County of *Lincoln*.

24. An Act for dividing and incloſing the ſeveral Commons and Waſte Grounds, within the Manor of *Ruſhton Spencer*, in the Pariſh of *Leek*, in the County of *Stafford*.

25. An Act for dividing and incloſing the Open Fields, Meadows, Paſtures, and Commonable Grounds, within the Townſhip or Liberty of *Sutton Saint Michael's*, otherwiſe *Sutton Bonington*, commonly called *Bonington End*, in the County of *Nottingham*.

26. An Act for dividing and incloſing the Open and Common Fields, and other Commonable Lands, Commons, and Waſte Grounds, within the Pariſh of *Odel*, in the County of *Bedford*.

27. An Act for dividing and incloſing the Open and Common Fields, and other Commonable Lands and Grounds, lying within the Pariſh and Liberties of *Warmington*, in the County of *Warwick*.

28. An Act for dividing and incloſing the Common or Waſte Ground, called *Boreham Wood Common*, in the Pariſh of *Elſtree*, otherwiſe *Idleſtree*, in the County of *Hertford*.

29. An Act for dividing and incloſing the Open Fields, Meadows, Commons, and Waſte Grounds, in the Pariſh of *Beckingham*, in the County of *Nottingham*.

30. An Act for enabling the Honourable *George Hobart* to incloſe the Heath Lands, Field Lands, and Low Commons, or Fen Grounds, in the Pariſh of *Nocton*, in the County of *Lincoln*; and for veſting the Glebe Lands, Vicarial Tithes, and Right of Common, belonging to the Vicarage of *Nocton* aforeſaid, in the ſaid *George Hobart*, and for making a Compenſation to the Vicar of the ſaid Pariſh in lieu thereof.

31. An Act for dividing and incloſing the Open Fields, Meadows, Commons, and Waſte Grounds, in the Pariſh of *Upton*, in the County of *Lincoln*.

32. An Act for dividing and incloſing the ſeveral Commons and Waſte Grounds, within the Manor of *Lea*, in the Pariſhes of *Aſhover*, *Crich*, and *Southwinfield*, in the County of *Derby*.

33. An Act for dividing, allotting, and incloſing certain Commons and Waſte Lands, called *Aſhwood Hay* and *Wall Heath*, and ſeveral other Parcels of Waſte Lands and Commonable Places, Part and Parcel of *Aſhwood Hay*, ſituate within the Manor and Pariſh of *Kingſwinford*, in the County of *Stafford*.

34. An Act for extinguiſhing the Right of Soil and Right of Common upon certain Pieces or Parcels of Common or Waſte Land, in the Manor and Pariſh of *Clewer*, in the County of *Berks*; and for veſting the ſame in his Royal Highneſs the Duke of *Glouceſter*, his Heirs and Aſſigns, upon the Conditions therein mentioned.

35. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, Paſtures, and Commonable and Waſte Lands, within the Manor and Pariſh of *Dorſington*, in the County of *Glouceſter*.

36. An Act for dividing and incloſing the Commons or Waſte Grounds, within the Vill, Hamlet, or Townſhip of *Little Harwood*, in the Pariſh of *Blackburn*, and County of *Lancaſter*.

37. An Act for dividing and incloſing the Open and Common Field, and other Commonable Lands and Grounds, lying within the Pariſh and Liberties of *Alkerton*, in the County of *Oxford*.

38. An Act to enable *Francis Ferrand Moore* Eſquire, now called *Francis Ferrand Foljambe*, and his Heirs Male, to take and uſe the Surname and Arms of *Foljambe*, purſuant to the Wills of *Francis Foljambe* and *Thomas Foljambe*, Eſquires, deceaſed.

39. An Act to enable *Edward John Andrews Cockayne*, and his Iſſue, to take and uſe the Surname and Arms of *Frith* only, purſuant to the Will of *Neighbour Frith* Eſquire, deceaſed.

40. An Act for naturalizing *Charles Godfrey Wolff* and *John Adam Hecker*.

41. An Act for naturalizing *John Liardet*.

42. An Act for naturalizing *Lewis Vialletes Baſtide*.

43. An Act for naturalizing *John Hoffman*.

44. An Act for veſting ſeveral detached Parts of the ſettled Eſtates of Sir *James Ibbetſon* Baronet, in Truſtees, to be ſold, and for the Application of the Money to ariſe by ſuch Sale, and other Purpoſes therein mentioned.

45. An Act for impowering *Richard Hoare* Eſquire, the ſurviving Truſtee named in the Will of *Mary Arnold*, his

his Heirs, Executors, Adminiſtrators, or Aſſigns, to make Sale of a certain Copyhold Meſſuage or Tenement at *Hampſtead*, in the County of *Middleſex*, with the Appurtenances, and the Houſehold Goods and Furniture thereunto belonging, veſted in him by the ſaid Will, upon certain Truſts therein expreſſed; and to inveſt the Money, to ariſe by ſuch Sale, in the Purchaſe of Lands or Tenements, to be ſettled in like Manner.

46. An Act for dividing and incloſing the Open and Common Fields, in the Pariſhes and Liberties of *Hartwell* and *Stone*, in the County of *Bucks*.

47. An Act for aſcertaining the landed Property as well of the Reverend the Dean and Chapter of the Cathedral Church of *Chriſt* and the *Bleſſed Mary the Virgin* at *Worceſter*, as of others, ſituate in the Hamlet of *Charlton*, in the Pariſh of *Cropthorn*, in the County of *Worceſter*; and for dividing and incloſing the Open Common Fields, and other Commonable Land, within the ſame Hamlet.

48. An Act for dividing and incloſing the Open and Common Fields, and other Commonable Lands, in the Hamlets of *Barton* and *Martcleeve*, in the Pariſh of *Bidford*, and County of *Warwick*.

49 An Act for dividing and incloſing the Open and Common Fields, and all other Commonable Land within the Pariſh of *Great* and *Little Hampton*, in the County of *Worceſter*.

50. An Act for dividing, allotting, and incloſing, the Common Fields, Common Meadows, and other Commonable Lands, in the Manor and Pariſh of *North Hinkſey*, otherwiſe *Ferry Hinkſey*, in the County of *Berks*.

51. An Act for dividing and incloſing a certain Common and Waſte Grounds, within the Pariſh of *Brougham*, in the County of *Weſtmoreland*.

52. An Act for dividing and incloſing the Open and Common Fields and Commonable Grounds, within the Pariſh of *Bruntingthorpe*, in the County of *Leiceſter*.

53. An Act for dividing, apportioning, and incloſing the Open and Common Fields, Commonable Lands, and Waſte Grounds, within the Manor and Pariſh of *Nettleham*, in the County of *Lincoln*.

54. An Act for veſting Part of the Eſtates deviſed by the Will of *Sarah Owen*, Spinſter, deceaſed, in the Counties of *Salop* and *Montgomery*, in Truſtees, to be ſold; and for laying out the Money ariſing by ſuch Sale, in the Purchaſe of other Meſſuages, Lands, and Hereditaments, to be ſettled, in Lieu thereof, to the like Uſes.

55. An Act for diſcharging Part of the Eſtate of *Nicholas Wriggleſworth*, and *Ayſcoghe Wriggleſworth*, his eldeſt Son, from the Payment of a yearly Sum of thirty-five Pounds, given by Sir *Edward Barkham*, long ſince deceaſed, to charitable Uſes, and of and from other Incumbrances; and for charging the ſame reſpectively upon a competent Part of the Eſtates of the ſaid *Nicholas Wriggleſworth* and his Son; and for veſting the Reſidue thereof in Truſtees, to be ſold, for the Payment of Debts, and other the Purpoſes therein mentioned.

56. An Act for ſettling certain Meſſuages, Lands, and Hereditaments, in the Pariſhes of *Saint Mary le Bone* and *Saint Pancras*, or one of them, in the County of *Middleſex*, to the Uſes agreed to be thereof limited, in the Settlement made on the Marriage of *Jacob Hinde*, Eſquire, with *Anne Thayer*, now *Anne Hinde*, his Wife, with Power to make ſuch Leaſes thereof as in the ſaid Act are mentioned.

57. An Act for veſting a Leaſehold Meſſuage, in *Groſvenor-ſquare*, in the Pariſh of *Saint George Hanover-ſquare*, in the County of *Middleſex*, bequeathed by the Will of *Edward Rudge* Eſquire, deceaſed, in Truſtees, to be ſold, and other the Purpoſes therein mentioned.

58. An Act to enable *William Clayton* Eſquire, during his Life, and the Guardians of his Infant Children after his Deceaſe, to make building and improving Leaſes of certain Lands and Premiſes, Part of the Manor of *Kennington*, in the County of *Surrey*, held by Letters Patent from his Majeſty, as Part of the Dutchy of *Cornwall*; and to raiſe Money for Payment of the Fines and Expences of renewing the ſaid Letters Patent, and for defraying the Expences to attend the granting ſuch building and improving Leaſes.

59. An Act for veſting Part of the ſettled Eſtates of *John Newnham* Eſquire, in the Counties of *Huntingdon*, *Middleſex*, and *Suſſex*, and in the Cities of *London* and *Canterbury*, in Truſtees, to be ſold; and for purchaſing other Eſtates, in Lieu thereof, to be ſettled to the ſame Uſes.

60. An Act to diſcharge certain Lands, heretofore Part of the Eſtate and Inheritance of *Thomas Eyre* Eſquire, deceaſed, ſituate within the Lordſhip of *High Peak*, in the County of *Derby*, from the Payment of a certain Fee Farm Rent of one hundred Pounds a Year; and for ſecuring the ſame on other Parts of the ſaid Eſtate.

61. An Act for enabling the Truſtees named in the Will of *William Sterne* deceaſed, to ſell and convey a Leaſehold Eſtate, veſted in them by the ſaid Will, upon certain Truſts therein mentioned, to *George Hodgkinſon* Eſquire, purſuant to Articles; and to lay out the Money ariſing by ſuch Sale in the Purchaſe of other Lands or Hereditaments, to be ſettled to the like Uſes.

62. An Act for enabling *Chriſtopher Sykes* Eſquire, to raiſe Money by Way of Charge or Mortgage upon divers Lands and Grounds, in the Pariſh of *Sledmere*, in the County of *York*, Part of the ſettled Eſtates of the ſaid *Chriſtopher Sykes*, on the Improvement intended to be made by him thereof; and for limiting a Rent Charge thereout to *Elizabeth Sykes* his Wife, in Lieu of her Life Eſtate in Part of the ſame Lands and Grounds, and for other Purpoſes therein mentioned.

63. An Act for dividing, allotting, and incloſing, the Open Undivided Common Fields and Common Paſtures, within the ſeveral Townſhips of *Stonegrave*, *Weſtneſs*, and *Nunnington*, in the North Riding of the County of *York*.

64. An Act for dividing and incloſing a Common, or Moor, called *Wooller Common*, in the Pariſh of *Wooller*, in the County of *Northumberland*.

65. An Act for dividing and incloſing the Open and Common Fields, and other Commonable Lands and Grounds, in the Pariſh of *Ickleford*, in the County of *Hertford*.

66. An Act for dividing, incloſing, and improving, the Waſte and Common Grounds in the Townſhip of *Stainburne*, in the Pariſh of *Kirkby Overblow*, in the County of *York*.

67. An Act for dividing and incloſing the Open Arable Fields, Meadows, and Paſtures, within the Townſhip of *Sutton upon Derwent*, in the Eaſt Riding of the County of *York*.

68. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor and Pariſh of *Walgrave*, in the County of *Northampton*.

69. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands, of and within the Pariſh and Liberties of *Yelvertoft*, in the County of *Northampton*.

70. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands, within the Pariſh and Liberties of *Clipſton* and *Newbold*, otherwiſe *Nobald*, in the County of *Northampton*.

71. An

71. An Act for dividing and inclosing certain Open Fields, Meadows, Stinted Common Pastures, Free Commons, and Waste Grounds, within the Townships of *Clarebrough* and *Welham*, in the Parish of *Clarebrough*, in the County of *Nottingham*.
72. An Act for dividing and inclosing the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands, within the Parish and Liberties of *Great Bowden*, in the County of *Leicester*.
73. An Act for dividing and inclosing certain Open and Uncultivated Lands and Tracts of Waste Ground, called *Crowcombe*, *Heathfield*, and *Heddon*, and Parcel of *Quantock Hills*, within the Parish of *Crowcombe*, in the County of *Somerset*.
74. An Act for dividing and inclosing several Open Common Fields, Woods, and Average Grounds, Ings, Marshes, Carrs, Commons, and other Waste Lands and Grounds, within the several Manors and Parishes of *Cawood* and *Wistow*, in the County of *York*.
75. An Act for dividing and inclosing certain Open Fields, Lands, and Grounds, within the Lordships and Parish of *South* and *North Killingholme*, in the County of *Lincoln*.
76. An Act for dividing, allotting, and inclosing, of the Common Fields, Half-year Inclosures, Heaths, Brooms, Breaches, Commons, and Waste Lands, within the Parish of *Coney Weston*, in the County of *Suffolk*.
77. An Act for dividing and inclosing the Open or Common Fields, Common Moors, Common Meadows, Common Pastures, and other Commonable Lands, within the Parish of *Ifton*, in the County of *Monmouth*.
78. An Act for dividing and inclosing the Common Arable Fields, Common Meadows, Common Pastures, Moors, Commons, and Waste Grounds, in the Manor of *Mulgrave*, within the Parish of *Lyth*, in the North Riding of the County of *York*.
79. An Act for dividing, allotting, and inclosing, the Open and Common Fields, Common Pastures, Common Meadows, and other Commonable Lands and Grounds, of and within the Manor and Parish of *Yardley Hastings*, in the County of *Northampton*.
80. An Act for dividing and inclosing the Common Arable Fields, Commons, and Waste Grounds, within the Manor and Township of *Amotherby*, in the Parish of *Appleton in the Street*, in the North Riding of the County of *York*.
81. An Act for dividing and inclosing the several Open and Common Fields, Common Heath, Common Pasture, and Waste Grounds, within the Manor and Parish of *Welby*, in the County of *Lincoln*.
82. An Act for dividing, allotting, and inclosing, a certain Common or Unincloſed Piece or Parcel of Commonable Land or Ground, within the Manor or Parish of *West Horndon*, in the County of *Essex*.
83. An Act to confirm and establish the Division and Inclosure of an Open Arable Field, in the Parish of *Screveton*, in the County of *Nottingham*; and also several Exchanges of Lands within the said Parish.
84. An Act to dissolve the Marriage of *John Elliot* Doctor in Physic, with *Grace Dalrymple* his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
85. An Act to dissolve the Marriage of *Charles Horneck* Esquire, with *Sarah Keppel* his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
86. An Act to dissolve the Marriage of *Thomas Williams* with *Ann Lantware* his now Wife; and to enable him to marry again; and for other Purposes therein mentioned.
87. An Act to amend an Act, made and passed in the fourteenth Year of his present Majesty's Reign, intituled, *An Act to enable* John Medows *the elder, Gentleman, and his Issue Male, to take the Surname and Arms of* Theobald, *pursuant to the Will of* Elizabeth Theobald *Widow, deceased*; and also to enable *John Medows*, eldest Son of the said *John Medows* (now *John Theobald*), and the Heirs of his Body, to take the said Surname, and bear the said Arms of *Theobald*.
88. An Act for naturalizing *Henry Lawrence Zinck*.
89. An Act for naturalizing *John Alexander De Morsier*.
90. An Act for naturalizing *Engelbert Mulhausen*.
91. An Act for naturalizing *Marie Magdelaine Chevalier*.
92. An Act for vesting in Trustees the settled Estate of the Most Noble *Peregrine* Duke of *Ancaster* and *Kesteven*, in the County of *York*, to discharge Incumbrances affecting the same, and other Part of the said settled Estates; and for purchasing of Estates, to be settled to the several Uses therein mentioned.
93. An Act for vesting the Free School-house, Dwelling-house for the Master and Usher, Close, and other Premises thereto belonging, in *Courtenhall*, in the County of *Northampton*, in Sir *William Wake* Baronet, and his Heirs, upon the Conditions therein mentioned.
94. An Act for the Sale of the Estates of Sir *Charles Whitworth*, in the County of *Somerset*; and for exonerating the same, and his Estates in the County of *Kent*, from the Portions of his younger Children, provided by his Marriage Settlement.
95. An Act to enable *William Masterman* and *Thomas Francis*, Esquires, to make a Title to certain Leasehold and Copyhold Estates of *Thomas Nuthall* Esquire, deceased.
96. An Act for Sale of Part of the Estates late of *John Leigh* Esquire, deceased, for Payment of Mortgages, and other Debts, to which the said Estates are liable; and for other Purposes therein mentioned.
97. An Act for vesting the settled Estates of *Robert Dolman* Esquire, and *Robert Dolman* the younger, in *Pocklington* and elsewhere, in the County of *York*, in Trustees, to be sold; and for laying out the Money arising by such Sale in the Purchase of other Lands and Hereditaments, to be settled, in Lieu thereof, to the same Uses.
98. An Act for vesting an Estate in the County of *Middlesex*, which was settled by *Richard Onslow* Esquire, deceased, on his Marriage with *Poolley Walton*, in Trustees, in order that the same may be conveyed to *Matthew Winter* and his Heirs, pursuant to an Agreement made by him for the Purchase thereof; and for investing the Purchase-money in Three *per Centum* Consolidated Bank Annuities; and for other Purposes therein mentioned.
99. An Act for confirming the Settlements made by *Charles Vere Dashwood* Esquire, in Satisfaction of certain Articles entered into by him previous to his Marriage, and during his Infancy; and for other Purposes therein mentioned.
100. An Act for vesting the settled Estates of *William Upfold*, Gentleman, in the County of *Middlesex*, and City of *London*, in Trustees, to be sold; and for purchasing other Lands and Hereditaments, to be settled to the same Uses.
101. An Act for vesting Two-sixth Parts of the Estates late of *Stanhope Mason* Gentleman, deceased, in *England* and *Ireland*, in Trustees, to be sold; and for purchasing other Estates, to be settled in Lieu thereof.
102. An Act for vesting several Estates late of *Samuel Shepheard* of *Exning*, in the County of *Suffolk*, Esquire, deceased, in Trustees, to be sold; and for purchasing other Estates, to be conveyed to the like Uses; and for other Purposes therein mentioned.
103. An Act for dividing and allotting certain Open and Common

Common Fields, Downs, and Commonable Grounds, in the Tithings or Liberties of *Eaſtbury*, otherwiſe *Iſbury*, and *Blagrove*, in the Pariſh of *Chipping Lamborne*, in the County of *Berks*.

104. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands, of and within the Pariſh and Liberties of *Crick*, in the County of *Northampton*.

105. An Act for dividing and incloſing the Open and Common Fields, Common Paſtures, Common Meadows, and other Commonable Lands and Grounds, of and in *Over Weedon Beck* and *Nether Weedon Beck*, within the Pariſh and Liberties of *Weedon Beck*, in the County of *Northampton*.

106. An Act for dividing and incloſing certain Open Common Fields, Stinted Paſtures, and Common Moors or Waſte Grounds, within the Manor and Pariſh of *Corbridge*, in the County of *Northumberland*.

107. An Act for dividing and incloſing the Open Arable Fields, Meadows, Paſtures, Carrs, and other Open Lands and Grounds, within the Townſhip of *Foſton*, in the Eaſt Riding of the County of *York*.

108. An Act for dividing and incloſing the ſeveral Open Fields, Common Paſtures, Common and other Waſte Lands and Grounds, within the Townſhip of *Bilton*, in the County of *York*.

109. An Act to diſſolve the Marriage of Sir *Thomas Charles Bunbury* Baronet, with the Right Honourable Lady *Sarah Lenox* his now Wife; and to enable him to marry again; and for other Purpoſes therein mentioned.

110. An Act for reveſting Part of the Real and Perſonal Eſtates of the Moſt Noble *George* Duke of *Saint Albans* in him, and for other Purpoſes therein mentioned.

111. An Act for veſting the Real Eſtates compriſed in the Marriage Settlement of *Thomas* Lord *Montfort*, ſituate in the Counties of *Cambridge* and *Suffolk*, and the Woods, Underwoods, Timber, and other Trees, growing and being thereon, in Truſtees and their Heirs, in Truſt, to be ſold and diſpoſed of in Manner therein mentioned; and for applying the Monies to ariſe by Sale thereof in the Manner therein alſo mentioned.

112. An Act for the Sale of a Leaſehold Eſtate, late belonging to Sir *John Abdy* Baronet, deceaſed, at *Biſhop's Canning*, in the County of *Wilts*, and of Timber Trees growing on his Eſtates in the County of *Eſſex*, and alſo of his Medals and Coins, for paying off and diſcharging certain Incumbrances affecting his Real Eſtates in *Eſſex*; and for laying out the Reſidue of the Monies ariſing by ſuch Sale in the Purchaſe of Lands, to be ſettled to the ſame Uſes as his Eſtates in *Eſſex* now ſtand ſettled by his Will.

113. An Act for applying the Money to ariſe by Sale of certain Meſſuages, ſituate in *Cheapſide*, in the City of *London*, deviſed by the Will of *Edmund Eſtcourt* Eſquire, deceaſed, to Truſtees, to be ſold, in the building a Manſion-houſe upon the ſettled Eſtates late of the ſaid *Edmund Eſtcourt*, at *Shipton Moyne* and *Dovel*, in the County of *Glouceſter*, together with the Materials of the ancient Manſion-houſe now ſtanding thereon.

114. An Act for veſting the ſettled Eſtates of *Peter John Heywood* Eſquire, in the *Iſle of Man*, called *The Nunnery*, in Truſtees, to be ſold; and for laying out the Money ariſing by ſuch Sale in the Purchaſe of Lands and Hereditaments, in that Part of *Great Britain* called *England*, to be ſettled in Lieu of the ſaid Eſtates in the *Iſle of Man*, intended to be ſold.

115. An Act for veſting certain Manors, Meſſuages, Lands, and Hereditaments, in the ſeveral Counties of *Middleſex*, *Surrey*, *Southampton*, and *Norfolk*, the Freehold, Copyhold, and Leaſehold Eſtates, late of *John Albert Bentinck* Eſquire, deceaſed, in Truſtees in Truſt, to ſell, mortgage, or exchange, any Part or Parts thereof; and for applying the Money to ariſe thereby in diſcharging Incumbrances, and making Buildings and Improvements on the ſaid Eſtates, and in completing Purchaſes of Lands agreed for by the ſaid *John Albert Bentinck*, and for other Purpoſes; and for laying out the Reſidue of ſuch Money in the Purchaſe of other Manors, Lands, or Hereditaments, to be ſettled to the ſame Uſes as are now ſubſiſting concerning the ſame.

116. An Act for veſting Part of the ſettled Eſtates of *Henry Stapilton* Eſquire, at *Wighill*, in the County of the City of *York*, in the ſaid *Henry Stapilton*, in Fee Simple; and for ſettling in Lieu thereof other Lands and Hereditaments of the ſaid *Henry Stapilton*, lying contiguous to, and interſperſed with, the Remainder of the ſaid ſettled Eſtates, and alſo the Tithes thereof and of ſuch Remainder, to the ſame Uſes.

117. An Act to enable certain Perſons, during the ſucceſſive Minorities of Sir *William Moleſworth* Baronet, and his Brothers, to grant Leaſes of the Eſtates deviſed to them by the Will of Sir *William Morice* Baronet, deceaſed.

118 An Act for veſting certain Eſtates in the Counties of *Wilts* and *Somerſet*, late belonging to *John Smith* Eſquire, deceaſed, in Truſtees, to be ſold for Payment of his Debts, and for other Purpoſes therein mentioned.

119. An Act for ſettling and ſecuring certain Parts of the Lands and Barony of *Corſemichael*, called *Greenlaw*, and others, lying in the Stewartry of *Kirkcudbright*, to and in favour of *Iſabel Gordon* of *Culvennan*, Widow of *William Gordon* of *Greenlaw*, Eſquire, for her Life, and to and in favour of *Alexander Gordon* of *Culvennan* Eſquire, her eldeſt Son, and the ſame Series of Heirs, in Fee Tail, and under the ſame Conditions and Limitations as are mentioned and contained in a Deed of Entail, made in the Year one thouſand ſeven hundred and forty-two, by *John Macculloch* of *Barholm*, and *Jean Gordon* his Wife; and for veſting in the aforeſaid *Alexander Gordon* and his Heirs and Aſſigns, in Fee Simple, the Eſtate of *Culvennan*, and others, lying in the County of *Wigton*, together with the Sum of one thouſand nine hundred and ſeventy-one Pounds Sterling.

120. An Act to enable *John Whitfield* Eſquire to charge Part of his ſettled Eſtates, in the County of *Northampton*, in the Manner therein mentioned.

121. An Act to enable the Rector of the Pariſh Church of *Hatherop*, in the County of *Glouceſter*, to exchange Part of his Glebe Lands there, for other Lands more conveniently ſituated, the Property of *Samuel Blackwell* Eſquire, in the Hamlet of *Williamſtrip*, adjoining to the ſaid Pariſh of *Hatherop*.

122. An Act to diſſolve the Marriage of the Reverend *John Jenkins* Clerk, with *Mary Jenkins* his now Wife; and to enable him to marry again; and for other Purpoſes therein mentioned.

THE

STATUTES at Large, &c.

Anno Regni GEORGII III. Decimo Quarto.

'AT the Parliament begun and holden at *Weſtminſter*, the tenth Day of *May*, *Anno Domini* one thouſand ſeven hundred and ſixty-eight, in the eighth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

'And from thence continued by ſeveral Prorogations to the thirteenth Day of *January* one thouſand ſeven hundred and ſeventy-four; being the ſeventh Seſſion of the thirteenth Parliament of *Great Britain*.

CAP. I.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-four. 3 s.

CAP. II.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-four.

CAP. III.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

CAP. IV.

An Act for the Regulation of his Majeſty's Marine Forces, while on Shore.

CAP. V.

An Act to allow the Exportation of Corn, Grain, and other Articles, to His Majeſty's Sugar Colonies in *America*; and to extend the Proviſions of an Act made in the laſt Seſſion of Parliament, (intituled, *An Act to regulate the Importation and Exportation of Corn*), allowing the Exportation of Wheat, Meal, Flour, Rye, Barley, or Malt, to the Iſlands of *Guernſey* and *Jerſey*, to Bread, Biſcuit, and Peaſe; and to allow the Exportation of all the ſaid Articles to the Iſland of *Alderney*.

'WHEREAS by an Act paſſed in the laſt Seſſion of Parliament (intituled, *An Act to regulate the Importation and Exportation of Corn*), it was (amongſt other Things) enacted, That whenever the Price of middling *Britiſh* Wheat, at any Port or Place within the Kingdom of *Great Britain*, from whence the ſame ſhould be intended to be exported, ſhould appear to be at or above the Price of Forty-four Shillings *per* Quarter, ſuch Price being aſcertained in Manner in the ſaid Act before mentioned, no Perſon or Perſons whatſoever ſhould, directly or indirectly, export, tranſport, carry, or convey, or cauſe or procure ſo to be, out of or from any ſuch Port or Place; or load or lay on board, or cauſe or procure to be laden or laid on board, in any Ship or other Veſſel or Boat, in order to be exported or carried out of any ſuch Port or Place, any Wheat, Wheat Meal, or Flour, or Malt, Bread, Biſcuit, or Starch, made of Wheat; and whenever the Price of middling *Britiſh* Rye, Peaſe, or Beans, or of middling *Britiſh* Barley, Beer, or Bigg, or of middling *Britiſh* Oats, ſhould reſpectively appear at ſuch Port or Place to be at or above the ſeveral diſtinct Prices in the ſaid Act particularly mentioned, no Perſon or Perſons whatſoever ſhould, directly or indirectly, export, tranſport, carry or convey, or Preamble. Act 13 Geo. 3.

'cauſe ſo to be, or load or lay on board, in any Ship or other Veſſel, or Boat, in order to be exported 'or carried out of any ſuch Port or Place, any Rye, Peaſe, or Beans, ground or unground, or any 'Bread or Biſcuit made of Rye, Peaſe, or Beans reſpectively, or any Barley, Beer, or Bigg reſpectively, 'or any Oats or Oatmeal, or Malt, Bread, or Biſcuit, made of Oats, under the ſeveral Penalties and 'Forfeitures in the ſaid Act particularly mentioned and inflicted: And whereas it is neceſſary at all Times 'to export Corn, Grain, Peaſe, Beans, Malt, Flour, Oatmeal, Bread, Biſcuit, and Starch, to His Ma-'jeſty's Sugar Colonies in *America*, for the Suſtenance and Uſe of the Inhabitants thereof;' may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, it ſhall and may be lawful to ſhip and export, from the Port of *London* only, Wheat and Meal, Flour, Bread, Biſcuit, and Starch, made of Wheat, not exceeding in the Whole Two Thouſand Quarters in any one Year, to be computed in the Manner herein-after directed; and from the ſaid Port of *London*, and all and every other Port or Place in *Great Britain*, all and every other Sorts of Corn and Grain, Peaſe and Beans, ground or unground, Malt and Oatmeal, to His Majeſty's Sugar Colonies in *America*, any Thing in the ſaid Act to the contrary notwithſtanding, for the Suſtenance and Uſe of the Inhabitants of the ſaid Colonies; ſo as the Exporter do, before the ſhipping or laying on board the ſame, declare the Colony or Colonies for which the ſaid Commodities, or either of them, are reſpectively deſigned, and become bound with other ſufficient Security, in Treble the Value thereof, to the Commiſſioners, or Chief Officer or Officers, of His Majeſty's Cuſtoms, belonging to the Port or Place where the ſame ſhall be ſhipped or put on board, (who hath or have hereby Power to take ſuch Security in His Majeſty's Name, and to His Majeſty's Uſe), that ſuch Commodities ſhall not be landed or ſold in any Ports whatſoever other than the ſaid Colony or Colonies for which the ſame ſhall be ſo declared; and that a Certificate, under the Hand and Seal of the Collector, Comptroller, or other Chief Officer of the Cuſtoms, or if no ſuch, of the Naval Officer, or ſome of the principal Officers of the Port where the ſame ſhall be landed, ſhall, within the Space of Eighteen Calendar Months after the Date of ſuch Bonds, (the Danger of the Seas excepted), be returned to the Officers who took the ſaid Bonds, that the ſaid Commodities have been landed at the Port or Place for which the ſame ſhall be ſo declared; and for the taking of ſuch Security, and for giving ſuch Certificates (which the reſpective Officers aforeſaid are hereby, on Demand, required to give), no Fee or Reward ſhall be demanded or received: And if any Officer ſhall make any falſe Certificate of any ſuch Commodities being ſo landed, ſuch Officers ſhall forfeit the Sum of two hundred Pounds, and loſe his Employment, and be incapable of ſerving His Majeſty, His Heirs or Succeſſors, in any Office relating to the Cuſtoms; and if any Perſon ſhall counterfeit, raſe, or falſify any ſuch Certificate, or knowingly publiſh any ſuch counterfeit, raſed, or falſe Certificate, he ſhall forfeit the Sum of two hundred Pounds, and ſuch Certificate ſhall be void, and of no Effect; which ſaid Penalties for Offences committed in *Great Britain* or *Ireland*, ſhall be recovered in the ſame Courts, and in the ſame Manner, as the other Penalties inflicted by the ſaid recited Act are recoverable: And for Offences committed in the Colonies or Plantations in *America*, ſhall be recovered in the High Court of Admiralty, or in any Chief Court of Civil or Criminal Juriſdiction in ſuch reſpective Colonies or Plantations; and ſhall be divided into equal Moieties between His Majeſty and the Informer: And the ſaid Bond or Bonds, if not proſecuted within three Years, ſhall be void; any Thing in the ſaid recited Act to the contrary thereof in any-wiſe notwithſtanding.

Wheat, Meal, Flour, Bread, Biſcuit, and Starch, not exceeding 2000 Quarters in one Year, from the Port of London only, and all Sorts of Grain, from other Ports and Places in Great Britain, may be exported to his Majeſty's Colonies in America, in any one Year; the Exporter before the Shipping, declaring the Colony to which ſuch Commodities are deſigned; and find ſufficient Security, that the ſaid Commodities be landed in no other Place than in the ſaid Colonies. A Certificate to be returned, under the Hand and Seal of the Officer of the Cuſtoms at the Port where landed, within eighteen Calendar Months; without Fee or Reward. Penalty for making a falſe Certificate, and for falſifying a Certificate. How Penalties are to be recovered. Bonds to be void, if not proſecuted within three years.

When the Exportation of the ſaid Commodities ſhall be permitted by the ſaid Act, no Bond ſhall be required.

II. Provided always, and be it enacted by the Authority aforeſaid, That when the Exportation of the ſaid Commodities, or any of them, ſhall, by the ſaid Act, be permitted; then, and in ſuch Caſe, no ſuch Bond ſhall be required upon the Exportation to the ſaid Colonies of ſuch of them as ſhall be ſo permitted.

Proviſo.

III. Provided alſo, and be it enacted, That when any Bounty ſhall be allowed upon the Exportation of the ſaid Commodities, or any of them, the ſame Bounty ſhall be allowed upon the Exportation thereof to the ſaid Colonies under the Regulations, Proviſions, and Reſtrictions, in the ſaid Act mentioned.

Nothing in Act 13 Geo. 3. to extend to prohibit any Quantity of Wheat, Meal, Flour, &c. from Southampton to Jerſey and Guernſey.

IV. And whereas by the ſaid recited Act, it was (amongſt other Things) provided, That nothing therein-before contained ſhould extend to prohibit the ſeveral Articles therein-after expreſſed being exported out of and from the reſpective Ports in this Kingdom therein-after mentioned, to the ſeveral Places therein-after mentioned; that is to ſay (amongſt others), from the Port of *Southampton* to the Iſlands of *Guernſey* and *Jerſey*, any Quantity of Wheat, Meal, Flour, Rye, Barley, or Malt, not exceeding five thouſand Quarters: And whereas it is neceſſary that the ſaid Proviſion ſhould be extended to the Iſland of *Alderney*, and Bread, Biſcuit, and Peaſe, are likewiſe requiſite for the Suſtenance and Uſe of the Inhabitants of thoſe Iſlands; be it therefore enacted by the Authority aforeſaid, That from and after the paſſing of this Act, nothing in the ſaid recited Act contained ſhall extend to prohibit the being exported from the Port of *Southampton*, and from no other, to the Iſlands of *Guernſey*, *Jerſey*, and *Alderney*, or any or either of them, for the Suſtenance and Uſe of the Inhabitants thereof, any Quantity of Wheat, Meal, Flour, Rye, Barley, Malt, or of Bread, Biſcuit, or Peaſe, in the ſame Manner, and under the ſame Limitations and Reſtrictions, to all Intents, Conſtructions, and Purpoſes, as if the ſaid Iſland of *Alderney*, and the ſaid Articles of Bread, Biſcuit, and Peaſe, had been originally inſerted in the ſaid recited Act; any Thing therein contained to the contrary thereof in any-wiſe notwithſtanding.

Inhabitants of Guernſey, Jerſey, or Alder-

V. Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons inhabiting in the ſaid Iſlands of *Guernſey*, *Jerſey*, or *Alderney*, to ſhip and lade, at

or

or in any or either of the ſaid Iſlands, and to tranſport directly from thence to *Newfoundland*, or to any other of the *Britiſh* Colonies or Plantations in *America*, where the Fiſhery is now or ſhall hereafter be carried on, on board any Ship or Veſſel which may lawfully trade there, the Whole or any Part of the ſaid Wheat, Meal, Flour, Rye, Barley, Malt, Bread, Biſcuit, or Peaſe, fit and neceſſary for the Fiſhery in thoſe Parts, or for the Uſe and Support of the Mariners, or other Perſons employed on board the Veſſels, or on Shore, in carrying on the ſaid Fiſhery there, in the ſame Manner, and under the ſame Limitations and Reſtrictions, to all Intents, Conſtructions, and Purpoſes, as preſcribed in and by an Act made in the Ninth Year of the Reign of His preſent Majeſty, intituled, *An Act to permit the Inhabitants of* Jerſey *and* Guernſey *to export directly from thence to* Newfoundland, *or the* Britiſh *Colonies in* America, *Goods neceſſary for the Fiſhery, under certain Reſtrictions, and to import from thence non-numerated Goods, (except Rum), and to land the ſame in the ſaid Iſlands*, as if the ſame were particularly repeated and re-enacted in the Body of this preſent Act; any Thing in either of the ſaid recited Acts, or any other Law or Statute, to the contrary thereof in any-wiſe notwithſtanding.

ney, may ſhip from thence to any Britiſh Plantation, where the Fiſhery is carried on, Wheat, Meal, Flour, &c. neceſſary for the Fiſhery in thoſe Parts, under the Limitation of Act 9 Geo. 3.

VI. And be it further enacted by the Authority aforeſaid, That in carrying this Act into Execution, four hundred Weight Avoirdupoiſe of Meal, and three hundred Weight Avoirdupoiſe of Flour, Bread, Biſcuit, and Starch, made of Wheat, ſhall be computed, deemed, and taken as, and equal to, one Quarter of Wheat.

400 Cwt. Avoirdupoiſe of Meal, and 300 ditto of Flour, Bread, &c. to be deemed one Quarter.

VII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be in Force during ſuch Time as the ſaid recited Act, paſſed in the laſt Seſſion of Parliament, ſhall have Continuance.

Continuation of this Act.

CAP. VI.

An Act for further continuing two Acts, made in the ſixth and ninth Years of his Majeſty's Reign, for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, in his Majeſty's Dominions in *America*.

Preamble. Act 13 Geo. 3.

'WHEREAS an Act, paſſed in the thirteenth Year of His preſent Majeſty's Reign, intituled, *An Act for further continuing two Acts, made in the ſixth and ninth Years of His Majeſty's Reign, for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, in His Majeſty's Dominions in* America; which Act was to continue and be in Force in all His Majeſty's Dominions in *America*, from the twenty-fourth Day of *March*, one thouſand ſeven hundred and ſeventy-four, until the twenty-fourth Day of *March*, one thouſand ſeven hundred and ſeventy-five: And whereas it has been found neceſſary that the ſaid Acts, made in the ſixth and ninth Years of His Majeſty's Reign ſhould be continued for a further Time;' may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Acts ſhall be, and the ſame are hereby continued, until the twenty-fourth Day of *March*, one thouſand ſeven hundred and ſeventy-ſix.

Further continued until March 24, 1776.

CAP. VII.

An Act for better paving, cleanſing, and lighting, the Streets, Lanes, and publick Paſſages, in the Town of *Cardiff*, and Liberties thereof, in the County of *Glamorgan*, and for removing and preventing Nuiſances and Annoyances therein.

Preamble.

'WHEREAS the Streets and Lanes within the Town of *Cardiff*, and Liberties thereof, in the County of *Glamorgan*, are very ill paved, cleanſed, and lighted, and, by Annoyances and Incroachments therein, rendered incommodious and dangerous: And whereas it will tend greatly to the Health, Safety, and Advantage, of the Inhabitants of the ſaid Town of *Cardiff*, or Liberties thereof, and be of great publick Utility to the Perſons reſorting thereto, and travelling through the ſame, if the Streets, Lanes, and publick Paſſages, were properly widened, paved, cleanſed, lighted, and kept clear and free from Annoyances and Incroachments: But as the ſame cannot be remedied and effected without the Aid of Parliament,' may it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable *John Stuart*, commonly called *Lord Viſcount Mountſtuart*; the Honourable *George Venables Vernon*, Sir *Charles Kemys Tynte* Baronet, *Thomas Edwards* of *Cardiff*, *William Edwards* of *Cardiff*, the Reverend *Powell Edwards* Rector of *Neath*, *Thomas French* of *Cardiff*, *Marmaduke Gwyn* of *Roath*, *Bartholomew Greenwood* of *Cardiff*, *William Hurſt* of *Gabalva*, *Richard Jenkins* of *Cardiff*, the Reverend *Owen Jenkins* Vicar of *Cardiff*, the Reverend *William Llewellin* Rector of *Saint George's*, *Phillip Lewis* of *Llanrumney*, *Thomas Lewis* of *Llaniſhen Houſe*, *Henry Lewis* the elder of *Cardiff*, *Herbert Mackworth* of the *Gnoll*, *Francis Minnit* of *Cardiff*, *Thomas Mathews* of *Llandaff*, *Charles Morgan* of *Ruperra*, *John Morgan* of *Ruperra*, *Cradock Nowell* of *Cardiff*, *William Richards Powell* of *Genau'r Glynn*, *William Powell* of *Cardiff*, *John Prieſt*, *David Prichard*, *Alexander Purcel*, *Michael Richards*, *William Richards* the elder, *William Richards* the younger, *John Richards* the elder, *John Richards* the younger, *Robert Savours*, *John Thomas* the elder, *John Thomas* the younger, all of *Cardiff* aforeſaid; *William Thomas* of *Llandaff*, *Thomas Thomas* of *Cardiff*, *Edmund Trahern* of *Cathays*, *Henry Yeomans* of *Cardiff*, the Reverend *George Watkins* Clerk, *Arthur Williams* of *Cardiff*, *Bloom Williams*, *Henry Williams* of

Commiſſioners Names.

the ſame; the Conſtable of the Caſtle, the Bailiffs of the Town, the Aldermen, the Steward, and the Town Clerk of *Cardiff* for the Time being, and their Succeſſors, (to be elected in Manner herein-after mentioned), ſhall be, and they are hereby appointed Commiſſioners for putting this Act in Execution.

On Death, &c. of Commiſſioners, others to be choſen.

II. And be it further enacted, That in caſe of the Death of any of the ſaid Commiſſioners, or in caſe of their Refuſal or Neglect to act for the Space of two Years, ſuch Death, Refuſal, or Neglect to act, being declared at a publick Meeting, that then it ſhall and may be lawful for the ſurviving Commiſſioners, or any ſeven or more of them, from Time to Time, by Writing under their Hands and Seals, to elect by Ballot ſome other Perſon, qualified in the Manner after mentioned, in the Place or Stead of the Commiſſioners ſo dying, neglecting, or refuſing to act, one Month's Notice of the Time and Place of Meeting for every ſuch Election being given in Writing, ſigned by the Clerk of the ſaid Commiſſioners, or by any ſeven or more of the ſaid Commiſſioners, and affixed on the Door of the Guildhall of the ſaid Town; and every Perſon ſo elected ſhall, from the Time of his Election, have the ſame Power and Authority for putting this Act into Execution, as if he had been expreſsly named and appointed a Commiſſioner by this Act.

Qualification of Commiſſioners.

III. Provided always, and be it enacted by the Authority aforeſaid, That no Perſon ſhall be qualified, or capable of acting as a Commiſſioner in the Execution of this Act, unleſs he ſhall be in the actual Poſſeſſion and Enjoyment or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear and yearly Value of fifty Pounds Freehold, within the County of *Glamorgan*; or ſhall be Heir Apparent of ſome Perſon having an Eſtate of the yearly Value of one hundred Pounds Freehold, in the County of *Glamorgan*; or unleſs he be in the actual Poſſeſſion, Enjoyment, and Receipt of Rents and Profits of Houſes, Lands, or Tenements, of the clear yearly Value of ten Pounds Freehold, ariſing within the Limits of the ſaid Town or Liberties thereof; or being an Inhabitant or Reſident within the ſaid Town or Liberties, (not having ſuch Eſtate as aforeſaid) unleſs he ſhall be a Tenant or Occupier of Lands, Tenements, or Hereditaments, of the yearly Value of twenty Pounds, or poſſeſſed of a perſonal Eſtate of the Value of five hundred Pounds, after all Debts paid; nor unleſs he ſhall, at the firſt Meeting in which he ſhall act as Commiſſioner, deliver in, or cauſe to be delivered in, a Certificate in Writing, ſigned by him, expreſſing his Qualification; which Certificate ſhall be filed by the Clerk of the ſaid Commiſſioners, and an Entry made of their Names, and the Time when delivered, in a Book to be kept for that Purpoſe, ſigned by the ſaid Clerk: And if any Perſon not being ſo qualified, or not delivering ſuch Certificate, or other Perſon appointed by the Commiſſioners, or any five or more of them, ſhall preſume to act as a Commiſſioner in Execution of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame; to be recovered in any of his Majeſty's Courts of Record, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoin, Protection, or Wager at Law, or more than one Imparlance, ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is ſo qualified, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof or Evidence on the Part of the Proſecutor, than that ſuch unqualified Perſon hath acted as a Commiſſioner in the Execution of this Act.

Penalty on acting, if not qualified.

Commiſſioner not to act whilſt he holds a Place of Profit.

IV. Provided alſo, and be it enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, during ſuch Time as he ſhall hold any Place of Profit by virtue of this Act.

Firſt Meeting of Commiſſioners.

V. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, ſhall and may, and they are hereby impowered and required, to meet in the Guildhall of the ſaid Town, on *Monday* the ſecond Day of *May* next, between the Hours of ten and twelve of the Clock in the Forenoon of the ſame Day, and proceed to the Execution of this Act; and then from Time to Time afterwards to adjourn themſelves, and meet there, or at any Place within the ſaid Town or Liberties thereof, as often as the ſaid Commiſſioners, or any five or more of them, ſhall think proper, for putting this Act in Execution; and if it ſhall happen that there ſhall not appear at any Meeting a ſufficient Number of Commiſſioners to adjourn to any other Day, then, and as often as any ſuch Caſe ſhall happen, the Clerk to the ſaid Commiſſioners ſhall and may adjourn ſuch Meeting to that Day Fortnight, giving Notice thereof in the Pariſh Church of *Saint John the Baptiſt*, within the ſaid Town, ſix Days before ſuch Meeting; or if there be no Clerk appointed, or the Clerk to the ſaid Commiſſioners ſhall neglect or omit to adjourn, or any wrong Adjournment ſhall be made; then, and in every ſuch Caſe, the ſaid Commiſſioners, or any five or more of them, may, by publick Notice in Writing under their Hands, to be affixed on the Door of the Guildhall of the ſaid Town, appoint the ſaid Commiſſioners to meet at the Place where the then laſt Meeting was appointed to be held, at any Time not leſs than three Days, or more than ſix Days next after any ſuch Notice ſhall be given as aforeſaid; and the ſaid Commiſſioners ſhall and may meet accordingly at the Time and Place mentioned in the ſaid Notice, and proceed to the Execution of this Act, and ſhall and may make ſuch Orders, Rules, and Regulations, as to them, or the Majority of them, then and there preſent, ſhall appear neceſſary, for the better and more effectual carrying this Act into Execution: And the Commiſſioners ſhall, at all their Meetings, pay their own Charges and Expences.

Power of Adjournment.

Commiſſioners to pay their own Expences.

Regulations to be made by Majority of Commiſſioners.

VI. And be it enacted, That at every Meeting of the ſaid Commiſſioners to be held by virtue of this Act, the Powers and Authorities hereby granted ſhall be carried into Execution by the major Part of the Commiſſioners preſent, ſo as ſuch major Part ſhall always conſiſt at leaſt of the reſpective Number of Commiſſioners by this Act limited for the reſpective Purpoſes therein mentioned.

Commiſſioners may alter any Order under certain Reſtrictions.

VII. And be it further enacted, That the ſaid Commiſſioners ſhall, at any Meeting, make, vary, alter, or make void, any ſuch Orders, Rules, or Regulations, in ſuch Manner as they ſhall think needful and proper.

Proceedings to be entered in Books.

VIII. Provided always, That no Order, Rule, or Regulation, made by the ſaid Commiſſioners as aforeſaid, ſhall be revoked, varied, altered, or made void, unleſs nine or more of the ſaid Commiſſioners

ſhall

ſhall concur in revoking, varying, altering, or making void the ſame; and no Act or Order of the ſaid Commiſſioners ſhall be valid, unleſs done at ſome publick Meeting to be held in purſuance of this Act: And the ſaid Commiſſioners, or any five or more of them, ſhall cauſe to be provided and kept Books, wherein the ſeveral Meetings, and Names of the Commiſſioners attending ſuch Meetings, and the Nomination of all Officers and Perſons who ſhall be employed in the Execution of this Act, and all Orders and Rules, and other Proceedings of the ſaid Commiſſioners at ſuch Meetings, ſhall, from Time to Time, be fairly written and entered by their Clerk, or by ſuch other Perſon as the major Part of the Commiſſioners then preſent at ſuch Meeting (in caſe of the Abſence of the Clerk) ſhall appoint; and the Commiſſioners preſent, and concurring in ſuch Orders and Proceedings, together with the ſaid Clerk or other Perſon, ſhall ſubſcribe their Names at the End of the Proceedings of every ſuch Meeting; and all ſuch Entries, ſo ſigned, ſhall be deemed Originals, and ſhall be admitted to be read in Evidence in all Cauſes, Suits, and Actions, touching any thing to be done in purſuance of this Act; and all ſuch Books ſhall, at every ſuch Meeting of the ſaid Commiſſioners, be liable to the Inſpection of any Perſon rated and paying to the Rates which ſhall be made in purſuance or by virtue of this Act.

Commiſſioners may appoint Officers;

IX. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, ſhall and may, from Time to Time, nominate and appoint one or more Treaſurer or Treaſurers, Clerk or Clerks, Collector or Collectors, of the Money to be raiſed by virtue of and for the Purpoſes of this Act, and alſo one or more Surveyor or Surveyors, and ſuch other Officer and Officers, Perſon or Perſons, as the ſaid Commiſſioners, or any five or more of them, ſhall think neceſſary to employ in the Execution of this Act; and the ſaid Commiſſioners, or any five or more of them, may remove or diſplace all or any of the ſaid Officers or other Perſons, and nominate and appoint ſuch other Perſon or Perſons in the Room of him or them who ſhall be ſo removed, or ſhall die, provided twelve Days Notice of their Intention to remove or diſplace ſuch Officer or Officers, and to appoint one or more Perſon or Perſons in his or their Room, be given, in Writing, by affixing the ſame upon the Door of the Guildhall of the ſaid Town; and the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby required, to take ſuch Security, from Time to Time, for the due Execution of the ſaid Offices reſpectively, as the ſaid Commiſſioners, or any five or more of them, ſhall think proper; and the ſaid Commiſſioners, or any five or more of them, may, and they are hereby impowered, out of the Monies ariſing by virtue of this Act, to make ſuch Allowances to ſuch Officer or Officers, or to ſuch other Perſon or Perſons as ſhall be aiding and aſſiſting in and about the Execution of the ſaid Act, as to the Commiſſioners ſhall ſeem reaſonable: And every Officer and other Perſon ſo to be appointed, ſhall, under his Hand, at ſuch Time or Times, and in ſuch Manner, as the ſaid Commiſſioners, or any five or more of them, ſhall direct, deliver to the ſaid Commiſſioners, or any five or more of them, or to ſuch Perſon or Perſons as they, or any five or more of them, ſhall appoint, a true and perfect Account, in Writing, of all Matters and Things committed to his Charge by virtue of this Act; and alſo of all the Monies which ſhall have been by him received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed by Order of the Commiſſioners, and for what Purpoſe, together with the proper Vouchers for ſuch Payments, and ſhall pay all ſuch Monies as ſhall remain in his Hands to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any five or more of them, ſhall appoint: And every Officer or Perſon, accounting as aforeſaid, ſhall, upon Oath, (which Oath the ſaid Commiſſioners, or any two or more of them, are hereby impowered and required to adminiſter), verify his Account, if required by any five or more of the ſaid Commiſſioners ſo to do; and if any ſuch Officer or Perſon ſhall not make and render, or ſhall refuſe to verify upon Oath any ſuch Account, or to produce or to deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid; then, in any of the Caſes aforeſaid, any one or more Juſtice or Juſtices of the ſaid Town of *Cardiff*, upon Complaint thereof made to him or them by the ſaid Commiſſioners, or any five or more of them, may, and is and are hereby authoriſed and required to iſſue a Summons, under his or their Hand and Seal, or Hands and Seals, requiring ſuch Officer or Perſon, ſo refuſing or neglecting, to appear before him or them at ſuch Time and Place as ſhall in ſuch Summons be appointed; which Summons ſhall be directed to and ſerved by one of the Conſtables of the ſaid Town of *Cardiff*, by giving it to, or leaving it at, the Houſe or uſual Place of Abode of ſuch Officer or Perſon; and, upon ſuch Officer or Perſon appearing or making Default, or not being to be found, the ſaid Juſtice or Juſtices ſhall and may hear and determine the Matter of ſuch Complaint in a ſummary Way: And if upon the Confeſſion of the Party, or by the Teſtimony of one or more credible Witneſs or Witneſſes, upon Oath, (which Oath ſuch Juſtice or Juſtices is and are hereby impowered and required to adminiſter), it ſhall appear to ſuch Juſtice or Juſtices that any of the Monies that ſhall have been collected or raiſed by virtue of this Act ſhall be in the hands of ſuch Officer or Perſon, or that ſuch Officer or Perſon ſhall not make and render, or ſhall refuſe to verify upon Oath an Account, or to produce or deliver up the Vouchers and Books relating to the ſame; ſuch Juſtice or Juſtices may, and is and are hereby authoriſed and required, upon Non-payment thereof, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to be directed as aforeſaid, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer and Perſon; and if the Goods and Chattels of ſuch Officer or Perſon ſhall not be ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſame, or in caſe ſuch Account ſhall not be made and verified upon Oath as aforeſaid, or ſuch Vouchers and Books produced and delivered as aforeſaid; then, and in any of the Caſes aforeſaid, ſuch Juſtice or Juſtices ſhall commit ſuch Offender to the Gaol of the ſaid Town or Borough, until he ſhall make a true and perfect Account and Payment, and deliver up ſuch Vouchers and Books, as aforeſaid, or until he ſhall have compounded with the ſaid Commiſſioners, or any five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint; which Compoſition the ſaid Commiſſioners, or any five or more of them, are impowered to make.

and remove them, &c.

Officers to account upon Oath.

Penalty on not accounting.

Pavement and Lamps veſted in Commiſſioners.

X. And be it further enacted, That from and after the paſſing of this Act, the Property of the Pavement, Lamps, Lamp-irons, and Lamp-poſts, to be erected and fixed as herein-after mentioned, and all

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the Materials of the ſame reſpectively belonging; and the Property of the preſent and the future Pavement, as well in the Footways as in the Carriage-ways, in all and every the Streets, Lanes, and other publick Paſſages within the ſaid Town of *Cardiff*, and Liberties thereof, intended to be new paved, cleanſed, and lighted, and all Materials, Implements, and other Things to be purchaſed for the Purpoſes aforeſaid; and all the Sewers and Drains for conveying Water through and from the Streets, Lanes, and other publick Paſſages, ſhall be, and the ſame are hereby veſted in the ſaid Commiſſioners; and they, or any five or more of them, are hereby authoriſed and impowered to bring, or cauſe to be brought, any Action or Actions, in the Name or Names of any one or more of the ſaid Commiſſioners, or in the Name of their Treaſurer or Clerk, or to prefer any Bill or Bills of Indictment, as the Caſe ſhall require, againſt any Perſon or Perſons who ſhall ſteal, take, or carry away, ſpoil, injure, or deſtroy, any Part or Parts thereof, or any other Matter or Thing veſted in the ſaid Commiſſioners, as aforeſaid: And the ſaid Commiſſioners, or any five or more of them, ſhall have full Power and Authority to ſell and diſpoſe of all or any of the old and uſeleſs Materials to ſuch Perſon or Perſons as ſhall be willing to purchaſe the ſame; and the Money ariſing therefrom, ſhall, at the Diſcretion of the ſaid Commiſſioners, or any five or more of them, be applied to ſuch and the ſame Purpoſes as the Monies ariſing from the Rates and Aſſeſſments, to be raiſed in and by this Act, are directed to be applied.

Pavements to be new made, &c.

XI. And be it further enacted, That from and after the paſſing of this Act, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, and they are hereby impowered and authoriſed, from Time to Time, and at all Times, when and ſo often as the ſaid Commiſſioners, or any five or more of them, ſhall think proper, to order or direct all or any of the Pavements in the ſaid Streets, Lanes, and other publick Paſſages now in being, or hereafter to be made, within the ſaid Town of *Cardiff*, or Liberties thereof, or any Part or Parts of ſuch Streets, Lanes, and other publick Paſſages, as well thoſe uſed by Carriages as thoſe uſed by Foot Paſſengers, to be taken up, and the ſaid Streets, Lanes, and other publick Paſſages to be paved, relayed, repaired, raiſed, lowered, or altered, and to make, dig, ſink, and build, proper Drains, Gutters, and Sewers, to be made for the conveying Water under Ground, and to place and put proper Iron Gratings thereon, or otherwiſe, when and in ſuch Manner as the ſaid Commiſſioners, or any five or more of them, ſhall think proper (except as herein-after is particularly mentioned); and the Perſon or Perſons authoriſed and directed by them to do the ſame, have hereby full Power and Authority to do the ſame accordingly; and the ſaid Commiſſioners are hereby authoriſed and required to make, ſink, and build, the Watercourſes, Gutters, and Drains, in the Street leading from the Weſt or Mill-gate, through *Caſtle Street*, to the High Corner, and from the Weſt or Mill-gate to *Homanby Street*, in the ſaid Town of *Cardiff*, and to pave and repair, light and cleanſe the ſame, as ſoon as conveniently may be after paſſing this Act, and firſt and before any other Street, Lane, or other publick Paſſage, of the ſaid Town or Liberties, in order that the Rain Water of the ſaid Town or Liberties thereof may be more conveniently conveyed under Ground; and the ſaid Commiſſioners, or any five or more of them, ſhall have alſo full Power and Authority to cauſe to be dug, carted, and carried out of, or brought into, the ſaid Streets and Lanes, and other publick Paſſages, ſuch Gravel, Stones, and other Materials as ſhall be neceſſary, and alſo to take any Stones out of the River of *Taff*, or any Waſte within the ſaid Town or Liberties, and to employ ſuch Artificers, Workmen, Labourers, Carters, and others, and to iſſue ſuch Money on thoſe Accounts, and to do all and every ſuch Acts and Things as the ſaid Commiſſioners, or any five or more of them, ſhall judge neceſſary or conducive to the accompliſhing the Ends and Deſign of this Act.

Commiſſioners not obliged to repair Turnpike Roads.

XII. Provided always, That nothing in this Act contained ſhall be conſtrued to impower or oblige the Commiſſioners to alter, repair, or cleanſe (unleſs for the Purpoſe of making a good and convenient Footway or Croſſings), any Carriage-way of any of the ſaid Streets or Lanes which ought to be repaired at the Expence of any Commiſſioners for repairing and widening any Turnpike Road within the ſaid Town or Liberties, or to repair the Thoroughs or Arches belonging to the Mill and Forge, or Copper-works, at *Cardiff* aforeſaid, which may be under the Pavements made by the Commiſſioners under this Act; but that the Proprietors of the ſaid Mill, Forge, or Works, ſhall be at the ſole Expence of repairing the ſame on all Occaſions, when neceſſary, and of making good any Damage they may do to the Pavements made above thoſe Arches and Thoroughs, by repairing the ſaid Arches or Thoroughs.

No Perſon to alter Pavements without the Conſent of Commiſſioners.

XIII. Provided alſo, That if any Perſon ſhall, at any Time or Times after the paſſing of this Act, make, or cauſe to be made, any Alteration in the Form of the Pavement of any Streets or Lanes, or publick Paſſages, within the ſaid Town and Liberties thereof, without the Conſent and Approbation of the Commiſſioners, or any five or more of them, the Perſon or Perſons making, or cauſing the ſame ſo to be made, ſhall, at his and their own Coſts and Charges, within fourteen Days after Notice, in Writing, given for that Purpoſe by the ſaid Commiſſioners, or any five or more of them, or their Surveyor or Clerk, remove or take away the ſame, and put ſuch Part of the ſaid Street, Lane, or publick Paſſages, where the ſame ſhall have been made, in the ſame or like Form and Condition it was before the making the ſaid Alteration; and in caſe of his, her, or their Neglect or Refuſal ſo to do within ſuch Time as aforeſaid, then the ſaid Commiſſioners, or any five or more of them, ſhall and may order any proper Workman or Workmen to reinſtate the ſame, and put the ſaid Streets, Lanes, or publick Paſſages, in the ſame or like Form and Condition it was before; and upon Complaint made on Oath to one or more Juſtice or Juſtices of the ſaid Town of ſuch Neglect or Refuſal, it ſhall and may be lawful for ſuch Juſtice or Juſtices, by his or their Warrant, under his or their Hand and Seal, or Hands and Seals, which Warrant ſuch Juſtice or Juſtices is and are hereby authoriſed and impowered to grant, to levy the Coſts and Charges attending the ſame by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons who made, or cauſed to be made, ſuch Alteration, together with the Charges of ſuch Diſtreſs and Sale, rendering the Overplus, if any be, to the Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold, when demanded.

Commiſſioners may make Contracts for paving, &c.

XIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, and they are hereby authoriſed and impowered, from Time to Time, to contract with any Perſon or Perſons for the paving, relaying, repairing, raiſing, lowering, amending, altering, cleanſing, and lighting, the ſaid Streets, Lanes, and publick Paſſages, within the ſaid Town and Liberties; which Contract or Contracts ſhall ſpecify the Works to be done, and the Prices to be paid for the ſame, and the Time and Times when ſuch Works ſhall be performed and completed, and the Manner of completing and performing the ſame, and the Penalties to be ſuffered in caſe of Nonperformance thereof; and the ſame ſhall be ſigned by the Commiſſioners, or any five or more of them, and by the Perſon or Perſons contracting to perform ſuch Works or Undertaking: And the ſaid Commiſſioners, or any five or more of them, are hereby authoriſed and impowered to pay ſuch Sum or Sums of Money for ſuch reſpective Works, as they ſhall ſo contract and agree for, out of the Money to be raiſed for the Purpoſes of this Act.

Expence of paving, &c. how to be paid.

XV. And be it further enacted, That all Charges and Expences attending the new-paving, lowering, raiſing, and altering, the ſaid Streets, Lanes, and publick Paſſages, in the ſaid Town of *Cardiff* and Liberties, by virtue of this Act, ſhall for the firſt Time, until completed, be borne and defrayed, under the Direction and Order of the ſaid Commiſſioners, by the Owner or Owners, Proprietor or Proprietors, of the ſeveral Houſes, Buildings, Yards, Courts, Gardens, Lands, Tenements, and Hereditaments, lying before or oppoſite to and adjoining to the ſaid Streets, Lanes, and Paſſages, according to the whole Front or Fronts, Side or Sides, of his, her, or their Houſes, Building, Yard, Court, Garden, Piece of Land, Tenement, or Hereditament, to the Middle of the Street, Lane, or publick Paſſage, as ſhall be ſufficient to complete the Pavement in the reſpective Streets, Lanes, or publick Paſſages; and which Proportion ſo to be defrayed and borne by the ſaid ſeveral Owners and Proprietors of each reſpective Street, Lane, or publick Paſſage, ſhall be ſettled and aſcertained by the ſaid Commiſſioners, or any five or more of them, according to the Square Yards before the Fronts and Sides of their ſeveral and reſpective Houſes, Buildings, Courts, Yards, Gardens, Lands, Tenements, and Hereditaments; for which Purpoſe a due and juſt Admeaſurement of the ſaid Streets, Lanes, and publick Paſſages, ſhall be made by the Perſons employed by the Commiſſioners, or any five or more of them, for that Purpoſe, before the taking up of the Pavement of the Street, Lane, or publick Paſſage, ſo to be repaved; and which Admeaſurement ſhall be duly entered in a Book to be kept for that Purpoſe, and ſigned by the Clerk and ſuch Perſon and Perſons as ſhall meaſure the ſame; and oppoſite to ſuch Admeaſurement ſhall be ſettled the Sum which the new paving of ſuch Pavement ſhall amount to, according to the Contract made by the ſaid Commiſſioners, or any five or more of them, with the Artificers or Workmen employed, or to be employed, in the paving thereof; and every Perſon to be charged by the making of ſuch Pavement may inſpect the ſame *gratis*.

Charges of paving, &c. to be paid by Tenants.

XVI. And be it further enacted, That the Charges and Expences of new paving and altering the ſaid Streets, Lanes, and publick Paſſages, by this Act directed to be borne and defrayed by the reſpective Owners or Proprietors for the ſaid firſt Time, ſhall be paid to the Collector or Clerk for the Time being, appointed by the Commiſſioners, or any five or more of them, according to the Admeaſurement and Price, by the Tenants or Occupiers of the ſaid Houſes, Buildings, Yards, Courts, Gardens, Lands, Tenements, and Hereditaments; and ſuch Tenants or Occupiers ſhall be at Liberty, and they are hereby impowered, to deduct and retain out of his, her, or their Rent or Rents, ſuch Sum or Sums of Money as they ſhall reſpectively pay, on account thereof, for the reſpective Owners and Proprietors of the ſaid Houſes, Buildings, Courts, Yards, Gardens, Lands, Tenements, and Hereditaments, who are hereby required to allow ſuch Deductions and Payments upon the Receipt of the Reſidue of their Rents; and if any Tenant or Occupier of any Houſe, Building, Yard, Court, Garden, Lands, Tenements, or Hereditaments, in the ſaid Town or Liberties thereof, ſhall neglect or refuſe to pay ſuch Charges within ten Days after Demand thereof, by Notice, in Writing, under the Hand of the ſaid Collector or Clerk, to be delivered to, or left at the Dwelling-houſe of ſuch Tenant or Tenants, Occupier or Occupiers, the ſame ſhall and may be levied on every ſuch Tenant or Tenants, Occupier or Occupiers, by Diſtreſs and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal of any one or more Juſtice or Juſtices of the Peace of the ſaid Town of *Cardiff*, which Warrant the ſaid Juſtice or Juſtices is and are hereby authoriſed to grant upon Information on Oath of ſuch Neglect or Refuſal, which Oath ſuch Juſtice or Juſtices is or are impowered and required to adminiſter without Fee or Reward, returning the Overplus (if any) of the Monies to be raiſed by ſuch Diſtreſs and Sale, after deducting all Coſts and Charges attending the ſame, to the Owner or Owners of ſuch Goods or Chattels ſo diſtrained on Demand: And where any Houſe, Building, Court, Yard, Lands, Tenements, and Hereditaments, ſhall be let or demiſed to more than one Tenant or Tenants, Occupier or Occupiers, any one or more of ſuch Tenant or Tenants, Occupier or Occupiers, ſhall be deemed the Tenant or Tenants, Occupier or Occupiers, for the Purpoſes of this Act; and the ſaid Charges ſhall be levied by Diſtreſs and Sale of all or any of the Goods and Chattels in ſuch Houſe, Building, Court, Yard, Lands, Tenements, and Hereditaments: And in caſe any Tenant or Tenants, Occupier or Occupiers, ſhall remove out of the ſaid Houſe, Building, Court, Yard, Garden, Lands, Tenements, or Hereditaments, before ſuch Charges ſhall be paid by him, her, or them; and if the Goods and Chattels of ſuch Tenant or Tenants, Occupier or Occupiers, ſhall not be ſufficient to defray ſuch Charges; or if it ſhall happen that any of the Houſes, Buildings, Yards, Courts, Gardens, Lands, Tenements, or Hereditaments, in the ſaid Town and Liberties, ſhall be untenanted at the Time the Pavements before them ſhall be begun; then, and in every ſuch Caſe, ſuch Houſes, Buildings, Yards, Courts, Gardens, Lands, Tenements, and Hereditaments, ſhall be, and the ſame is and are hereby made a Security for and chargeable with all ſuch Charges, and the ſame ſhall and may be levied by Diſtreſs and Sale, by Warrant as aforeſaid, of any Goods and Chattels which ſhall after be found in or upon the ſame Houſes, Buildings, Courts, Yards, Gardens, Lands, Tenements, or Hereditaments, or the Goods and Chattels of the Owner or Owners of ſuch

Houſes let to more than one Tenant, any one may be decreed the Occupier.

Tenants removing before Charges paid,

Premiſes to be a Security for the Sum.

ſuch Houſes, Buildings, Yards, Courts, Gardens, Lands, Tenements, or Hereditaments, in caſe ſuch Owner or Owners ſhall neglect or refuſe to pay the ſame for the Space of twenty Days next after the ſame ſhall be demanded of him, her, or them, by Notice in Writing under the Hands of the ſaid Collector or Clerk, to be delivered or left at the Dwelling-houſe or uſual Place of Abode of ſuch Owner or Owners, in caſe ſuch Owner or Owners ſhall then reſide within the ſaid Town or Liberties: And in caſe ſuch Owner or Owners ſhall not reſide within the ſaid Town of *Cardiff*, or Liberties thereof; then, in caſe of ſuch Neglect or Refuſal as aforeſaid, upon like Notice, all ſuch Charges ſhall in like Manner be levied by Diſtreſs and Sale, under the Hand and Seal, or Hands and Seals, of any one or more Juſtice or Juſtices of the Peace for the County, City, Borough, Town, Diviſion, or Place, where ſuch Owner or Owners ſhall reſide: And in caſe any Tenant or Tenants, Occupier or Occupiers, ſhall pay to the ſaid Collector more Money, on account of the ſaid Charges, than ſhall be due from him, her, or them, to the Owner or Owners thereof, for the Rent of his, her, or their Houſe, Building, Court, Yard, Garden, Lands, Tenements, or Hereditaments, the Overplus thereof ſhall and may be levied on the Owner or Owners of ſuch Houſe, Building, Court, Yard, Garden, Lands, Tenements, and Hereditaments, by Diſtreſs and Sale of the Goods and Chattels of ſuch Owner or Owners, by Warrant under the Hand and Seal, or Hands and Seals, of any one or more Juſtice or Juſtices of the Peace for the County, City, Borough, Town, Diviſion, or Place, where ſuch Goods or Chattels ſhall be, ſuch Owner or Owners having refuſed or neglected to pay the ſame for the Space of ten Days after Demand made thereof by ſuch Tenant or Tenants, Occupier or Occupiers, his, her, or their Attorney or Agent for that Purpoſe appointed.

Tenants paying more Money than ſhall be due for Rent, the Overplus to be made good by the Landlord.

Particular Places to be repaired by particular Perſons.

XVII. And be it further enacted, That the Bailiffs, Aldermen, and Burgeſſes, of the ſaid Town, ſhall bear, pay, and ſuſtain, the Charges and Expences of paving the Pavement adjoining to the Caſtle Walls, from the Weſt Gate to the Bull Ring, as alſo the Bull Ring, as far as they uſually and heretofore repaired the ſame, as alſo in the Streets adjoining to the Guildhall and Market-houſe, and from thence to the Middle of the Street there; and that the Overſeers of the Poor of the ſeveral and reſpective Pariſhes of *Saint John the Baptiſt* and *Saint Mary*'s, in the ſaid Town, ſhall bear and ſuſtain the Charges and Expences of paving the Pavement adjoining to the Almſhouſes and Workhouſe, to the Middle of the Street there, in the ſame Share and Proportion as they reſpectively maintain their Poor; that is to ſay, *Saint John the Baptiſt* two-thirds, and *Saint Mary*'s one-third; and that the Churchwardens of the Pariſh of *Saint John the Baptiſt* ſhall bear, pay, and ſuſtain, the Charges and Expences of paving the Pavement oppoſite and adjoining to the Church-yard of the ſaid Pariſh Church of *Saint John the Baptiſt* to the Middle of the Street there; which reſpective Sums ſhall be paid by the ſaid Overſeers and Churchwardens reſpectively to the Collector or Clerk to the ſaid Commiſſioners, and ſhall be allowed to them reſpectively in all Accounts touching their ſeveral Offices and Departments: And in caſe the Overſeers of the Poor and Churchwardens, or any or either of them, ſhall neglect or refuſe to pay to the ſaid Collector or Clerk the Charges and Expences hereby directed to be paid by them reſpectively for the Space of twenty Days next after the ſame ſhall be demanded of them reſpectively, by Notice in Writing under the Hand of the ſaid Collector or Clerk, to be delivered to them reſpectively, or left at their reſpective Dwelling-houſes, or uſual Places of Abode; then, and in every ſuch Caſe, the ſaid Charges and Expences ſo neglected or refuſed to be paid, ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of the ſaid Overſeers and Churchwardens, or of ſuch of them as by this Act is or are directed to pay the Charges and Expences ſo neglected or refuſed to be paid; and ſuch Diſtreſs ſhall be made by Warrant under the Hands and Seals of any two or more Juſtices of the Peace of the ſaid Town of *Cardiff*, which Warrant ſuch Juſtices are hereby required and authoriſed to grant; and the Overplus of the Monies to be raiſed by ſuch Diſtreſs and Sale (if any), after deducting the Charges attending the ſame, ſhall be returned to the Owner or Owners of the Goods and Chattels ſo diſtrained and ſold on Demand.

Contracts between Landlords and Tenants not vacated.

XVIII. Provided always, That nothing herein contained ſhall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant, touching or concerning the paving the ſaid Streets and Lanes.

Commiſſioners to direct where Lamps ſhall be ſet up, &c.

XIX. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, are hereby authoriſed and impowered to direct and appoint in what Parts of the ſaid Town or Liberties the ſaid Lamps ſhall be ſet up or continued, and to what Houſes, Buildings, and other Places, the ſaid Lamps or Lamp-poſts or Irons ſhall be affixed; and alſo direct and appoint the Number and Sort of Lamps, and for how long Time the ſame ſhall continue lighted; and out of the Monies to be raiſed by virtue of this Act to cauſe the ſame to be ſet up, replaced, lighted, ſupported, repaired, and provided with all Requiſites.

Penalty on Perſons damaging Lamps.

XX. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any one or more of them, is and are hereby authoriſed and impowered, in his or their Name or Names, or in the Name of their Clerk or Treaſurer, to bring Actions, and proſecute Indictments, againſt any Perſon or Perſons, for ſtealing, taking, or carrying away, breaking, extinguiſhing, ſpoiling, or damaging, any Lamp or Lamps, or the Furniture or Materials thereto belonging, which ſhall be hereafter by virtue of this Act ſet up or affixed in the ſaid Town or Liberties; and all and every Perſon or Perſons who ſhall maliciouſly or wilfully break or throw down, take, carry away, extinguiſh, damage, or ſpoil, any Lamp or Lamps, put up or continued by virtue of this Act, or wilfully damage the Poſts, Irons, or other Furniture thereof, or willingly hinder or obſtruct any of the Commiſſioners Officers, or Workmen, employed in any Manner in the Execution of this Act in their Duty, every Perſon or Perſons offending in any of the Caſes aforeſaid, ſhall, upon being convicted thereof upon the Oath of one or more credible Witneſs or Witneſſes, or his, her, or their own Confeſſion, before any Juſtice of the Peace of the ſaid Town (which Oath ſuch Juſtice is hereby impowered and required to adminiſter without Fee or Reward), ſhall forfeit, for the firſt Offence, any Sum not exceeding five Pounds; for the ſecond Offence, any Sum

not

not exceeding ten Pounds; and for the third, and every other Offence, any Sum not exceeding the Sum of twenty Pounds; and that one Moiety of the ſaid reſpective Forfeitures ſhall go to the Informer, and the other Moiety to the Commiſſioners, to be diſpoſed of as the other Forfeitures are hereby directed to be applied; and ſuch Offender or Offenders ſhall, over and above ſuch reſpective Penalties, pay ſuch Sum or Sums of Money as the ſaid Juſtice or Juſtices ſhall think reaſonable, by way of Satisfaction for any Damage done by ſuch Offender or Offenders: And in caſe any Perſon or Perſons ſhall careleſsly, negligently, or accidentally break or otherwiſe damage any of the Lamps ſo put up as aforeſaid, or the Lamp-irons, Poſts, or other Furniture thereof, or extinguiſh the Lights thereof, and ſhall not immediately (upon Demand) make Satisfaction for the Damage done thereto; then, and in ſuch Caſe, it ſhall and may be lawful to and for any one or more Juſtice or Juſtices of the City, Town, County, or Place, where ſuch Perſon or Perſons ſhall be or reſide, upon Proof thereof by Oath, as aforeſaid (which Oath the Juſtice or Juſtices is and are hereby impowered and required to adminiſter without Fee or Reward), of one or more Witneſs or Witneſſes, or by the Confeſſion of the Party, to award ſuch Sum or Sums of Money, by way of Satisfaction for ſuch Damage, as ſuch Juſtice or Juſtices ſhall think reaſonable; and in caſe of Refuſal or Neglect to pay any of the Sums of Money ſo awarded within ten Days after Demand, to cauſe the ſame, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices, to be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons who ſhall ſo have done ſuch Damage, rendering to him, her, or them, the Overplus (if any there be) after deducting the Coſts and Charges of ſuch Warrant, and of ſuch Diſtreſs and Sale, when demanded.

Charges of keeping in Repair, &c. the Streets, to be borne by the Tenants, &c.

XXI. And be it further enacted, That the Charges and Expences of obtaining this Act, and the keeping in Repair the ſaid Pavements after the ſame ſhall be new paved, as alſo the making of new Gutters, Drains, and Sewers for conveying the Water under Ground, and the keeping the ſame in Repair, and alſo the ſweeping, cleanſing, and lighting the ſame, ſhall at all Times be borne and defrayed by the Tenants, and Occupiers of any Houſe, Shop, Warehouſe, Coach-houſe, Stable, Cellar, Vault, Mill, Forge, Iron Works, or Copper Works, Buildings, Land, Garden, Court, Yard, Tenement, within the ſaid Town and Liberties, that ſhall be adjoining or contiguous to the Streets, Lanes, or publick Paſſages, compriſed or intended to be new paved, cleanſed, and lighted, by virtue of this Act; and for defraying the Charges and Expences ſo to be borne and defrayed by the ſaid Tenants and Occupiers, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, and they are hereby authoriſed and required, in every Year after the paſſing of this Act (the firſt Year to be computed from the twenty-fifth Day of *December* laſt, and next before the paſſing of this Act, and every ſucceeding Year from the ſaid Day in every Year reſpectively), to make one or more Rate or Rates, Aſſeſſment or Aſſeſſments, to be ſigned by any five or more of the ſaid Commiſſioners, upon the Tenants or Occupiers of all Houſes, Shops, Warehouſes, Coach-houſes, Stables, Cellars, Vaults, Mills, Forges, Iron Works, Copper Works, Buildings, Gardens, Courts, Yards, Lands, Tenements, and Hereditaments, within the ſaid Town and Liberties, that ſhall be adjoining or contiguous to the Streets, Lanes, or publick Paſſages intended to be paved, cleanſed, and lighted, by virtue of this Act; ſo as ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall not exceed in the Whole twelve-pence in the Pound in any one Year, of the yearly Rent or Value of ſuch Shop, Warehouſe, Coach-houſe, Stable, Cellar, Vaults, Mills, Forges, Iron Works, Copper Works, Gardens, Courts, Yards, Lands, Tenements, and Hereditaments, according to the Rack-rent or full yearly Value thereof; and the ſaid Rate or Aſſeſſment ſhall be, and the ſame is hereby veſted in the ſaid Commiſſioners, and ſhall be by the ſaid Commiſſioners, or any five or more of them, applied for the Purpoſes of this Act; and the Money or Monies ſo rated or aſſeſſed on the ſaid Tenants or Occupiers, and to be borne and defrayed by them, ſhall be paid by them reſpectively to the ſaid Collector, or other Perſon or Perſons appointed by the ſaid Commiſſioners to receive the ſame: And if any Tenant or Occupier of any Houſe, Shop, Warehouſe, Coach houſe, Stables, Cellars, Vaults, Buildings, Ground, Tenement, or Hereditament, in the ſaid Town or Liberties, ſhall neglect or refuſe to pay his or her Proportion or Proportions of any of the ſaid Rates or Aſſeſſments to the ſaid Collector for the Space of ten Days next after Demand made thereof, by Notice in Writing, under the Hand of the ſaid Collector, to be delivered to or left at the Dwelling-houſe or uſual Place of Abode of ſuch Tenant or Occupier, the ſame ſhall and may be levied on all and every ſuch Tenant or Tenants, Occupier or Occupiers, ſo neglecting or refuſing, by Diſtreſs and Sale of his, her, or their Goods and Chattels (by Warrant under the Hand and Seal, or Hands and Seals, of any one or more Juſtice or Juſtices of the Peace for the Town of *Cardiff*), and the Overplus (if any) of the Monies to be raiſed by ſuch Diſtreſs and Sale ſhall be returned on Demand to the Owner or Owners of the Goods or Chattels ſo diſtrained, after deducting all Charges attending ſuch Diſtreſs and Sale; and where any Perſon or Perſons, who ſhall be rated or aſſeſſed to the ſaid Rates or Aſſeſſments, ſhall quit his, her, or their Houſe, Shop, Warehouſe, Coach-houſe, Stables, Cellar, Vault, Building, Ground, Tenement, or Hereditament, before he, ſhe, or they, ſhall have paid the ſame, and ſhall afterwards neglect or refuſe to pay the ſame to the ſaid Collector for the Space of ten Days next after Demand thereof, in Manner aforeſaid, every ſuch Perſon ſhall, for every ſuch Neglect or Refuſal, forfeit and pay the Sum of five Shillings; and the Money ſo due for the ſaid Rates, and the ſaid Sum of five Shillings, as well as the Money due by the Rates, ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon, by Warrant under the Hand and Seal, or Hands and Seals, of any one or more Juſtice or Juſtices of the Peace for the ſaid Town of *Cardiff*, or for any County, City, Borough, Town, Diviſion, or Place, where ſuch Perſon or Perſons ſhall remove to reſide in, as the Caſe ſhall happen, which Warrant any ſuch Juſtice or Juſtices is and are hereby authoriſed and required to grant in any Place where ſuch Perſon or Perſons ſhall remove to or reſide in, and the Overplus (if any), of the Monies ariſing from ſuch Diſtreſs and Sale, after deducting the reaſonable Coſts, Charges, and Expences of obtaining ſuch Warrant, and making, keeping, and ſelling the ſaid Diſtreſs, ſhall be returned to the Owner or Owners of ſuch Goods and Chattels on Demand; and where any Perſon or Perſons ſhall come into or occupy any Houſe, Shop,

Rates to be made annually in July.

Warehouſe, Coach-houſe, Stable, Cellar, Vault, Building, Ground, Tenement, or Hereditament, out of or for which any other Perſon before aſſeſſed toward Payment of any Rate made in purſuance of this Act ſhall be removed, and ſuch Rate ſhall not be paid and diſcharged, that then every Perſon ſo coming into or occupying the ſame Premiſes ſhall be liable to pay ſuch Rate, in proportion to the Time that ſuch Perſon ſhall occupy the ſame, in the ſame Manner as if ſuch Perſon ſo coming in or occupying had been originally rated or aſſeſſed in ſuch Rate or Aſſeſſment; and which ſaid Proportion, in caſe of Diſpute, ſhall be aſcertained by any five or more of the ſaid Commiſſioners, at their then next Meeting after Demand made thereof.

Certain Streets, &c. exempted until Inhabitants are of Ability.

XXII. 'And whereas there are ſeveral Streets, Lanes, and Places, in the ſaid Town of *Cardiff*, and Liberties thereof; that is to ſay, the Streets and Lanes extending from the Gaol to the Moor Gate, as alſo from the Workhouſe to the Moor Gate, as alſo the ſeveral Streets, Lanes, and Places, which are to the South of the Church of *Saint John the Baptiſt*, and the Workhouſe and Gaol aforeſaid; as alſo from the little Stone Bridge to the Great Bridge; as alſo from the Blind Lane to the Long Croſs, and the Streets, Lanes, and Places, lying and being to the Eaſt of the ſaid Blind Lane, and to the North of the North Gate of the ſaid Town, the Inhabitants whereof are either unable to defray the Expences of new paving, cleanſing, and lighting the ſame, under the Regulations of this Act, and are deſirous at preſent to defer the new paving, cleanſing, and lighting the ſame;' be it therefore enacted, That it ſhall not be lawful for the ſaid Commiſſioners appointed to put this Act in Execution to order or direct any of the ſaid Streets, Lanes, or Places, to be new paved or repaired, cleanſed or lighted, nor ſhall any Rate or Aſſeſſment be made on any of the Inhabitants thereof, by virtue of this Act, for the Purpoſes of paving, repairing, cleanſing, or lighting, any Part of the Streets, Lanes, or Places aforeſaid.

Proviſo.

XXIII. Provided nevertheleſs, That if at any Time hereafter the Proprietors or Owners and Inhabitants of any of the Streets, Lanes, or Places, which are exempted from being new paved, lighted, and cleanſed, as aforeſaid, ſhall become of Ability, and are deſirous to pave, repair, light, and cleanſe the ſame, and the major Part, in Number and Value, as well of the Proprietors of Eſtates as of the Inhabitants living within the ſaid Streets, Lanes, or Places, ſhall petition the Commiſſioners for executing this Act to pave, repair, cleanſe, and light, any particular Streets, Lanes, or Places, which are ſo exempted; then, and from thenceforth, ſuch particular Streets, Lanes, or Places, ſhall be ſubject to be paved, repaired, lighted, and cleanſed, in ſuch Manner, and by ſuch Ways and Means, as the ſeveral Streets and Lanes which are under the Direction of the ſaid Commiſſioners can or may be paved and repaired; and that, in the mean Time, and until ſuch Petition ſhall be ſo made, the Occupiers and Inhabitants of the ſaid Streets, Lanes, or Places, ſhall repair and cleanſe the ſaid Streets, Lanes, and Places, in the ſame Manner as they uſually did, and were obliged to do before the paſſing of this Act; any thing herein contained to the contrary notwithſtanding.

Money may be borrowed, and charged on the Rates,

XXIV. 'And, in order that a ſufficient Sum of Money may be forthwith raiſed to defray the Expences of making the ſaid Gutters and Sewers, and repairing, cleanſing, and lighting the ſaid Streets and Lanes, within the ſaid Town and Liberties thereof, and defraying the Expences attending the procuring and paſſing of this Act, and other Incidents, in reſpect to the Execution thereof;' be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any five or more of them, from Time to Time, to borrow any Sum or Sums of Money for the Purpoſes of this Act, not exceeding in the Whole the Sum of five hundred Pounds, at Intereſt, and to aſſign over by Writing, ſigned by any five or more of the ſaid Commiſſioners, all or any Part of the ſaid Rates or Aſſeſſments, as a Security for the Repayment of the Principal and Intereſt of the Money ſo to be borrowed; and all ſuch Securities may from Time to Time be aſſigned and transferred in Manner herein-after directed; and ſuch Aſſignments and Transfers ſhall intitle the Perſon to whom the ſame ſhall be made to all principal Money, and all Intereſt due, and to grow due, upon ſuch Securities: Provided always, That no more than the Sum of five hundred Pounds ſhall be due and owing at any one Time on the Credit of the ſaid Rates and Aſſeſſments.

XXV. And be it further enacted, That all Securities for any Money to be borrowed as aforeſaid, ſhall be in the Words following, or Words to the following Effect:

Form of Security,

'BY virtue of an Act made in the fourteenth Year of the Reign of his Majeſty King *George* the Third, "For better paving, cleanſing, and lighting the Streets, Lanes, and publick Paſſages, in the Town of *Cardiff*, and Liberties thereof, in the County of *Glamorgan*, and for removing and preventing Nuiſances and Annoyances therein:" We of the Commiſſioners, do aſſign to *A. B.* his Executors, Adminiſtrators, and Aſſigns, in conſideration of the Sum of from this Day of in the Year of our Lord, until the ſaid Sum of with Intereſt, at the Rate of *per Centum per Annum*, ſhall be repaid, ſuch Proportion of the Rates or Aſſeſſments to be rated or aſſeſſed by virtue of the ſaid Act, as the ſaid Sum of ſhall bear to the whole Sum advanced on the Credit of the ſame.'

Copies of Securities to be entered in Books.

And Copies of all ſuch Securities ſhall be entered in a Book or Books, to be kept for that Purpoſe by the Clerk of the ſaid Commiſſioners; but no Money ſhall be borrowed after the firſt Meeting, unleſs Notice for that Purpoſe be given in Writing, to be affixed upon the Church Door of the ſaid Town, at leaſt fourteen Days before the borrowing thereof; and all and every Perſon and Perſons to whom any ſuch Security or Securities ſhall be made as aforeſaid, or who ſhall be intitled to the Money thereby ſecured, may, from Time to Time, by Writing, under his, her, or their Hand and Seal, or Hands and Seals, aſſign or transfer his, her, or their Right, Title, Intereſt, or Benefit, of the Principal and Intereſt thereby ſecured, to any Perſon or Perſons whomſoever, by the following Words of Aſſignment to be indorſed on the

the Back of such Security, in the Presence of one credible Witness; which Transfer or Assignment shall be in the following Words, or Words to the like Effect:

Form of Transfer.

'I Do transfer this Assignment, with all my Right and Title to the Principal and Interest thereby secured, unto his Executors, Administrators, and Assigns: In Witness whereof I have hereunto set my Hand and Seal, this Day of

'Witness, *C. J.* *A. H.*'

Assignments to be entered by the Clerk.

Which said Transfer or Assignment shall be produced and notified to the Clerk to the said Commissioners, who shall cause an Entry or Memorial to be made of such Assignment or Transfer, containing the Dates, Names of the Parties, and Sums of Money, in a Book or Books to be kept for that Purpose, for which the said Clerk shall be paid such Sum as the said Commissioners, or any five or more of them, shall appoint, not exceeding the Sum of two Shillings and Sixpence; and after such Entry made, and not till then, such Assignment shall intitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and every such Assignee may, in like Manner, assign again, and so *toties quoties*; and it shall not be in the Power of the Person or Persons making such Assignment to make void, release, or discharge the same, or any Monies thereby due, or any Part thereof.

All Monies advanced, with the Interest, shall be paid out of the Rates.

XXVI. And be it further enacted, That all and every the Sum and Sums of Money so to be advanced and lent, and Interest thereof, shall be, and are hereby charged upon, and shall be paid and payable, from Time to Time, out of the Monies arising from the Rates and Assessments to be rated and assessed by virtue and for the Purposes of this Act; and all Persons who shall be so possessed of such Securities shall be Creditors in equal Degree, without Preference in respect of the Priority of his, her, or their advancing the Money thereon.

Proviso.

XXVII. Provided always, That no Money shall be applied to any of the Purposes of this Act, till all Interest due on the several Sums then owing on the Credit of this Act upon the last half-yearly Day of Payment shall have been discharged, or Money sufficient for that Purpose reserved in the Hands of the Treasurer to the said Commissioners.

Commissioners may give Liberty to erect Fences for inclosing building Materials, &c.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, by Writing under their Hands, to give Liberty and Licence to any of the Proprietors and Inhabitants within the said Town, or Liberties thereof, or their Builders or Workmen, to make proper Inclosures before their respective Houses, in order to the pulling down, rebuilding, or repairing, the same, or for making or repairing any Vault, Drain, or Building, belonging thereto, and for laying the necessary Materials for the same, and the Rubbish arising therefrom; for which Licence the Sum of two Shillings and Sixpence, and no more, shall be paid to the Clerk to the said Commissioners by the Person to whom such Licence shall be granted; and no Person or Persons acting under such Licence, and in pursuance thereof, shall, during the Time to be limited in such Licence, be subject or liable to any of the Penalties aforesaid.

Annoyances, &c. how to be prevented.

XXIX. 'And, in order to prevent all Obstructions, Incroachments, and Nuisances, within the Streets, 'Lanes, and other publick Passages, within the said Town and Liberties of *Cardiff*,' be it further enacted, That if any Person or Persons, after the passing of this Act, shall carry, run, drive, or draw, or cause to be carried, run, driven, or drawn, on any of the Foot-pavements within any of the aforesaid Streets and Lanes, and publick Passages, any Wheel or Wheels, Sledge, Wheelbarrow, or any Carriage whatsoever; or shall wilfully ride, lead, or drive, any Horse, Ass, or other Cattle, Coach, Chaise, or other Carriage, upon any Part of the said Foot-pavement; or shall throw or lay, or shall permit and suffer to be thrown or laid, any Ashes, Dirt, Dust, Offals, Blood, Soil, Straw, Dung, or any Filth or Annoyance whatsoever, in any of the said Streets, Lanes, or publick Passages, within the said Town; or shall leave, or shall cause to be left, any Carriage, Horse, or Beast, or any Timber, Stone, Log of Wood, Lime, Mortar, Cask, Tub, or Vessel, or any other Thing which may occasion any Annoyance, Nuisance, or Obstruction, in any of the said Streets, Lanes, or publick Places, within the said Town or Liberties; or shall sift, screen, or slack any Lime, (except within such Inclosure as aforesaid), in any Street, Lane, or publick Place, within the said Town; or if any Person or Persons shall kill, slaughter, singe, scald, dress, or cut up any Beast, Swine, Calf, Sheep, Pig, or other Cattle, or cause the same to be done, in any open or publick Street, Lane, or Passage, within the said Town, so as to incommode, stop, hinder, obstruct, or endanger, any Person or Persons whatsoever, either residing in the said Town or Liberties, or passing either on Horseback, or in Carriages, or on Foot, or shall permit or suffer his, her, or their Swine to go at large in any of the said Streets, Lanes, or other publick Places, within the said Town or Liberties, and shall be convicted thereof before any Justice of the Peace for the said Town, by the Oath of One or more Witness or Witnesses (which Oath such Justice is hereby impowered to administer), every Person, so offending in any of the Cases aforesaid, shall, for every such Offence, forfeit and pay to the said Commissioners, or any five or more of them, any Sum not exceeding the Sum of twenty Shillings.

Owners of Houses, &c. to place Pipes on the Sides of their Houses for carrying off the Water.

XXX. And be it further enacted, That in case the Owner or Owners of any House, Shop, Warehouse, or other Building whatsoever, which shall adjoin or be contiguous to any of the Streets, Lanes, and other publick Places, within the said Town of *Cardiff*, or Liberties thereof, intended by this Act to be new-paved, lighted, and cleansed, shall not, at his or their own Costs and Charges, within one Month next after Notice in Writing shall be given to them respectively, or left at such House, Shop, Warehouse, or other Building, under the Hands of any five or more of the said Commissioners, cause all the Water descending or coming from the Roofs, Eaves, Cornices, and Penthouses, of his, her, or their House, Shop, Warehouse, or other Building respectively, to be conveyed into the common Channels or Drains by proper and sufficient Pipes or Trunks to be fixed to the Sides of every such House, Shop, Warehouse, or other Building respectively, in such Manner as in such Notice shall be expressed or directed, or shall not,

after ſuch Notice as aforeſaid, cauſe all Water to be conveyed from the Roofs, Eaves, Cornices, and Penthouſes, of every ſuch Houſe, Shop, Warehouſe, or other Building, as aforeſaid, into their own private Grounds, it ſhall be lawful for the ſaid Commiſſioners, or any five or more of them, to cauſe the ſame to be done; and to levy, or cauſe to be levied, the Coſts and Charges attending the ſame, by Diſtreſs and Sale of the Goods and Chattels of the Owner, Tenant, or Occupier, of ſuch Houſe, Shop, Warehouſe, or other Building, rendering the Overplus (if any be) when demanded, to the Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold; or it ſhall be lawful for ſuch Tenant or Occupier to fix up ſuch Pipes and Trunks, and to deduct and retain the Charges and Expences thereof, and alſo of any Money which ſhall or may be levied upon the Goods and Chattels of any ſuch Tenant or Occupier as aforeſaid, out of his or her Rent; and every Owner, Proprietor, or Landlord, is hereby required to allow the ſame accordingly.

Commiſſioners may take down Signs, &c. in caſe the Owners ſhall neglect, after Notice given.

XXXI. And be it further enacted, That in caſe the Owner or Occupier of any Houſe, Shop, Warehouſe or other Building, in the ſaid Town, or Liberties, to which any Sign, Sign-irons, Sign-poſts, or any other Poſts, Penthouſes, Spouts, Steps, Cellar-windows, or Doors going into Cellars, Shop-windows, or other Incroachments, upon any of the Streets, Lanes, Paſſages, and other publick Places, or any of them, now or may hereafter belong, ſhall not, at their own Coſts and Charges, within ten Days after Notice in Writing ſhall be given to them reſpectively, or left at their reſpective Dwelling-houſes, under the Hands of any five or more of the ſaid Commiſſioners, remove all ſuch Signs, Sign-irons, Sign-poſts, and other Poſts, Penthouſes, Spouts, Steps, Cellar-windows, or Doors going into Cellars, Shop-windows, or other Incroachments, or otherwiſe alter and reform the ſame, in ſuch Manner as in ſuch Notice ſhall be expreſſed or directed, it ſhall be lawful to and for the ſaid Commiſſioners, or any five or more of them, to cauſe the ſame to be done, and to levy, or cauſe to be levied, the Coſts and Charges attending the ſame, by Diſtreſs and Sale of the Goods and Chattels of ſuch Owner or Occupier, together with the Charges of ſuch Diſtreſs and Sale, rendering the Overplus (if any be) when demanded, to the Perſon or Perſons whoſe Goods and Chattels ſhall be ſo diſtrained and ſold.

How new Foundations are to be ſituate.

XXXII. And be it further enacted, That no Head Builder, Maſter Carpenter, Maſon, or Workman, ſhall, in rebuilding or new-fronting any old Building, ſituate in or near any Street, Lane, or publick Way, within the ſaid Town or Liberties, bring the Foundation thereof forward beyond the old Foundations, or the ancient Story Poſts ſupporting the Fronts thereof, ſo as to obſtruct or narrow the Paſſage through the ſame, upon Pain of forfeiting, for every ſuch Offence, the Sum of twenty Pounds; and the Owner of ſuch Building ſhall forfeit and pay the Sum of forty Shillings for every Month ſuch Obſtruction or Incroachment ſhall remain by the Foundation of ſuch Building being brought forward as aforeſaid, unleſs allowed by the Commiſſioners, or any five or more of them; and it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, to order the ſame to be taken down, altered, or regulated, in ſuch Manner as they, or any five or more of them, ſhall think proper.

Penalty on obſtructing Perſons in their Duty.

XXXIII. And be it further enacted, That if any Perſon or Perſons ſhall, at any Time or Times hereafter, obſtruct, hinder, or moleſt, the ſaid Commiſſioners, or any of them, or any Surveyor or Surveyors, or other Officer or Officers, Perſon or Perſons whomſoever, who are or ſhall be employed to put this Act in Execution, in the Performance or Execution of his or their Duty; every ſuch Perſon and Perſons ſo offending ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding the Sum of forty Shillings.

Footways to be ſwept every Day, (Sundays excepted.)

XXXIV. And be it further enacted, That every Occupier of any Houſe or Tenement within the ſaid Town, and (in reſpect to Houſes let to Inmates) every Houſe Owner ſhall, once in every Day, (*Sundays* excepted), between the Hours of Eight and Ten of the Clock in the Forenoon of each Day, ſcrape, ſweep, and cleanſe, the Footway all along the Front and Sides of their reſpective Houſes or Tenements, or cauſe the ſame to be ſcraped, ſwept, and cleanſed; and, in Default thereof, ſhall, for every ſuch Offence, forfeit and pay any Sum of Money not exceeding five Shillings, nor leſs than one Shilling.

Commiſſioners may act as Juſtices.

XXXV. And be it further enacted, That it ſhall and may be lawful for any Commiſſioner appointed, or to be elected, to put this Act in Execution, who is, or ſhall be, a Juſtice of the Peace for the ſaid Town of *Cardiff*, or for any County, Riding, Diviſion, City, Liberty, Town, or Place, to act as a Juſtice of Peace within his Juriſdiction, for putting in Execution the ſeveral Powers and Authorities granted by this Act, notwithſtanding his being a Commiſſioner.

Charges of the Act how to be paid.

XXXVI. And be it further enacted, That out of the firſt Monies ariſing by virtue of this Act, the ſaid Commiſſioners, or any five or more of them, ſhall, in the firſt place, pay and diſcharge all the Expences attending the procuring and paſſing this Act.

Writings to be without Stamps.

XXXVII. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Aſſignment, Transfer, or other Security, for the borrowing of Money, or any other Writing whatſoever, relating to the Execution of this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Penalties and Forfeitures how to be recovered and applied.

XXXVIII. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed or incurred, for the Recovery and Application whereof no particular Method is already directed, ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of any one or more Juſtice or Juſtices of the Peace for the ſaid Town of *Cardiff*, or any other County, Riding, Diviſion, Liberty, Town, or Place, where the Offender ſhall be, as the Caſe ſhall happen; all which Warrants ſuch Juſtice or Juſtices is and are hereby impowered and required to iſſue, upon the Information of one or more Witneſs or Witneſſes, upon Oath (which Oath ſuch Juſtice or Juſtices is and are hereby impowered and required to adminiſter); and ſuch Penalties and Forfeitures, when recovered, after rendering the Overplus, (if any) upon Demand, to the Party or Parties whoſe Goods and Chattels ſhall be ſo diſtreſſed and ſold, the Charges of ſuch Diſtreſs and Sale being firſt deducted, ſhall go, one Moiety to the Informer or Informers, and the other Moiety ſhall go and be applied to and for the Purpoſes of this Act; and in every Caſe where Diſtreſs is directed to be taken by this Act,

Act, and ſufficient Diſtreſs ſhall not be found, and ſuch Penalties and Forfeitures ſhall not forthwith be paid, it ſhall and may be lawful for ſuch Juſtice or Juſtices of the Peace, and he and they is and are hereby authoriſed and required, by Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Offender or Offenders to be committed to the common Gaol, or Houſe of Correction, of the County or Place, there to remain without Bail or Mainprize for any Time not exceeding three Calendar Months, nor leſs than fourteen Days, or until ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

XXXIX. 'And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act,' be it further enacted, That all and every the Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen; *(videlicet)*

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me of his Majeſty's Juſtices of the 'Peace for the Town of *Cardiff*, in the County of *Glamorgan*, or County of either on his 'own Confeſſion, or on the Oath of one or more credible Witneſs or Witneſſes, [*as the Caſe ſhall be*] 'by virtue of an Act, made in the fourteenth Year of the Reign of His Majeſty King *George* the Third, "For better paving, cleanſing, and lighting the Streets, Lanes, and publick Paſſages, in the Town of "*Cardiff*, and Liberties thereof, in the County of *Glamorgan*, and for removing and preventing Nuiſances "and Annoyances therein;" '[*ſpecifying the Offence, and Time and Place when and where the ſame was 'committed, as the Caſe ſhall be.*]

'*Given under my Hand and Seal, the Day and Year above written.*'

Perſons aggrieved may appeal to the Quarter Seſſions.

XL. And be it further enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves, aggrieved by any Rate or Aſſeſſment to be made as aforeſaid, he, ſhe, or they, ſhall and may apply for Relief to the ſaid Commiſſioners, at any Meeting to be held within one Calendar Month after Demand made of ſuch Rate or Aſſeſſment, and the ſaid Commiſſioners, other than and except ſuch Commiſſioners as may be intereſted in the Premiſes, are hereby authoriſed and impowered, if they ſhall think ſuch Perſon aggrieved, to give ſuch Relief in the Premiſes as to them, or any five or more of them, ſhall ſeem neceſſary; and if ſuch Perſon ſhall not be ſatisfied with the Determination of the ſaid Commiſſioners, he ſhall, notwithſtanding, be obliged to pay ſuch Rate or Aſſeſſment, and then, upon an Appeal to the General Seſſions of the Peace to be holden for the Town of *Cardiff* aforeſaid, next after the Payment of ſuch Rate or Aſſeſſment, or next after making the Diſtreſs for ſuch Rate or Aſſeſſment, it ſhall and may be lawful for the Juſtices of the Peace, or the major Part of them then aſſembled, to cauſe ſo much Money to be returned to the Appellant or Appellants, as ſhall appear to the ſaid Juſtices to have been overpaid by ſuch Appellant or Appellants reſpectively, and to make ſuch other Order therein as to them ſhall ſeem meet, which Order ſhall be final and concluſive to all Parties; or if any Perſon or Perſons ſhall think him, her, or themſelves, aggrieved by any other Thing done in purſuance of this Act, he, ſhe, or they, may appeal as aforeſaid, within ſix Calendar Months next after the Cauſe of Complaint ſhall ariſe; and it ſhall and may be lawful for the ſaid Juſtices, or the major Part of them, aſſembled in ſuch Seſſions, to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order therein, and award ſuch Coſts, as to them, in their Diſcretion, ſhall ſeem reaſonable; and, by their Order or Warrant, to levy the Coſts which ſhall be ſo awarded by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of every ſuch Diſtreſs and Sale; all which Determinations of the ſaid Juſtices ſhall be final and concluſive to all Parties concerned.

Proceedings not to be quaſhed for want of Form, nor removeable by *Certiorari*.

XLI. And be it further enacted, That no Order, Conviction, Judgment, or other Proceedings, to be had or made in purſuance of this Act, ſhall be quaſhed or vacated for want of Form, nor ſhall be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of His Majeſty's Courts of Record at *Weſtminſter*; and when any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame deemed a Treſpaſſer or Treſpaſſers, on account of any Want of Form in or Defect of Summons, Conviction, Notice, Warrant of Diſtreſs, or other Proceedings relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damages in an Action upon the Caſe.

Plaintiff not to recover if Tender of Amends have been made.

XLII. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action, for any ſuch Irregularity as aforeſaid, Treſpaſs, or other wrongful Proeeedings, by virtue of this Act, if Tender of Amends ſhall be made by or on Behalf of the Party or Parties who ſhall or may commit, or cauſe to be committed, any ſuch Irregularity, Treſpaſs, or wrongful Proceedings, before ſuch Action brought.

Expences for the Proſecution of Offences againſt this Act how to be defrayed.

XLIII. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, are hereby authoriſed and impowered, from Time to Time, to appoint ſuch Perſon or Perſons as they ſhall think fit, effectually to carry on Proſecutions for Offences committed againſt this Act; and that in caſe any Action or Proſecution ſhall be commenced or proſecuted for any Offence committed againſt this Act, under the Authority and by the Direction of the Commiſſioners, or any five or more of them, as aforeſaid, that then the ſaid Commiſſioners, or any five or more of them aforeſaid, ſhall, out of the Monies ariſing by this Act, allow and pay to the Proſecutor ſo much as the Coſts allowed by Law ſhall fall ſhort of reimburſing him his juſt and reaſonable Expences: And that if any Action, Suit, or Proſecution, Rule, or Order

Order of Court, ſhall be brought, commenced, proſecuted, or obtained, againſt any of the ſaid Commiſſioners, or any of their Collectors or other Officers, for any Thing done by the Direction of the ſaid Commiſſioners, or any five or more of them, as aforeſaid, in purſuance of this Act; that then, and in every ſuch Caſe, the ſaid Commiſſioners, or any five or more of them, ſhall, out of the Monies ariſing by this Act, allow and pay to ſuch Commiſſioner or Commiſſioners, their Collectors, or other Officers, all ſuch reaſonable Coſts, Charges, and Expences, as they or any of them ſhall or may ſuſtain, or be put unto, by reaſon or means thereof.

Limitation of Actions.

XLIV. And be it further enacted, That if any Action or Suit ſhall be brought againſt any Perſon for any Thing done in purſuance of this Act, ſuch Action ſhall be commenced within ſix Calendar Months after the Fact committed, and not afterwards, and ſhall be laid and brought in the County of *Glamorgan*, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Suit, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to be ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become Nonſuit, or diſcontinue his, her, or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

Publick Act.

XLV. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and all other Perſons, without ſpecially pleading the ſame.

CAP. VIII.

An Act to explain and amend two Acts, made in the tenth and twelfth Years of his preſent Majeſty's Reign, for paving, lighting, and watching, the Town of *Plymouth*, in the County of *Devon*; and for regulating the Carmen and Porters within the ſaid Town.

Preamble. Act 10 Geo. 3.

'WHEREAS an Act paſſed in the tenth Year of the Reign of his preſent Majeſty, intituled, *An Act for paving, lighting, and watching the Town of* Plymouth, *in the County of* Devon; *and for regulating the Carmen and Porters within the ſaid Town:* And whereas the ſaid Act was explained and amended by another, paſſed in the twelfth Year of the Reign of his ſaid Majeſty: And whereas great Doubts and Diſputes have nevertheleſs ariſen touching the Limits to which the Aſſeſſments for the Purpoſes of the ſaid Acts do or ought to extend, whereby the Execution of the ſaid Acts hath been, and is ſtill likely to be greatly impeded: And whereas the ſaid Acts would be more beneficial to the Inhabitants of the ſaid Borough, and to other Perſons reſorting thereto, if ſome Amendments were made to the ſaid Acts in this and other Reſpects;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That to quiet the preſent, and to prevent future Diſputes, all Rates made for the Purpoſes of the ſaid Acts, ſince the paſſing of the ſaid Act of the twelfth Year of the Reign of his ſaid Majeſty, ſhall be, and the ſame are hereby declared to be legal Rates; and that, from and after the twenty-fifth Day of *March*, in this preſent Year, none of the Lands, Tenements, or Hereditaments, which were aſſeſſed to the Land Tax for the ſaid Borough for the Year one thouſand ſeven hundred and ſixty-ſeven, under the ſeveral Deſcriptions expreſſed in the Schedule hereunto annexed, ſhall be included in any Aſſeſſment under this and the ſaid Acts, other than the ſpecial Rate herein-after mentioned; ſave and except always thereout ſuch Lands and Tenements as ſhall conſiſt of Houſes and Buildings, and ſuch Court-yards and Gardens, as may be thereunto adjoining and belonging, which ſhall be contiguous to ſome Street within the populous or Town Part of the ſaid Borough, or ſituate ſo that there be no greater Diſtance than one hundred Feet from ſome Street within the populous or Town Part of the ſaid Borough, to the neareſt of ſuch Houſes or Buildings, or Court-yards or Gardens thereunto adjoining and belonging; nor from theſe to ſuch as ſhall be next ſucceeding, and ſo on from one Houſe or Building, or Court-yard or Garden thereunto adjoining and belonging, to the next or neareſt, in whatſoever Direction the ſame may lie, or how far ſoever the ſame may extend in the ſaid Borough; and that the Premiſes ſo excepted, and all the other Lands, Tenements, and Hereditaments, within the ſaid Borough, ſhall be liable to the ſaid Aſſeſſment; and that the Premiſes which ſhall be ſo aſſeſſed ſhall be rated in Manner following; that is to ſay, Lands, Tenements, and Hereditaments, to the Aſſeſſment on the Owners thereof; and Houſes and Buildings, and ſuch Court-yards and Gardens as may be thereunto adjoining and belonging to the Aſſeſſment on the Occupiers; and that no Perſon ſhall, as a Reſiant, be aſſeſſed by virtue of this and the ſaid Acts, on account of Reſidence on any Tenement hereby declared not to be aſſeſſable; and that the Lands, Tenements, and Hereditaments, mentioned in the ſaid Schedule, ſhall be taken to have been aſſeſſed to the Land Tax for the ſaid Borough for the Year one thouſand ſeven hundred and ſixty-ſeven, under the Deſcriptions therein expreſſed.

Former Rates declared legal, and Limits ſettled purſuant to a Schedule.

Tenements of certain Deſcriptions excepted out of the Schedule, and made aſſeſſable.

Power to make a Special Rate for the defraying the Expences of the Act, &c.

II. Provided always, That it ſhall and may be lawful for the Commiſſioners for executing the ſaid Acts, and they are hereby required, within three Months after the paſſing of this Act (in caſe the unapplied Produce of the Rate made for the general Purpoſes of the ſaid Acts, and commencing at *Lady-day*, one thouſand ſeven hundred and ſeventy-three, and ending at *Lady-day* in this preſent Year, ſhall be inſufficient for defraying the Expences of the obtaining and paſſing of this Act, and the Expences incurred in

in defending and obtaining Judgment on the ſeveral Indictments which were preferred at the Aſſizes for the County of *Devon*, in the Year one thouſand ſeven hundred and ſeventy-two, againſt the Inhabitants of the reſpective Pariſhes within the ſaid Borough, for not repairing certain Streets therein), to order and direct a Special Rate (over and above the yearly Rate which the ſaid Commiſſioners are impowered to make, for effecting the general Purpoſes of the ſaid Acts) to be made on the ſeveral Owners and Occupiers of Lands, Tenements, and Hereditaments, throughout the whole Liberty of the ſaid Borough, in order to raiſe a Sum ſufficient to defray the Expences above mentioned; which Special Rate ſhall be framed, publiſhed, and collected, under the like Regulations as the ſaid yearly Rate, except only that the whole of ſuch Special Rate ſhall be collected at one Payment, and not by quarterly Portions; and the Sums ariſing from ſuch Special Rate, together with the unapplied Produce of the aforeſaid Rate, commencing as aforeſaid, and ending as aforeſaid, the ſaid Commiſſioners are hereby impowered and required, within ſix Months after the paſſing of this Act, to apply towards the defraying of the Expences aforeſaid, and to no other Uſe or Purpoſe whatſoever.

Streets, Lanes, &c. to be defined.

III. And be it enacted, That all publick Ways within the Town, Part of the ſaid Borough, which are commonly called, known, and diſtinguiſhed by the Names of Streets, ſhall be deemed to be Streets within the meaning of the ſaid Acts, in Contradiſtinction to Highways; and that all publick Ways which ſhall be adjacent to the ſaid Streets, and contiguous to Lands which ſhall be aſſeſſable to the yearly Rates for the general Purpoſes of this and the ſaid Acts, ſhall be deemed Lanes and Paſſages, within the Meaning of the ſaid Acts, in Contradiſtinction to Highways, ſo far as the ſaid Lands ſhall extend towards the extreme Parts of the ſaid Borough, and no farther.

Occupiers exempted from the Repair of Highways.

IV. 'And whereas there are two Pariſhes within the ſaid Borough: And whereas it is provided by the 'ſaid Act, paſſed in the tenth Year of his ſaid Majeſty's Reign, that the Proprietors of Lands, Tene-'ments, and Hereditaments, within the ſaid Town, when and ſo often as they ſhall be rated to the re-'pairing of the Pavements of the ſaid Town, ſhall be diſcharged from the Payment of any Rate or Rates, 'Aſſeſſment or Aſſeſſments, that ſhall be made for the repairing of the Highways within the ſaid Bo-'rough: And whereas the ſaid Proprietors (not being expreſsly diſcharged from Statute Labour, or from 'the Payment of the Compoſition-money in lieu thereof), as well as other Inhabitants and Occupiers 'of Lands, Tenements, and Hereditaments, within the ſaid Borough, are ſtill liable to be called out to 'repair the Highways of that Pariſh wherein they reſpectively reſide, or to the Payment of Compoſition-'money in lieu thereof, notwithſtanding their being aſſeſſed to the Purpoſes of the ſaid Acts, which is a 'great Burthen to the ſaid Occupiers, and extremely grievous to the poorer Sort of Inhabitants;' for effectual Remedy thereof, be it enacted, That ſo much of the ſaid Act as relates thereto, ſhall be repealed; and that from and after the paſſing of this Act, the ſaid Pariſhes ſhall not (in reſpect of the Repair of the Highways, or the Power of the Surveyor or other Officer having the Superintendance thereof, under the Authority of any general Act of Parliament for the Repair of the Highways of this Kingdom) be taken to extend to ſuch Lands, Tenements, or Hereditaments, as ſhall be aſſeſſable to the yearly Rates for the general Purpoſes of this and the ſaid Acts, or to the ſaid Streets, Lanes, or Paſſages, neither ſhall the ſaid Lands, Tenements, or Hereditaments, nor the ſaid Streets, Lanes, or Paſſages, be conſidered (in reſpect of the Repair of the Highways, or the Power of the Surveyor, or other Officer having the Superintendance thereof, under the Authority of any general Act of Parliament for the Repair of the Highways of this Kingdom) as lying in any Pariſh, Townſhip, or Place, whatſoever, but the ſame ſhall be ſubject only to Regulations under this and the ſaid Acts; nor, on the other hand, ſhall the Powers of the ſaid Commiſſioners, touching the Execution of this and the ſaid Acts, extend to any Diſtance beyond the Lands which ſhall be aſſeſſable to the ſaid yearly Rates, and the ſaid Streets, Lanes, and Paſſages: Provided nevertheleſs, That the preſent and all future Surveyors, under the Authority of the general Act of Parliament, for the Repair of the Highways of this Kingdom, ſhall proceed to do their Duty in the Parts of the ſaid Borough not hereby declared to be exempt from their Superintendance.

Recovery of Rates, &c.

V. 'And whereas Difficulties and Inconveniencies attend the Method preſcribed by the ſaid Act for 'the Recovery of Sums of Money which have become due by reaſon of Rates, or otherwiſe, by virtue of 'the ſaid Acts;' be it enacted, That any Sum of Money which, by reaſon of any Rate, hath become due from any Owner or Owners of Lands, Tenements, or Hereditaments, aſſeſſed by virtue of the ſaid Acts, and remains unpaid, or which ſhall become due from any Owner or Owners of Lands, Tenements, or Hereditaments, which ſhall be aſſeſſed by virtue of this and the ſaid Acts, ſhall and may be paid by any one Occupier thereof, and ſhall and may be recovered of any one Occupier, in like Manner as the Rates are directed to be recovered by the ſaid firſt-mentioned Act; and ſuch Occupier ſhall be at Liberty, and is hereby impowered, to deduct and detain out of his or her Rent, ſuch Sum of Money as he or ſhe ſhall pay, as aforeſaid, unleſs there be an Agreement ſubſiſting between ſuch Occupier and his or her Landlord or Landlords to the contrary; and that any Sum of Money, which by reaſon of any Rate, or otherwiſe, by virtue of the ſaid Acts, hath or ſhall become due from, or hath been, or ſhall be, received or collected by any Perſon who hath happened to die, or who ſhall happen to die, before Payment of the ſame, ſhall be deemed to be due from, and ſhall be recoverable of, his or her Executor or Executors, Adminiſtrator or Adminiſtrators, in like Manner as it would have been of the deceaſed Perſon, in caſe he or ſhe had happened to have lived, or by Action of Debt to be brought in the Names of any two or more Commiſſioners, in purſuance of an Order to be made for that Purpoſe, at ſome publick Meeting of the Commiſſioners for executing this and the ſaid Acts.

Remedy to Creditors.

VI. 'And whereas a Sum of Money hath been borrowed by virtue of the ſaid Acts: And whereas the 'Remedy, by ordinary Courſe of Law, to compel the Payment of the Intereſt due on any Sums of Money, 'which have been, or may be, borrowed by virtue of the ſaid Acts, and the making of Rates for that Pur-'poſe may be very expenſive and inconvenient to the Creditors of whom the ſaid Sums have been or may 'be borrowed;' be it enacted, That ſo long as there ſhall be any Money remaining unpaid, which ſhall

have been borrowed and taken up at Intereſt by virtue of the ſaid Acts, any ſeven of the ſaid Commiſſioners ſhall have Power (any thing in either of the ſaid Acts to the contrary notwithſtanding) to make Orders for cauſing the yearly Rates for the general Purpoſes of this and the ſaid Acts to be made and collected: And that ſo long as there ſhall be any Money remaining unpaid, which ſhall have been borrowed and taken up at Intereſt by virtue of the ſaid Acts, and when and ſo often as any Year ſhall have expired, for which any Rate ſhall have been made for the general Purpoſes of this and the ſaid Acts, and any one of the ſaid Creditors ſhall requeſt any ſeven of the ſaid Commiſſioners to proceed to exerciſe the Powers veſted in them, for cauſing the ſaid yearly Rates to be made and collected, and the ſaid ſeven Commiſſioners ſhall refuſe or neglect ſo to proceed for the Space of one Month after they ſhall have been ſo requeſted, the ſaid Creditor ſhall be intitled to treble the full Coſts of obtaining, ſerving, and enforcing, a Writ of *Mandamus*, for compelling the ſaid ſeven Commiſſioners ſo to proceed, and ſhall, by Means of the Rule of Court, by which the ſaid Writ ſhall be granted, recover of the Perſons who ſhall appear to have neglected or refuſed to act as aforeſaid, the ſaid Coſts, together with treble the full Coſts of obtaining, ſerving, and enforcing, the ſaid Rule; and that the ſame Commiſſioners, under whoſe Hands any Order ſhall have been iſſued to any Collector or Collectors for collecting and receiving any yearly Rate under this and the ſaid Acts, ſhall provide, by ſome Order or Orders, (which ſhall be irreverſible) for the Payment of the Intereſt due on the ſaid Money once in every Year, the firſt Payment whereof ſhall be made within ſix Months after the paſſing of this Act; and the Treaſurer to the ſaid Commiſſioners for the Time being ſhall accordingly pay the ſame, purſuant to ſuch Order or Orders, without Fee or Reward from any Creditor who ſhall make Demand thereof: And in caſe the ſaid Commiſſioners ſhall omit or refuſe to make and enforce ſuch Order or Orders, as aforeſaid, whereby there ſhall be a Failure of the Payment of the Intereſt due on any Sum of Money, which hath been, or may be, borrowed by virtue of the ſaid Acts, it ſhall and may be lawful for any Creditor who ſhall have been injured thereby to recover of any Perſon or Perſons who ſhall have iſſued ſuch Order under their Hands for collecting and receiving, as aforeſaid, and who ſhall have omitted or refuſed to make and enforce ſuch Order or Orders, as aforeſaid, for the Payment of the ſaid Intereſt, treble the Amount of the Intereſt due to ſuch Creditor, together with treble the full Coſts of Suit, by Action of Debt; and in caſe, at the Time of making Demand as aforeſaid, of the Intereſt due to any Creditor, as aforeſaid, there ſhall be by virtue of the ſaid yearly Rate in the Hands of the ſaid Treaſurer Money ſufficient to ſatisfy ſuch Demand, and the ſaid Treaſurer ſhall not comply therewith, or ſhall exact any Fee or Reward for complying therewith, it ſhall and may be lawful for any Creditor making ſuch Demand to recover of the ſaid Treaſurer treble the Amount of the Intereſt due to ſuch Creditor, together with treble the full Coſts of Suit by Action of Debt.

Part of Acts 10 and 12 Geo. 3. repealed.

VII. And be it further enacted, That ſo much of the ſaid Act, paſſed in the tenth Year of his ſaid Majeſty's Reign, as enables the ſaid Commiſſioners to contract for cleanſing the Streets, Lanes, and Paſſages, within the ſaid Borough, and alſo ſo much of the ſaid Act, paſſed in the twelfth Year of the Reign of his ſaid Majeſty, as impowers the Commiſſioners to diſmiſs the Scavengers, or other Officers, appointed by the Mayor, Recorder, Aldermen, and Common Council, of the ſaid Borough, for the Purpoſe of ſweeping, cleanſing, and carrying away, the Aſhes, Rubbiſh, Duſt, Dung, and Filth, from the ſaid Streets, Lanes, and Paſſages, and requires the ſaid Mayor, Recorder, Aldermen, and Common Council, to appoint others in the Stead of thoſe ſo diſmiſſed, be repealed: Provided nevertheleſs, That the ſaid Commiſſioners ſhall have Power to order the ſaid Streets, Lanes, and Paſſages, to be watered ſo often as they ſhall think fit, and to defray the Expence thereof out of the Money to be raiſed by virtue and for the Purpoſes of this and the ſaid Acts.

Commiſſioners not perſonally anſwerable for Contracts, &c.

VIII. And be it further enacted, That no Contract already made by the ſaid Commiſſioners, or which ſhall be made by them, for any of the Purpoſes of the ſaid Act, ſhall be binding upon the ſaid Commiſſioners perſonally as Individuals in their private Capacity, neither ſhall they be perſonally anſwerable for any Sum of Money borrowed and taken up at Intereſt under the Authority of the ſaid Acts, but only as Truſtees for carrying the ſame into Execution; and that Actions and Suits, in the Names of any two or more Commiſſioners under the ſaid Acts ſhall and may be maintained on Contracts, which have been, or ſhall be, made between the Commiſſioners under the ſaid Acts and any Perſon or Perſons for the Purpoſes of the ſaid Acts, any ſuch Action or Suit being commenced by virtue of an Order of ſuch Commiſſioners made for that Purpoſe at ſome publick Meeting; and all Sums of Money which ſhall be recovered by them in ſuch Action, ſhall be applied to the general Purpoſes of the ſaid Acts.

Commiſſioners indemnified out of the Rates.

IX. And be it enacted, That all Money expended by, or recovered againſt, any Commiſſioner or Commiſſioners, touching any Action or Proſecution by the ſaid Acts, directed to be brought by them, or touching the Defence of any Action, Proſecution, or Appeal, which hath been or ſhall be brought againſt them, or any other Perſon or Perſons employed by or under them, on account of any Rate, or any Matter or Thing done or omitted (except the omitting to cauſe Rates to be made and collected, and the Intereſt of Money borrowed to be paid as aforeſaid), in the Execution or Performance of his or their Office or Offices, Employment or Employments, under this or the ſaid Acts, or in purſuance of any Order or Orders of the ſaid Commiſſioners, or any ſeven or more of them, under the Authority of the ſaid Acts, (which Money ſhall not be recovered again by ſuch Commiſſioner or Commiſſioners, or other Perſon or Perſons, from any ſuch Defendant or Defendants, Plaintiff or Plaintiffs) ſhall be borne and defrayed out of the Money ariſing from the yearly Rates under this and the ſaid Acts.

Repealing the Clauſe in the 10th Year of his Majeſty's Reign, impowering the Commiſſioners to repair the

X. And be it further enacted, That ſo much of the ſaid firſt-mentioned Act as impowers the Commiſſioners to employ their Pavior or Paviors to repair the Pavement injured by the burſting of Water-pipes, and to compound with Owners of Quays and Water-pipes reſpectively, ſhall be, and the ſame is hereby repealed; and that from and after the paſſing of this Act, and till the Determination of the Commiſſioners mentioned in the ſaid Act, paſſed in the twelfth Year of his ſaid Majeſty's Reign, ſhall take place, the Proviſion of the ſaid laſt-mentioned Act, for making reciprocal Satisfaction between the Owners of Water-

Water-pipes and Perſons chargeable with the Repair of the Pavement, ſhall operate and be in force, as between the Owners of Waterpipes and the ſaid Commiſſioners; and that the Amount of the Expences incurred by Damage done to any Water-pipe, by Perſons employed about any Pavement or Drain by Order of the ſaid Commiſſioners, may be demanded of the Treaſurer to the ſaid Commiſſioners for the Time being; and the ſaid Commiſſioners ſhall order their Treaſurer to pay ſuch Sums of Money as ſhall from Time to Time be demanded of him on that Account, and he ſhall pay the ſame accordingly out of the Money which ſhall be in his Hands for the general Purpoſes of the ſaid Acts at the Time of making ſuch Demand, or out of the firſt Money of the like Kind which he ſhall receive; and the Amount of the Expences incurred by Damage done by the breaking or burſting of any Water-pipe to any Pavement or Drain, under the Superintendance of the ſaid Commiſſioners, ſhall be paid by the Owner or Owners of ſuch Water-pipe to ſuch Perſon as the ſaid Commiſſioners ſhall appoint to receive the ſame. Pavement of the Parade, &c.

XI. And be it enacted, That it ſhall and may be lawful for the Mayor and Juſtices of the ſaid Borough, at the General Quarter Seſſions of the Peace to be held in and for the ſaid Borough, as often as they ſhall ſee occaſion, to make Rules and Orders for the better governing and regulating of all Porters, Carters, and Draymen, and their Carriages, employed in carrying any Kind of Goods for Hire from the Quays to any Part of the ſaid Borough, and alſo from one Part of the ſaid Borough to another Part of the ſame: And the Juſtices of the ſaid Borough are hereby impowered and required, at their ſaid Seſſions, to licenſe all ſuch Hackney Chairs as ſhall be kept and uſed for Hire within the ſaid Borough, and ſhall and may fix and aſcertain ſuch Rates and Prices for the Carriage of the ſame, as to the ſaid Juſtices ſhall ſeem proper; and if any Hackney Chairman within the ſaid Borough ſhall refuſe, at any ſeaſonable Time, to go at, or ſhall exact more for his Hire than the Rate or Price fixed by the ſaid Juſtices, or ſhall keep or uſe any Chair for Hire within the ſaid Borough, unleſs licenſed as aforeſaid, he ſhall forfeit, for every ſuch Offence, a Sum not exceeding ten Shillings. Porters, Carmen, and Chairmen regulated.

XII. And be it further enacted, That from and after the firſt Day of *July* in this preſent Year, all Carriages uſed in conveying Goods, Wares, Merchandiſe, or other Commodities, landed at any Quay within the ſaid Borough, from the ſaid Quay, through the Streets, Lanes, or Paſſages, herein-before deſcribed, whether for Hire or not; and all Waggons, Wains, Carts, Cars, or Drays, kept by any Perſon or Perſons reſiding within the ſaid Borough, or elſewhere, and uſed for the carrying of any Thing whatſoever from one Part of the ſaid Borough to any other Part of the ſame, through any of the ſaid Streets or Paſſages, whether for Hire or not, ſhall have Wheels made with the Soles or Fellies ſix Inches broad at the leaſt, and with a flat even Surface in all Parts of ſuch Soles or Fellies; and ſuch of the ſaid Carriages, Waggons, Wains, Carts, Cars, or Drays, as ſhall have four Wheels, ſhall be ſo conſtructed as to roll a Surface of nine Inches on each Side; and if any ſuch Carriage, Waggon, Wain, Cart, Car, or Dray, as aforeſaid, ſhall be drawn through any of the ſaid Streets, Lanes, or Paſſages, contrary to the ſaid Direction, the Owner or Driver thereof ſhall, for every ſuch Offence, forfeit a Sum not exceeding twenty Shillings. Carriages uſed at the Quays to have Wheels ſix Inches broad, &c.

XIII. And be it enacted, That the ſaid Commiſſioners, or any ſeven or more of them, ſhall have Power to cauſe to be placed on a conſpicuous Part of any one or more Houſe or Houſes, Building or Buildings, at or near each End, Corner, or Entrance, of each of the ſaid Streets, Lanes, and Paſſages, the Name by which each reſpective Street, Lane, or Paſſage, is uſually called or known; and alſo may cauſe every Houſe, Shop, Warehouſe, or Building, in each of the ſaid Streets, Lanes, and Paſſages, to be marked or numbered, in ſuch Manner as they ſhall think moſt proper for diſtinguiſhing the ſame, and the Expences attending the ſame ſhall be paid out of the Money ariſing from the yearly Rates under this and the ſaid Acts; and if any Perſon or Perſons ſhall maliciouſly deſtroy or deface any ſuch Name, Mark, or Number, or any Part thereof, or ſhall maliciouſly cauſe or procure the ſame to be done, every ſuch Perſon ſhall forfeit a Sum not exceeding ten Shillings. Commiſſioners may order the Names of Streets to be put up, and Houſes, &c. to be numbered,

XIV. And be it enacted, That in caſe the Time limited by the ſaid Act paſſed in the twelfth Year of his ſaid Majeſty's Reign, for the Supply of any Vacancy or Vacancies among the thirty-eight Perſons directed by the ſaid Act to be added to the Mayor, Recorder, Aldermen, and Common Council, as Commiſſioners for executing the ſaid Act, ſhall lapſe, it ſhall be lawful to proceed at any ſubſequent Period, as ſoon as may be, to an Election for that Purpoſe; to which Election there ſhall be the like Requiſites, in all other Reſpects, as preſcribed by the ſaid Acts; and that no Act of any ſubſiſting Commiſſioners ſhall be invalid on account of any Vacancy or Vacancies whatſoever, provided there be a ſufficient Number as ſpecified in this and the ſaid Acts, for effecting the ſeveral Purpoſes thereof; and the Perſons who ſhall be elected by virtue of the Proviſion hereby made, ſhall have the like Power and Authority in the Execution of this and the ſaid Acts, as any other of the ſaid Commiſſioners. Proviſion for the Supply of Vacancies among the Commiſſioners.

XV. Provided always, That no Meeting under this and the ſaid Acts ſhall be adjourned for a longer Time than eight Days; and that in caſe there ſhall not be a ſufficient Number of the ſaid Commiſſioners to hold a Meeting within half an Hour after the Time appointed for ſuch Meeting, it ſhall and may be lawful for any two of the ſaid Commiſſioners, or the Clerk to the ſaid Commiſſioners, to adjourn; and that no Order or Orders made, or to be made, by virtue of this or the ſaid Acts, ſhall be revoked, unleſs there be ſeven or more of the ſaid Commiſſioners preſent at the revoking of ſuch Order or Orders than were preſent at the making of the ſame. Perſons aggrieved may appeal.

'XVI. And whereas the Appeal to the Quarter Seſſions for the County of *Devon*, concerning any 'Matters within the ſaid Acts greatly obſtructs the Execution thereof, and occaſions a Waſte of the 'Money raiſed for the Purpoſes of the ſaid Acts, as well as much Vexation and Expence to the Land 'Owners and Inhabitants within the ſaid Borough: And whereas the Appeal to the Quarter Seſſions 'for the Borough of *Plymouth* concerning the ſaid Matter at preſent is not ſufficiently remedial;' be it enacted, That ſo much of the ſaid Acts as gives a Power of appealing ſhall be repealed; and that if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by any Rate hereafter to be made Power of Appeal to Quarter Seſſions for the County, by former Acts, repealed;

and Perſons aggrieved by any Rate, may appeal to the Quarter Seſſions for the Borough.

in purſuance of this and the ſaid Acts, ſuch Perſon or Perſons ſhall be at Liberty to appeal to the next Court of Quarter Seſſions of the Peace which ſhall be held in and for the ſaid Borough (whether originally or by Adjournment), after ſuch Rate ſhall have been publiſhed in the Pariſh Churches of the ſaid Borough, unleſs ſuch Court ſhall be held within twenty-eight Days after ſuch Publication, in which Caſe the Appeal ſhall be made to the next Court to be held as aforeſaid, after the Expiration of the ſaid twenty-eight Days, ſuch Appellant or Appellants firſt giving Notice in Writing to the ſaid Commiſſioners, or their Clerk, of his, her, or their Intention of bringing ſuch Appeal; or if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by any Thing done or omitted in the Execution of this and the ſaid Acts, for which no particular and effectual Method of Relief is herein or therein appointed, ſuch Perſon or Perſons ſhall be at Liberty to appeal to the next Court of Quarter Seſſions of the Peace which ſhall be held in and for the ſaid Borough (whether originally or by Adjournment), after ſuch Cauſe of Appeal ſhall have ariſen, ſuch Appellant or Appellants giving Notice, in Writing, to the ſaid Commiſſioners, or their Clerk, of his, her, or their Intention of bringing ſuch Appeal, and of the Matter thereof; and the Juſtices at the Court of Quarter Seſſions of the Peace in and for the ſaid Borough, ſhall have Power to hear and determine the ſaid Appeals in a ſummary Way, and to order the Aſſeſſors to amend the ſaid Rates in like Manner as the ſaid Commiſſioners may do by virtue of the ſaid firſt-mentioned Act, and as ſhall be neceſſary for giving Relief, without quaſhing the ſame; and the ſaid Juſtices ſhall have Power to award ſuch Coſts to the Party or Parties appealing or appealed againſt as they the ſaid Juſtices ſhall think proper; and their Determination in all Appeals touching any Rate, or any Thing whatſoever done, or omitted to be done, under this or the ſaid Acts, ſhall be binding, final, and concluſive, to all Intents and Purpoſes: And in caſe any Rate or Thing done, or omitted to be done, under this or the ſaid Acts, ſhall be unappealed againſt, after the Time hereby limited for bringing Appeals, ſuch Rate or Thing done, or omitted to be done, ſhall be deemed legal in every Reſpect whatſoever; provided that the Juſtices of the Peace in and for the ſaid Borough for the Time being ſhall not act as Commiſſioners for putting this and the ſaid Acts in Execution; any Thing herein or therein contained to the contrary thereof in any wiſe notwithſtanding.

Election of Commiſſioners, and their Acts, and the former Statutes confirmed, and this Act.

XVII. And be it further enacted, That the Election of the thirty-eight Perſons directed by the ſaid Act, paſſed in the twelfth Year of his ſaid Majeſty's Reign, to be added to the Mayor, Recorder, Aldermen and Common Council of the ſaid Borough, as Commiſſioners for putting the ſaid Acts in Execution, and all Acts done by the ſaid thirty-eight Perſons, or any of them, as Commiſſioners under the Authority of the ſaid Statutes, ſhall be, and the ſame are hereby recognized and confirmed, as legal in every Reſpect whatſoever; but nevertheleſs without Prejudice to any Caſe wherein a ſuppoſed Right of Action hath accrued, and an Action hath been brought. And that all and every the Clauſes, Articles, Proviſions, Penalties, Forfeitures, Matters, and Things, in the ſaid Acts contained, except ſuch and ſo many of them as are hereby repealed, altered, or varied by this preſent Act, ſhall be, and continue, in as full Force and Effect, as if the ſame were repeated herein, and ſhall, to all Intents and Purpoſes be conſidered as Parts hereof, and the Whole ſhall be taken together and conſtrued as one Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

Publick Act.

The SCHEDULE referred to by this ACT.

NO Place Hoſpital.
Mr. *Tolcher*'s Houſe in *Stonehouſe Lane*.
Mrs. *Vincent*'s Houſe.
Mr. *George Jago*, for his Houſe and Rope Yard.
Mr. *Robinſon*, for his Mill.
Mr. *Lewis*, for his Tan Yard.
William Moore, for three Meadows.
Richard Hambly, for *Line*'s Part, two Fields.
William Shepherd, for Oil Mills and Dwelling-houſe.
William Lambell, for Paſſage-houſe.
Samuel Lang's Dwelling-houſe.
William Lambell, for his Dwelling-houſe.
William Lambell, for Houſe and Yard.
Robert Gaudy, for Houſe and Garden.
Michael Fanning's Houſe, late *Philip*'s.
Ditto, his Houſe.
Nathaniel Olver's Houſe, at *Catdown*.
Mr. *William Perry*, for the Paper Mills.
Mrs. *Lake*, for her Houſe.
The Reverend Mr. *Mudge*, for the Pariſh Tithe.
Thomas Bews, Eſq; for late *Vailor*'s *Field*.
Ditto, for late *Town*'s *Field*.
Ditto, for *Cook*'s *Path Field*.
Ditto, for *Hopkin*'s *Field*.
Ditto, for another ditto.
Ditto, for the Banks.
Ditto, for his Field near *Catdown*.
Ditto, for late *Crab*'s two Fields.
Ditto, for *Harris*'s *Field*.
Ditto, for a ſmall Field.
Ditto, for his Lands at *Pennycomquick*.
Gilbert Dick, for *Thomas Veal*, Eſq; for *Smith*'s *Way Field*.
Ditto, for ditto, for *Hoe Field*, and *Shepherd*'s *Meadow*.
Ditto, for two Fields near the Hoſpital.
Mr. *Clark*, for the Commiſſioners for Priſoners of War, for a Meadow.
Ditto, for a Field adjoining the Old Mill Priſon.
Mr. *Clark*, for late Mr. *Joſeph May*'s Field.
Ditto, for another ditto.
Mr. *John Bicknell*, for *John Morſhead*, Eſq; four Fields at *Lipſon*.
Mr. *Joſeph Freeman*, for two Quillets.
Ditto, for a Field called *Trenches*.
Ditto, for *Atwood*'s *Field*.
Ditto, for *Maid Croſs*.
Humphry Hall, Eſq; for *Harris*'s, near *Pennycomquick*.
Ditto, for *Harris*'s *Field* and *Barn Park*.
Ditto, for a Field near *Gaſkin*'s Gate.
Ditto, for a Field near the *Tucking Mills*.
Ditto, for —— *Harris*, Eſq; Barn and Field.
Ditto, for a Field near the Pound.

Mr.

Mr. *John Arthur*, for *Gibbs*'s *three Fields*.
Ditto, for *Couche*'s *Field*.
Mr. *William Moor*, for Major *Saul*'s *Fields*.
Ditto, for *Motham*'s *Field*.
Richard Beach, Eſq; for two Fields, late *Woode*'s.
Ditto, for two Fields and a Barn.
Samuel Peter, Eſq; for a Field near *Old Mill Lane*.
Ditto, for a Houſe and Field, late *Philips*'s.
Ditto, for a Field, late *Yebſley*'s.
Ditto, for late *Fowne*'s four Fields.
Mr. *Dunſtervill*, for *Horſeman*'s *Marſh*.
Ditto, for two Fields in *Stonehouſe Lane*.
Ditto, for a Field in *Old Penny Lane*.
Ditto, for late *Newton*'s Field.
Ditto, for *Thiſtle Park*.
Daniel Dyer, for a Houſe and Garden.
Mr. *Henry Tolcher*, for late *Holmes*'s Marſh.
Mr. *Joſeph Tolcher*, for *Couche*'s *Field*.
Addis Archer, Eſq; for *Horſeman*'s *Marſh*.
Ditto, for *Addis*'s two Fields.
Ditto, for late *Boyl*'s.
Ditto, for late *Hull*'s.
Ditto, for *Horſman*'s.
Mr. *Orlando Manley*, for Mr. *Dure*, for *Higher Hunſcomb*.
Ditto, for late *Spurwell*'s Field.
The Reverend Mr. *Bedford*, for Dr. *Young*'s four Fields.
Ditto, for *Berry*'s *Pump Field*.
Ditto, for his Tithe.
Mr. *Champion*, for late *Barker*'s, for *Lipſon Meadow*.
Ditto, for *Bickford*'s Tenement and Fields.
Mr. *Joſeph Netten*, for two Fields, late *Heart*'s.
Ditto, for Houſe and Garden.
Mrs. *Smith*, for her Fields at *Lipſon*.
Ditto, for her Houſe at *Lipſon*.
Mrs. *Shepard*, for *Doidge*'s late Field.
Ditto, for a Field near *Pennycomquick*.
Mr. *Simpſon*, for the incloſed *Hoe*.
Ditto, for the Eaſt.
Mr. *Parry*, for two Fields, late *Brown*'s.
Ditto, for two Fields, late *Tancock*'s.
Mr. *Connel*, for *Frankford Gate Meadow*.
The Reverend Mr *Warren*, for his Houſe in ditto.
Mr. *Burt*, for his Houſe in ditto.
Mr. *Ciely*, for Mr. *Evans*' ditto.
Ditto, for Mrs. *Morgan*'s ditto.
Mr. *Woolcomb*, for his Houſe in ditto.
The Reverend Mr. *Doidge*, for his Houſe in ditto.
Mr. *Freeman*, for his Houſe in ditto.
Mrs. *Cole*, for her Houſe in ditto.
Mr. *Shernback*, for his Houſe in ditto.
Mrs. *Manwaring*, for Mrs. *Thomas*, for *Bedford*'s *Field*.
Mrs. *Eaſton*, for late *Robert*'s *Field*, near *No Place*.
Ditto, for late *Wallis*'s *Fields*.
Ditto, for a Field near *No Place*.
William Philips, Eſq; for a Field late Mr. *Joys*.
Ditto, for a Rack Cloſe.
Ditto, for two Fields at *Cockſide*.
Mr. *Creamer*'s Houſe and Garden.
The Reverend Mr. *Cock*, for *Sanders*'s *Meadow*.
Ditto, for the Meadow adjoining the Houſe.
Mr. *Putt*, for *Thomas Veal*, Eſquire, for the *Weſt Hoe*.
Ditto, for —— *Baſtard*, Eſquire, *Sheaf*.
Ditto, for *Thomas Veals*, Eſquire, *Boon*'s *Cove*.
Ditto, for the Quarry at the *Weſt Hoe*.
Mr. *Robert Baron*, for *Young*'s *Field*.
Mrs. *Bannick*, for her Rack Cloſe.
Ditto, for her Field, late *Valack*'s.
Mrs. *Bannick*, for *Ciely*'s *Field*.
Ditto, for a Field, in *Old Penny Lane*.
Mr. *Chriſty*, for a Field near the *Old Mills*.
Mr. *Symons*, for late *Brown*'s *Field*.
John Julian, Eſquire, for a Field at *Cockſide*.
Ditto, for *Cutiford Tenement*.
Ditto, for *Netherton*'s two Fields.
Ditto, for *Saltram*
Ditto, for late *Motham*'s *Fields*.
Ditto, for late *Head*'s *Tenement*.
Ditto, for a Field near *Some Place*.
Ditto, for three Fields near *Prince Rock*.
Ditto, for a Field.
Ditto, for late *Pentyre*'s *Field*.
Ditto, for late *Burley*'s *Field*.
Ditto, for late *Norley*'s Houſe and Field.
Ditto, for *Spurrell*'s Tenement.
Ditto, for *Catdown*.
Ditto, for *Hawkin*'s Tenement.
Ditto, for three Fields, late *Greeby*'s.
Ditto, for *Maycroſs*.
Ditto, for a Field near *Andrew*'s *Well*.
Ditto, for *Martyn*'s Park.
Ditto, for *Smart*'s Field, and *Boyl*'s three Fields.
Ditto, for *How*'s Field, late *Teat*'s.
Ditto, for Houſe, Limekiln, and Quarry.
Mr. *John Newton*, for a Field adjoining the *Old Mill Priſon*.
Ditto, for *Mervin*'s Field.
Ditto, for his Houſe and Field near the *Old Mill Priſon*.
Mr. *King*, for *Shoulder Mutton Field*.
Mrs. *M'Carty*, for a Field in *Old Penny Lane*.
Major *Yeo*, for late *Hancock*'s Meadow.
Ditto, for three Fields, late *Derry*'s.
Ditto, for three Fields, and Part of *Willſon*'s Meadow.
Ditto, for *Foot*'s Field.
Mr. *Kingdon*, for Mrs. *Ridout*, for *Woodbridge*'s Field.
Ditto, for late *Hall*'s Field.
Ditto, for *Lewis Jones*.
Ditto, for *Bath*'s four Fields.
Mr. *Jacobſon*, for a Field near *Lady Well*.
Ditto, for *Martin*'s Quillet.
Ditto, for another Field, late *Hamlyn*'s.
Ditto, for the *Pump Field*.
Ditto, for a Rope Walk in ditto.
Mr. *Jago*, for his Rope Walk in *Stonehouſe Lane*.
John Morſhed, Eſquire, for late *Lapthorn*'s Field.
John Culme, Eſquire, for his Houſe and Willow Plat,
Ditto, for a Quarry at *Prince Rock*.
Ditto, for *Freedom* Field.
Ditto, for *Ridgeway*'s and *Sheep Potts*.
Ditto, for three Fields at *Prince Rock*.
Ditto, for *Lean*'s three Fields.
Ditto, for *Clay Park*.
Ditto, for *Stephens*'s Houſe and Garden.
Ditto, for *Walker*'s Houſe and Field.
Mrs. *Deeble*, for *Lavington*'s Field.
Mr. *Mudge*, for a Field near the Mills.
Mrs. *Sugars*, for *Deptford*'s two Fields.
Ditto, for Land by the *Trenches*.
Mr. *Cally*, for *Martin*'s Marſhes.
Mr. *Ham*, for the Bowling Green, *Catdown*.
Adjutant of the Militia, for *Spark*'s two Fields.
The Widow *Reed*, for her Tenement at *Tothill*.
Mr. *William Shepherd*, for two Fields, late *Phillips*.
Ditto, for late *Bingham*'s Field.
Ditto, for his Waſh-houſe.
Mr. *Cole*, for *Samuel Cartor*'s Lands, late *Booth*'s.
Mr. *William Blatchford*, for *Lipſon Mills*.

Mr. *William Blatchford*, for a Field and Garden.
The Churchwardens of *Saint Andrews*, for a Burying-place.
The Commissioners for Prisoners of War, for *No Plate*.
Mr. *Trefusis Lovell*, for *Barnparks*.
Mr. *John Pode*, for *Spurrell*'s late Lands.
Mrs. *Fry*, for late *Orchard*'s Field.
Mr. *Cobin*, for a Field.
Mr. *Harris*, for a Field.
Mr. *Batt*, for two Fields, late *Pearce*'s.
Mr. *Neverton*, for *Sparks* and *Trevanion*'s Barn and three Fields.
Mr. *Nathaniel Olver*, for *Crosse*'s Fields.
Ditto, for *Shephard*'s Tenement and three Fields.
Ditto, for late *Rasdon*'s.
Ditto, for Lime Kiln and Quarry.
Ditto, for *Catdown*.
Ditto, for the other Part of *Rasdon*'s, being three Fields.
Mr. *Date*, for late *Symkins*'s three Fields.
Ditto, for three Fields, late *Pearce*'s.
Mr. *Sutton*, for late *Gotham*'s Field.
Mr. *William Hancock*, for *Bingham*'s House and Field.
Mr. *George How*, for *Johnson*'s Well.
Ditto, for a Field in *Old Penny Lane*.
Mr. *Roger Trend*, for late *Martyn*'s two Fields.
Mr. *Lang*, for the Quarry.
Mr. *Kerswell*, for two Fields and a Barn.
Mr. *Batt*, for late *Coram*'s two Fields and Tenement.
Mr. *Richard Jeffreys*, for *Teat*'s Hill.
Mr. *William Tuly*, for his Quarry.
Mr. *Marks*, for Master *Ginness*, for a Field at *Tothill*.
Mr. *Fanning*, for his Rope Walk in *Smart*'s Meadow.
Mr. *Date*, for Esq; *Bastard*'s Field near the Round House.
Mr. *Joseph Brent*, for a Field and Cellars at *Cockside*.

CAP. IX.

An Act to continue for a further Time an Act, made in the eighth Year of his present Majesty's Reign, intituled, *An Act to continue and amend an Act, made in the Fifth Year of the Reign of his present Majesty, intituled*, An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland*, for a limited Time, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the *British* Dominions in *America*, for a limited Time.

Further continued till March 1, 1775.

CAP. X.

An Act for reducing the Duty payable upon the Exportation of *Gum Senega*, granted by an Act, made in the fifth Year of the Reign of his present Majesty, intituled, *An Act for laying certain Duties upon* Gum Senega *and* Gum Arabic, *imported into or exported from* Great Britain, *and for confining the Exportation of* Gum Senega *from* Africa *to* Great Britain *only*.

Preamble. Act 5 Geo. 3.

'WHEREAS by an Act, made in the fifth Year of the Reign of his present Majesty, intituled, *An Act for laying certain Duties upon* Gum Senega *and* Gum Arabic, *imported into or exported from* Great Britain, *and for confining the Exportation of* Gum Senega *from* Africa *to* Great Britain *only*, a Duty of one Pound ten Shillings was granted upon every Hundred Weight Avoirdupoise of *Gum Senega*, which should be exported from *Great Britain* to any Part beyond the Seas: And whereas it has been found by Experience, that the said Duty being so high, has induced illicit Traders to export great Quantities of such Gum privately out of this Kingdom into Foreign Parts, without paying any Duty for the same, and also to export such Gum clandestinely from *Senegal*, directly to *Holland*, and other Foreign Parts, contrary to the said recited Act, to the Prejudice of the fair Traders, and to the Loss and Detriment of the publick Revenue;' for Remedy whereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *April*, one thousand seven hundred and seventy-four, the said Duty of one Pound ten Shillings for every Hundred Weight of *Gum Senega*, granted by the said recited Act, shall cease, determine, and be no longer paid; and that, in Lieu and in Stead thereof, there shall be paid to his Majesty, his Heirs and Successors, for every Hundred Weight Avoirdupoise of *Gum Senega*, which shall be exported from *Great Britain* to any Parts beyond the Seas, the sum of five Shillings, over and above any other Duty imposed thereon by any former Act of Parliament, and not repealed by this Act, and after those Rates for any greater or less Quantity of such Gum.

After 5 April, 1774, the Duty of 1 l. 10 s. per Cwt. on Gum Senega to cease; and in lieu thereof 5 s. per Cwt. over every other Duty imposed thereon, not repealed by this Act.

The Duty to be collected and applied as by the former Act.

II. And be it further enacted by the Authority aforesaid, That the said Duty by this Act granted, shall be raised, levied, collected, and recovered, by the same Rules and Regulations, and under the like Penalties and Forfeitures, and with the like Allowances, for Goods lost at Sea; and shall be paid and applied in such Manner, and to and for the same Purposes, as the Duty by this Act repealed was raised, levied, collected, recovered, paid, and applied, as fully, to all Intents and Purposes, as if the several Clauses, Powers, and Directions, relating thereto, were particularly repeated, and again enacted, in this present Act.

No Duty to be charged on Gum Senega exported from Great Britain to Ireland by Licence.

III. Provided always, and it is hereby further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to charge the Duty hereby granted upon such *Gum Senega* as shall be exported from *Great Britain* to *Ireland*, by Licence from the Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being, in pursuance of an Act, made in the Sixth Year

Year of the Reign of his preſent Majeſty, intituled, *An Act for explaining Part of an Act, made in the Second Year of the Reign of His preſent Majeſty, relating to the Removal for Home Conſumption of Spirits made for Exportation; for laying an additional Duty upon the Importation of Silk Crapes and Tiffanies; for allowing the Exportation of a certain Quantity of* Gum Senega *and* Gum Arabic *to* Ireland, *free of Duty, for the Uſe of the Manufacturers there; for permitting the Importation into this Kingdom from the* Iſle of Man *of a certain Quantity of Bugles; and for altering certain Regulations relating to the Tonage of Ships exporting and importing Spirits.*

CAP. XI.

An Act to allow the Exportation of a limited Quantity of Biſcuit and Peaſe to the Iſland of *Newfoundland*, for the Benefit of the *Britiſh* Fiſhery there.

Preamble.

'WHEREAS by an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act to regulate the Importation and Exportation of Corn*, it was, amongſt other things, enacted, That whenever the Price of middling *Britiſh* Wheat, at any Port or Place within the Kingdom of *Great Britain*, from whence the ſame ſhould be intended to be exported, ſhould appear to be at or above the Price of Forty-four Shillings per Quarter, ſuch Price being aſcertained in Manner in the ſaid Act mentioned, no Perſon or Perſons whatſoever ſhould, directly or indirectly, export, tranſport, carry, or convey, or cauſe or procure ſo to be, out of or from any ſuch Port or Place, or load or lay on Board, or cauſe or procure to be laden or laid on Board, in any Ship, or other Veſſel or Boat, in order to be exported or carried out of any ſuch Port or Place, any Wheat, Wheat Meal or Flour, or Malt, Bread, Biſcuit, or Starch, made of Wheat; and, whenever the Price of middling *Britiſh* Peaſe ſhould appear at ſuch Port or Place to be at or above the Price of Twenty-eight Shillings *per* Quarter, no Perſon or Perſons whatſoever ſhould, directly or indirectly, export, tranſport, carry, or convey, or cauſe ſo to be, or load or lay on Board, in any Ship or other Veſſel or Boat, in order to be exported or carried out of any ſuch Port or Place, any Peaſe, ground or unground, or any Bread or Biſcuit made of Peaſe, under the Penalties and Forfeitures in the ſaid Act particularly mentioned and inflicted: And whereas it is neceſſary, at all Times, to export Biſcuit and Peaſe to the Iſland of *Newfoundland*, for the Benefit of the *Britiſh* Fiſhery there;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, it ſhall and may be lawful to ſhip and export from the Port of *Briſtol* Biſcuit and Peaſe, not exceeding in the whole one hundred and fifty Tons of Biſcuit, and three hundred Quarters of Peaſe, in any one Year; and from the Port of *Poole* Biſcuit and Peaſe, not exceeding in the Whole two hundred and fifty Tons of Biſcuit, and ſeven hundred Quarters of Peaſe, in any one Year; and from the Port of *Dartmouth* Biſcuit and Peaſe, not exceeding in the whole one hundred and fifty Tons of Biſcuit, and three hundred Quarters of Peaſe, in any one Year; and alſo from the Ports of *Topſham* and *Tingmouth*, within the Port of *Exeter*, Biſcuit and Peaſe, not exceeding in the whole one hundred and fifty Tons of Biſcuit, and three hundred Quarters of Peaſe, in any one Year, to the Iſland of *Newfoundland*, for the Benefit of the *Britiſh* Fiſhery there; any Thing in the ſaid Act to the contrary notwithſtanding; ſo as the Exporter do, before the ſhipping or laying on Board the ſame, become bound, with other ſufficient Security, in treble the Value thereof, to the Commiſſioners or Chief Officer or Officers of his Majeſty's Cuſtoms belonging to the ſaid Ports of *Briſtol*, *Poole*, *Dartmouth*, or *Exeter* reſpectively (who hath or have hereby Power to take ſuch Security in his Majeſty's Name, and to his Majeſty's Uſe), that ſuch Commodities ſhall not be landed or ſold in any Parts whatſoever other than the ſaid Iſland of *Newfoundland*; and that a Certificate under the Hand and Seal of the Collector, Comptroller, or other Chief Officer of the Cuſtoms, or if no ſuch, of the Naval Officer, or ſome other principal Officer there, ſhall, within the Space of eighteen Calendar Months after the Date of ſuch Bonds (the Danger of the Seas excepted), be returned to the Officers who took the ſaid Bonds, that the ſaid Commodities have been landed in the ſaid Iſland of *Newfoundland*; and for the taking of ſuch Security, and for giving ſuch Certificates (which the reſpective Officers aforeſaid are hereby, on Demand, required to give), no Fee or Reward ſhall be demanded or received: And if any Officer ſhall make any falſe Certificate of any ſuch Commodities being ſo landed, ſuch Officer ſhall forfeit the Sum of two hundred Pounds, and loſe his Employment, and be incapable of ſerving his Majeſty, his Heirs or Succeſſors, in any Office relating to the Cuſtoms; and if any Perſon ſhall counterfeit, raſe or falſify, any ſuch Certificate, or knowingly publiſh any ſuch counterfeit, raſed, or falſe Certificate, he ſhall forfeit the Sum of two hundred Pounds, and ſuch Certificate ſhall be void, and of no Effect; which ſaid Penalties for Offences committed in *Great Britain* or *Ireland* ſhall be recovered in the ſame Courts, and in the ſame Manner, as the other Penalties inflicted by the ſaid recited Act are recoverable; and for Offences committed in the ſaid Iſland of *Newfoundland*, ſhall be recovered in the High Court of Admiralty, or in any Chief Court of the Civil or Criminal Juriſdiction in the ſaid Iſland, and ſhall be divided into equal Moieties between his Majeſty and the Informer; and the ſaid Bond or Bonds, if not proſecuted within three Years, ſhall be void; any Thing in the ſaid recited Act to the contrary thereof in any-wiſe notwithſtanding.

Quantity of Tons of Biſcuit, and Quarters of Peaſe, which may be exported in one Year to Newfoundland.

Security to be given to the Officers of Cuſtoms.

Officers making falſe Certificates, or eraſing or falſifying ſuch, ſhall forfeit 200 l.

Penalties how recoverable.

II. Provided always, and be it enacted by the Authority aforeſaid, That when the Exportation of Biſcuit and Peaſe, or either of them, ſhall, by the ſaid Act, be permitted; then, and in ſuch Caſe, no ſuch Bond ſhall be required upon the Exportation to the ſaid Iſland of *Newfoundland*, or ſuch of them as ſhall be ſo permitted.

When the Exportation ſhall be permitted, no Bond to be required.

III. Provided alſo, and be it enacted, That when any Bounty ſhall be allowed upon the Exportation of the ſaid Commodities, or either of them, the ſame Bounty ſhall be allowed upon the Exportation thereof to

Bounty, when to be allowed.

to the ſaid Iſland of *Newfoundland*, under the Regulations, Proviſion, and Reſtrictions, in the ſaid Act mentioned.

Continuation. IV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be in Force during ſuch Time as the ſaid recited Act, paſſed in the laſt Seſſion of Parliament, ſhall have Continuance.

CAP. XII.

An Act for veſting a Piece of waſte Ground within, and Parcel of, the Manor of *Clapham*, in the County of *Surry*, in Truſtees, and for enabling them to build a new Pariſh Church thereon.

Preamble. 'WHEREAS the Pariſh Church of *Clapham*, in the County of *Surry*, is a very ancient Fabrick, and inconveniently ſituated at the Extremity of the ſaid Pariſh, and by Length of Time is become very ruinous; and the Number of Inhabitants within the ſaid Pariſh is ſo greatly increaſed, that if the ſaid Church was in a Condition to be repaired, it would not be large enough to contain them, for the Purpoſes of Divine Worſhip: And whereas *Penelope Pitt*, the Wife of *George Pitt* of *Stratfieldſea*, in the County of *Southampton*, Eſquire, and Siſter and Heir at Law of Sir *Richard Atkins*, late of *Clapham*, aforeſaid, Baronet, deceaſed, is, under the Will of the ſaid Sir *Richard Atkins*, intitled to the Truſt or beneficial Intereſt of or in the Manor of *Clapham*, and certain waſte Grounds within and Parcel of the ſame, for her Life, for her ſeparate Uſe, with Remainders in Favour of her Iſſue Male (which have not yet taken Effect), with the ultimate Remainder therein in Fee (after ſeveral contingent and other Uſes to take Effect by the ſaid Will in Failure of ſuch Iſſue): And whereas the building of a new Church in a more commodious Place or Situation, and upon a more extenſive Plan, would tend greatly to the Eaſe and Convenience of the Pariſhioners of the ſaid Pariſh, and to the Encouragement of Religious Worſhip within the ſame, according to the Rites and Ceremonies of the Church of *England*; and the ſaid *Penelope Pitt* being deſirous of promoting ſuch uſeful and pious Undertaking as far as ſhe is able, hath, with the Conſent of all or moſt of the Freeholders within the ſaid Manor, having or claiming a Right of Common upon the ſaid waſte Grounds, propoſed or offered to ſet apart a certain Part thereof for building thereon the ſaid Church, and an incloſed Area to encompaſs the ſame; that is to ſay, a certain Piece of waſte Ground, ſituate on the North-eaſt Side of *Clapham Common* (as the ſame is now ſtaked or marked out), containing by Eſtimation two Roods and fifteen Perches, or thereabouts, the ſaid Piece of waſte Ground being in all Reſpects ſuitable or convenient for that Purpoſe; but by reaſon of the Uſes or Limitations in the ſaid Will of the ſaid Sir *Richard Atkins*, the ſaid Piece or Parcel of Ground cannot be effectually conveyed for the Purpoſe aforeſaid, nor can the ſaid propoſed Church be built thereon without the Aid and Authority of Parliament: And in regard the building of the ſaid Church upon the ſaid Piece or Parcel of Ground will tend to promote or encourage building within the ſaid Manor and Pariſh, whereby the Eſtates or Intereſts of the Lords or Owners thereof, claiming under the ſaid Will, will, for the Time being, be greatly benefited;' may it pleaſe your Majeſty, therefore, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable Sir *Fletcher Norton*, Speaker of the Houſe of Commons, the Right Honourable *George Onſlow*, Sir *Francis Vincent*, Sir *William Stonhouſe*, Sir *Henry Bridgeman*, Sir *Simeon Stuart*, Baronets; Sir *William Stevenſon*, Sir *Timothy Waldo*, Knights; the Rector and Churchwardens of the Pariſh of *Clapham*, for the Time being; *Richard Bowyer*, *Levett Blackborne*, *John Pepys Jackſon*, *Brabazon Hallows*, *William Burridge Leigh*, *John Thornton*, *Thomas Hankey*, *William Curteis*, *Abraham Atkins*, *Calverley Bewicke*, *Benjamin Bewicke*, *Benjamin Bond*, *John Brogden*, *Thomas Delaval*, *Charles Eyre*, *Freeman Flower*, *William Halhed*, *Henry Hoare*, *Samuel Horn*, *John Jackſon*, *Nathaniel Jefferys*, *Thomas Lane*, *Nathaniel Maſon*, *John Small*, *Samuel Smith*, *William Snell*, *William Thornton*, Eſquires; the Reverend *Moſes Porter* B. D. *James Adams*, *Samuel Bayes*, *Calverley Bewicke* junior, *Bulkeley*, *Edward Bull*, *Somers Clerk*, *John Collick*, *Daniel De St. Leu*, *David De Viſme*, *William Eaves*, *John Fleetwood*, *Samuel Geledneki*, *James Hague*, *Engelbert Hake*, *William Hervey*, *Peter Hodgſon*, *Hopkins*, *James Hutchinſon*, *Thomas Jones*, *Charles Iviſon*, *March*, *William Mills*, *Job Pearſon*, *Frederick Ravencamp*, *Thomas Savege*, *Edmund Smith*, *Hamnett Townley*, *John Townſend*, *John Yerbury*, Gentlemen; *William Cole*, and *John Hanſcombe*, ſhall be, and they and their Succeſſors, to be elected in Manner herein-after mentioned, are hereby appointed Truſtees for putting this preſent Act into Execution: And that the ſaid Piece or Parcel of Ground herein-before deſcribed ſhall be, and the ſame is hereby veſted in the ſaid Truſtees herein-before named, their Heirs and Aſſigns for ever, for the Purpoſe of building a new Church and Steeple thereon, and an Area round the ſame, for the Uſe and Benefit of the ſaid Pariſh: And that the ſame ſhall be accordingly held, occupied, and enjoyed, by them for the Purpoſe aforeſaid, freed and abſolutely diſcharged of and from all and every the Uſes, Truſts, Limitations, Powers, Proviſoes, and Conditions, expreſſed or declared of or concerning the ſaid Manor in or by the ſaid Will; and alſo of and from all preſcriptive and other Rights of Common thereon.

Truſtees Names.

Piece of Ground veſted in the Truſtees, for the Purpoſe of building a new Church.

Power to incloſe the Ground; and to build a Church and Steeple, &c. II And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, to cauſe the ſaid Piece or Parcel of Ground to be taken in, fenced, and incloſed, for the Purpoſe aforeſaid, at ſuch Time or Times, and with ſuch Materials, and in ſuch Manner, as they ſhall think fit; and alſo to cauſe a Church and Steeple to be erected or built thereon, after ſuch Model, and of ſuch Dimenſions and Materials, and in ſuch Manner, as they the ſaid Truſtees, or any five or more of them, at any Meeting or Meetings to be holden in purſuance of this Act, ſhall agree

agree upon or direct; and also to cause Pews, Seats, and Galleries, and such Ornaments and Conveniences to be made, erected, and set up, in the said Church so to be built as aforesaid, as by the said Trustees, or any five or more of them, at any such Meeting or Meetings, shall be deemed proper or necessary, in order that the said Church may be consecrated and set apart, and completely fitted or furnished for the Celebration of Divine Service, according to the Rites and Ceremonies of the Church of *England*.

'III. And whereas it will be necessary, and greatly for the Advantage of the Parishioners of the said 'Parish for the Time being, to continue the Church-yard belonging to the said old Church as a Ce- 'metery for the Use of the said Parish, and to preserve a competent Part of the said Church for the Pur- 'pose of performing Funeral Service therein, and to have the other Part of the said Church taken down, 'and especially as the said Church-yard or Cemetery will be thereby considerably enlarged;' be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, and they are hereby authorised and required, after the said new Church shall be built, completed, and consecrated, and rendered fit for the Celebration of Divine Service, to cause the Whole of the said old Church (except the North Aisle, and the North, East, and West Walls thereof) to be taken down, and with all convenient Speed afterwards, to cause the said North Aisle, to be inclosed with a Wall on the South Side thereof, of such Materials and Dimension, and in such Manner, for adapting or fitting up the same as a Place proper for the Performance of Funeral Service, as shall be thought fit or necessary by them at any such Meeting or Meetings so to be had as aforesaid.

To take down the old Church (except the North Aisle) which is to be inclosed and fitted up for the Performance of Funeral Service.

IV. And be it further enacted by the Authority aforesaid, That the Scite of such Part of the said old Church as shall be so taken down as aforesaid, shall be, and the same is hereby added to the said Church-yard or Cemetery, for the Purpose of enlarging the same; and that the said new Church, when the same shall be finished or completed, and consecrated and rendered fit for the Celebration of Divine Service, and also the said Church-yard or Cemetery so to be enlarged as aforesaid, shall from thenceforth, for ever, be called and known by the Name of, and to all Intents and Purposes be, *The Parish Church and Church-yard of the said Parish of* Clapham, and that Divine Service, the Solemnization of Matrimony, and all other Matters and Things which were, or of Right have been used to be, celebrated, solemnized, administered, had, done, or performed, by the Minister of the said Parish in the said old Church and Cemetery (save that Funeral Service, after the said North Aisle of the said old Church shall be so inclosed as aforesaid, may, from Time to Time, be performed therein), shall and may be celebrated, solemnized, administered, had, done, and performed, in such and the like Manner, by the said Minister of the said Parish, and his Successors, Ministers of the said Parish for the Time being, in the said new Church, and the said Church-yard or Cemetery.

The Scite of the old Church to be added to the Church-yard. The new Church, when finished and consecrated, to be the Parish Church, and Divine Service to be performed therein, except Funeral Service.

V. And be it further enacted by the Authority aforesaid, That the Reverend *James Stonehouse* Doctor of Laws, the present Rector or Minister of the said Parish of *Clapham*, and his Successors for the Time being, shall, and they are hereby respectively declared to, be Rectors or Ministers of the said new Church; and that the Person or Persons who for the Time being would have a Right of presenting, nominating, or appointing, a Rector or Rectors, Minister or Ministers, to the said old Church, in case the same was not taken down or disused as aforesaid, shall, from and after the said new Church shall be so completed or finished, and rendered fit for the Celebration of Divine Service as aforesaid, have such and the like Estate and Estates, Right, Title and Titles, of and in the said new Church, as he, she, or they, respectively now have, or might or should have had, to the Presentation, Nomination, and Appointment, of a Rector or Rectors, Minister or Ministers, to the said old Church, and according to his or their Rights and Interests respectively, from thenceforth for ever; and shall and may, from and after the Death or Avoidance of the present Rector or Minister of the said Parish, and every other future Vacancy, present, nominate, and appoint, a fit Person to be Rector or Minister of the said new Church; and that such Person, and his Successors, so to be presented or nominated as aforesaid, shall, after such Presentation, or Nomination and Appointment, be Rectors or Ministers successively of such new Church, and shall have and enjoy such Glebes, Tithes, Oblations, Mortuaries, Easter Offerings, Profits, Commodities, and other Ecclesiastical Dues and Duties arising within the said Parish, as the present Rector or Minister of the said Parish hath or ought to have and enjoy, or that any of his Predecessors, Rectors, or Ministers, of the said Parish, of Right had, or ought to have had and enjoyed.

The present Rector, and his Successors, to be Ministers of the new Church; and the Persons having the Right of Presentation to the old Church, to have the same Right and Estate in the new Church.

Minister for the Time being intitled to the Glebe Tithes, &c.

VI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any eleven or more of them, to meet together at the House, known by the Sign of the *Plough*, in *Clapham* aforesaid, on the *Monday* next after the passing of this Act, or as soon after as conveniently may be, between the Hours of ten and two of the Clock of that Day, and the said Trustees shall then and there proceed to put this Act in Execution; and shall then, and from Time to Time afterwards, adjourn themselves to meet at the Place aforesaid, or at any other Place or Places within the said Parish, as such Trustees shall think proper and convenient.

Trustees to meet at the Plough on the Monday next after the passing of this Act; and may afterwards adjourn.

VII. Provided always, and it is hereby enacted and declared, That of all Meetings to be held in pursuance of this Act (unless by Adjournment), previous Notice shall be given in the said old Church, till the said intended Church shall be built or completed, and used for the Celebration of Divine Service, and then in such new Church, on the *Sunday* next before such Meetings respectively, by the Minister or Curate of the said Parish for the Time being, or some other Person to be appointed by him to give the same; and also by Writing, to be affixed on the Door or Doors of such Churches respectively, thereby setting forth the Day, Hour, and Place, of such Meeting: And that upon all such Meetings the said Trustees present thereat shall pay their own Expences.

Notice to be given.

Trustees to defray their own Expences.

VIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any five or more of them, at any publick Meeting to be held in pursuance of this Act, to appoint a Treasurer and Clerk, and also a Collector or Collectors, Receiver or Receivers (not being of the People called *Quakers*), of the Rents and Assessments herein-after mentioned; and likewise

They may appoint Officers, &c.

one or more fit and able Perſon or Perſons, if neceſſary, to inſpect the Works intended to be carried on under or by virtue and in purſuance of this Act; and alſo to appoint ſuch other Perſon or Perſons as may be neceſſary for any of the Purpoſes of this Act, with ſuch Allowances as they ſhall think reaſonable or proper; and ſhall and may take ſuch Security as they ſhall think proper from the Perſon or Perſons ſo to be employed and appointed as aforeſaid, or any of them, for the due Diſcharge or Performance of their reſpective Undertakings, or of the Truſts in them reſpectively repoſed: And that it ſhall and may be lawful likewiſe to and for ſuch Truſtees, or any five or more of them, at any ſuch Meeting as aforeſaid, from Time to Time, to remove ſuch Perſon or Perſons as may be ſo appointed as aforeſaid, or any of them, and to appoint others in the Room of ſuch as ſhall be ſo removed, or of ſuch as ſhall happen to die, or may diſcontinue any ſuch Office or Offices, as aforeſaid, as and when they ſhall think fit or neceſſary ſo to do; and alſo by and out of the Monies ariſing by virtue or under the Power of this Act, to pay, or cauſe to be paid, ſuch Salaries, or other Allowances, as ſuch Truſtees ſhall judge reaſonable, for and in conſideration of the Employment and Employments, Office and Offices, of the Perſons ſo to be appointed as laſt aforeſaid reſpectively.

Security.

Power to remove them, and appoint others,

and pay them Salaries.

IX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, at any ſuch Meeting or Meetings, to ſet out or allot unto or for the Rector or Miniſter of the ſaid Pariſh Church for the Time being one of the Pews to be built or made in the ſaid intended Church, for or in lieu of one of the ſeven Pews which the preſent Rector or Miniſter of the ſaid old Church, and his Predeceſſors, Rectors thereof, have for Time immemorial of Right been intitled to have and enjoy therein, and without paying any Compenſation or Satisfaction for the ſame, ſuch new Pew not being inferior, in Point of Goodneſs and Convenience, to the Pew in the ſaid old Church, now occupied by the preſent Tenant of the Parſonage Houſe at *Clapham* aforeſaid; but that the reſt of the Pews and Seats in the ſaid intended Church, ſhall, from Time to Time, be ſubject or liable to ſuch annual Rents, and to ſuch Rules, Orders, and Regulations, with reſpect to the letting or diſpoſing thereof to or amongſt the Pariſhioners of the ſaid Pariſh, as ſhall be rated or aſſeſſed, and made, from Time to Time, by the ſaid Truſtees, or any five or more of them, at any ſuch Meeting or Meetings as aforeſaid.

To allot a Pew to the Miniſter.

The reſt of the Pews to be ſubject to annual Rents, and to ſuch Regulations, &c. as ſhall be made by the Truſtees.

'X. And whereas the remaining ſix Pews belonging to the ſaid Rector, as aforeſaid, have been uſually 'let to ſome of the Pariſhioners of the ſaid Pariſh at moderate Rents, and which do now amount to the 'annual Sum of twelve Pounds and twelve Shillings: And whereas the ſaid Rector is willing to relin-'quiſh his Claim to an Allotment of Pews in the ſaid intended new Church, as a Compenſation for his 'ſaid ſix Pews in the ſaid old Church, in conſideration of having the clear annual Sum of twelve Pounds 'and twelve Shillings ſecured to be paid to him and his Succeſſors, out of the annual Rents to be reſerved 'and made payable to the ſaid Truſtees in reſpect of the ſaid Pews in the ſaid intended new Church; be it therefore enacted, That from the Time the ſaid intended new Church ſhall be completed for the Celebration of Divine Service, there ſhall, yearly and every Year, for ever thereafter, be paid unto the ſaid Rector, and his Succeſſors, in Compenſation and Satisfaction of and for the ſaid ſix Pews in the ſaid old Church ſo belonging to the ſaid Rector as aforeſaid, the full annual Sum of twelve Pounds and twelve Shillings, by and out of the annual Rents which ſhall, from Time to Time, be collected and received for and in reſpect of the ſaid Pews in the ſaid intended new Church, as aforeſaid, clear of all Taxes and Deductions whatſoever; which ſaid annual Sum of twelve Pounds and twelve Shillings the ſaid Rector, and his Succeſſors, ſhall, from Time to Time, be intitled to have, receive, demand, and take, of and from the Perſon or Perſons who for the Time being ſhall be the Collector or Collectors of the Rents of the ſaid Pews in the ſaid intended new Church; and every Payment ſo made by ſuch Collector or Collectors ſhall be allowed to him or them by the ſaid Truſtees, as a full Diſcharge for the Sum of twelve Pounds and twelve Shillings, in the Account of Monies which ſhall by him or them be collected for the Rents of the Pews in the ſaid intended new Church as aforeſaid.

An annual Payment to be made to the Rector, as a Satisfaction for his ſix other Pews in the old Church.

XI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, at any ſuch Meeting or Meetings, likewiſe to make ſuch Rules, Orders, and Regulations, for the keeping of the ſaid intended Church, and the Fence or Wall by which the Area encompaſſing the ſame ſhall be incloſed, and other the Appurtenances thereunto belonging, and alſo the ſaid Church-yard or Cemetery, and the ſaid North Aiſle or Place, ſo to be appropriated and uſed for the performing of Funeral Service, as aforeſaid, with the Appurtenances, in good and ſufficient Repair, and decent Order or Condition; and alſo ſuch other Rules, Orders, and Regulations, in and concerning the Premiſes, or any of them, as to the ſaid Truſtees, or any five or more of them, ſhall appear reaſonable, neceſſary, and convenient.

Power of making Rules, Orders, and Regulations for keeping the new Church, and the ſaid Church-yard, &c. in Repair.

XII. Provided always, and be it enacted by the Authority aforeſaid, That no undue Preference whatſoever ſhall be had or taken by the ſaid Truſtees, or any of them, with reſpect to the letting or diſpoſing of the ſaid Pews or Seats; and that in the letting or diſpoſing of any ſuch Pews or Seats to or in favour of any of the ſaid Truſtees, ſuch Truſtee ſhall be, and he is hereby excluded from interfering or giving any Vote or Voice therein; and that no ſuch Rents for Pews or Seats, or Rules, Orders, and Regulations ſo to be made as aforeſaid, ſhall be in Force until confirmed by the ſaid Truſtees, or any five or more of them, not being intereſted as aforeſaid, at the next or ſome ſubſequent publick Meeting or Meetings to be had in purſuance of this Act, as aforeſaid; and that no ſuch Rents of Pews or for Seats, nor any Rules, Orders, or Regulations, when ſo made and confirmed as aforeſaid, ſhall be repealed or altered, except at a like Meeting of the ſaid Truſtees, to be holden as aforeſaid; and that ſuch Truſtees, or any five or more of them, aſſembled at ſuch Meeting, ſhall be, and they are hereby authoriſed and impowered, from Time to Time, to alter ſuch Rents, Rates, or Fees, and to repeal or alter ſuch Rules, Orders, and Regulations, or any Part thereof, in ſuch Manner as they ſhall think proper.

No undue Preference to be taken by the Truſtees with reſpect to the letting of the Pews.

No Rents or Orders, &c. to be altered or repealed, except at a Meeting of the Truſtees.

XIII. And

Pews to be numbered,

XIII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, ſhall, and they are hereby required, to cauſe the ſeveral Pews and Seats, ſo to be built or ſet up in the ſaid intended Church, as aforeſaid, to be numbered, and the ſeveral Numbers thereof, and the annual Rents at which the ſame, or any of them, ſhall be let or diſpoſed of, to be entered in a Book to be provided for that Purpoſe, and to be preſerved in the Veſtry Room of ſuch Church, and to be open to the Inſpection of all Perſons intereſted therein, at all ſeaſonable Times, without Fee or Reward.

and the Rents entered in a Book, which may be inſpected *gratis*.

Power to make Contracts with Workmen, &c.

XIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, at any publick Meeting to be holden in purſuance of this Act, to receive Propoſals from, and to contract with, any Surveyor or Surveyors, Builder or Builders, or Workmen, for the building of the ſaid intended new Church, or any Part or Parts thereof, and for incloſing the Area round the ſame; and alſo for the taking down of ſuch Part of the ſaid old Church as by this Act is required or directed to be taken down, and for encloſing the ſaid North Aiſle thereof, and making the ſame fit for the Purpoſe of performing Funeral Service therein as aforeſaid; and with the ſame, or any other Perſon or Perſons, to treat and contract for the finding or providing proper Materials for the Purpoſe or Purpoſes aforeſaid, and any other Materials, Matters, or Things, neceſſary or proper for effectually performing the Purpoſes of this Act, or any of them: And that the Contract or Contracts to be made on the ſeveral Occaſions aforeſaid, or any of them, ſhall be ſigned by the ſaid Truſtees, or any five or more of them, and alſo by the Perſon or Perſons reſpectively with whom the ſame ſhall be reſpectively made or entered into; and ſhall reſpectively ſpecify or contain the ſeveral Works to be done in purſuance or in conſequence thereof, and the Prices to be paid for the ſame reſpectively, and the Time or Times when ſuch Works ſhall be completed, and the Quantity and Quality of the Materials to be delivered, and the Penalty to be ſuffered in caſe of Non-performance of ſuch Contract or Contracts; and that ſuch Contract or Contracts, after the ſigning thereof as aforeſaid, ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk to the ſaid Truſtees; but that, previous to the making any ſuch Contract, ten Days Notice, at the leaſt, expreſſing the Intention of making the ſame, ſhall be given in ſome of the Daily News-papers, in order that any Perſon or Perſons may have an Opportunity of making Propoſals for any of the Purpoſes aforeſaid to the ſaid Truſtees, at a certain Time and Place in ſuch Notice to be mentioned: And that it ſhall and may be lawful to and for the ſaid Truſtees, ſo aſſembled as aforeſaid, to take ſuch Security from any Perſon or Perſons entering into ſuch Contracts, or any of them, for enforcing the due Performance thereof, as to the ſaid Truſtees ſhall ſeem neceſſary.

Notice to be given of making Contracts.

Power of bringing Actions for any Breach of Contract.

XV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, and they are hereby directed to cauſe all and every the Works to be done in purſuance of this Act to be inſpected by a Surveyor or Surveyors, or by ſuch other ſkilful Perſon or Perſons as they ſhall, from Time to Time, appoint: And in caſe the ſame ſhall not be well and ſufficiently performed, according to the true Intent and Meaning of ſuch Contract or Contracts, or ſhall not be finiſhed or completed at or within the Time or Times that the ſame is or are agreed to be completed, ſuch Surveyor or Surveyors, or other Perſon or Perſons, ſhall report the ſame to the ſaid Truſtees, or any five or more of them, at their next or any ſubſequent Meeting, who ſhall and may, in their own Names, or in the Names of any two or more of them, or in the Name of their Treaſurer for the Time being, bring an Action of Debt, or upon the Caſe, in any of his Majeſty's Courts of Law at *Weſtminſter*, againſt any Perſon or Perſons making Default in the Premiſes, for the Recovery of any Penalty or Penalties which ſhall be contained in any ſuch Contract, or for the Breach of any of the Covenants or Agreements therein contained, and to receive and apply the Money to be recovered in any ſuch Action, after deducting thereout, in the firſt Place, the Expences or Charges neceſſarily attending the ſame, and not allowed therein, for the Purpoſes of this Act.

Power to compound.

XVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, from Time to Time, to compound or agree with the Defendant or Defendants, in any Action or Actions, to be commenced for the Recovery of any ſuch Penalty or Penalties, as aforeſaid, for ſuch Sum or Sums of Money as they ſhall think reaſonable, but not leſs than the real Injury or Damage ſuſtained by the Breach of the Contract or Contracts reſpectively, in which ſuch Penalty or Penalties ſhall be contained, and all Coſts, Charges, and Expences, which ſhall be occaſioned thereby.

Rents of the Pews to be appropriated for the Purpoſes of the Act.

Power to make Rates,

not exceeding 6d. in the Pound.

Application of the Money.

XVII. And be it further enacted by the Authority aforeſaid, That the Rents of the ſaid Pews and Seats ſhall, from Time to Time, be appropriated for the Purpoſes of this Act; but in regard the ſame will not be ſufficient to anſwer ſuch Purpoſes, it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, and they are hereby directed or required, twice or oftener in every Year, if thought needful by them, by any Writing under their Hands and Seals, to aſſeſs all and every Perſon and Perſons who do or ſhall inhabit, hold, or occupy, any Land, Houſe, Shop, Warehouſe, Vault, or other Tenement, within the ſaid Pariſh, in any Sum of Money not exceeding Sixpence in the Pound in any one Year of the yearly Rent of ſuch Lands, Houſes, Shops, Warehouſes, Vaults, or other Tenements, as the ſame ſhall, from Time to Time, be aſcertained and rated by the Land Tax for the Time being; and that the Monies to ariſe from ſuch Aſſeſſment or Aſſeſſments, ſo to be made as aforeſaid, ſhall be, and the ſame are hereby veſted in the ſaid Truſtees, and ſhall be applied or appropriated by them for the Purpoſes of this Act, as well as the Rents of the ſaid Pews and Seats, and in Aid thereof.

Collectors to account Half-yearly, or oftener, if required,

XVIII. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall collect or receive any Money, for or on account of the ſaid Rents of Pews and Seats, Rates and Aſſeſſments, or any of them, by virtue of this Act, for the Purpoſes aforeſaid, ſhall, once in ſix Months at leaſt, and from Time to Time, as often as he or they ſhall be thereunto required by the ſaid Truſtees, or any five or more of them, deliver, in Writing, under his or their Hand or Hands, to the ſaid Truſtees, or any five or more of them, or unto ſuch Perſon or Perſons as they ſhall appoint, a true

and perfect Account (and if required), upon Oath, which Oath the ſaid Truſtees, or any one or more of them, is or are hereby impowered to adminiſter, of all ſuch Sum or Sums of Money as he or they hath or have collected or received, or which ſhall have been rated or aſſeſſed, as aforeſaid, and not received, and of all other Matters and Things relating to his or their ſaid Office or Offices; and ſhall deliver in all Books, Papers, and Vouchers, relating thereto, and ſhall pay unto the ſaid Truſtees, or any five or more of them, or to ſuch other Perſon or Perſons as they ſhall, by any Writing under their Hands, appoint, all the Monies remaining in his or their Hands: And if ſuch Perſon or Perſons ſhall refuſe or neglect to account in Manner aforeſaid, or to deliver ſuch Books, Papers, and Vouchers, it ſhall and may be lawful for any two or more of his Majeſty's Juſtices of the Peace for the County aforeſaid, to commit ſuch Perſon or Perſons to the common Gaol of the ſaid County, there to remain without Bail or Mainprize, till he or they ſhall have made and delivered a true and perfect Account, and alſo delivered all ſuch Books and Papers remaining in his or their Hands, as aforeſaid; and in caſe the ſaid Perſon or Perſons ſhall refuſe or neglect to pay any Sum or Sums of Money, collected or received by virtue of this Act, and which ſhall remain in his or their Hands, as aforeſaid, it ſhall and may be lawful for any two of the ſaid Juſtices, by Warrant under their Hands and Seals, directed to ſuch Perſon or Perſons as the ſaid Truſtees, or any five or more of them, ſhall appoint, to levy ſuch Sum or Sums of Money by Diſtreſs and Sale of the Goods and Chattels of ſuch Collector or Collectors, Receiver or Receivers, rendering the Overplus (if any), after the Charges of ſuch Diſtreſs and Sale are deducted and paid; and for want of ſufficient Diſtreſs to commit, or cauſe ſuch Perſon or Perſons to be detained in the ſaid common Gaol of the ſaid County, by Warrant under the Hands and Seals of two or more of the ſaid Juſtices, until he or they ſhall have paid over all the Monies in his or their Hands, or compounded for the ſame, and ſhall have paid ſuch Compoſition-money in Manner aforeſaid; which Compoſition the ſaid Truſtees, or any five or more of them, are hereby authoriſed and impowered to make and accept accordingly.

and to deliver up their Books and Vouchers, and pay over the Balance then in their Hands to the Truſtees. On Refuſal to be committed.

Balance of Accounts may be levied by Diſtreſs and Sale;

and where Diſtreſs cannot be had, the Party to be committed till Payment or Compoſition be made.

XIX. And be it further enacted by the Authority aforeſaid, That the ſaid Rents and Rates or Aſſeſſments ſhall be collected Half-yearly: And that if any Perſon or Perſons ſhall refuſe, neglect, or omit, to pay the Sum or Sums of Money which he, ſhe, or they, ſhall be rated or aſſeſſed for the Space of ten Days after perſonal Demand made thereof, or Demand in Writing, left at the Place of Abode or Habitation of ſuch Perſon or Perſons; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Collector or Collectors, Receiver or Receivers, and he and they is and are hereby authoriſed and required to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting, refuſing, or omitting, to pay the ſame: And in caſe no ſuch Goods or Chattels can be found to be ſo diſtrained, or in caſe ſuch Goods and Chattels ſhall be locked up or ſecured, or removed from the ſaid Collector or Collectors, Receiver or Receivers, ſo that he or they cannot diſtrain the ſame; then, and in either of the ſaid Caſes, upon Information thereof given to any two Juſtices of the Peace for the ſaid County, it ſhall and may be lawful for ſuch Juſtices, and they are hereby required to commit the Offender or Offenders to the common Gaol, or Houſe of Correction, for the County where ſuch Offence or Offences ſhall be committed, there to remain without Bail or Mainprize, for any Time not exceeding the Space of ſix Months, or until the Payment of ſuch Rent and Rate or Aſſeſſment, and reaſonable Charges occaſioned by the Nonpayment thereof.

The Rents and Rates to be collected Half-yearly. Power to levy the ſame.

Occupiers quitting without paying Rates,

may be diſtrained upon.

XX. And be it further enacted by the Authority aforeſaid, That when any Perſon or Perſons, who ſhall be rated or aſſeſſed by virtue of this Act, ſhall quit his, her, or their Dwelling-houſe, Warehouſe, Shop, or other Tenement, for or in reſpect whereof he, ſhe, or they, reſpectively ſhall be ſo rated or aſſeſſed as aforeſaid, before he, ſhe, or they, ſhall have paid his, her, or their ſaid Rate or Aſſeſſment, and ſhall afterwards refuſe to pay the ſame when due and demanded by the Perſon or Perſons authoriſed and appointed to collect and receive the ſame; that then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Collector or Collectors, Receiver or Receivers, and every or any of them, by Warrant under the Hands and Seals of any two or more Juſtices of the Peace acting in and for the ſaid County, which Warrant the ſaid Juſtices are hereby authoriſed and impowered to grant, into any Place within their reſpective Juriſdictions, or out of the Limits thereof, ſuch Warrant being firſt backed or counterſigned by ſome Magiſtrate in the County, City, or Liberty, where the Diſtreſs is to be made, to diſtrain the Goods and Chattels of ſuch Perſon and Perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the Overplus (if any ſuch ſhall be), after deducting the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattels demanding the ſame.

Perſons aggrieved may appeal to the Quarter Seſſions.

Notice to be given.

XXI. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall find himſelf, herſelf, or themſelves, aggrieved by any Rate or Aſſeſſment to be made by virtue of this Act, or any other Matter or Thing to be done in purſuance thereof, it ſhall and may be lawful for ſuch Perſon or Perſons to apply to the Juſtices of the Peace, at the General Quarter Seſſions to be holden for the ſaid County of *Surrey*, who are hereby impowered to ſummon and examine Witneſſes upon Oath, and to hear and determine the Matter of the ſaid Appeal, but ſo as that ſuch Appeal ſhall be made within two Months next after the Cauſe of Complaint ſhall have ariſen; and that the Perſon or Perſons ſo appealing ſhall firſt give, or cauſe to be given, ten Days Notice, at the leaſt, in Writing, of his or her Intention of appealing, as aforeſaid, and of the Matter or Cauſe thereof, to the Clerk to the ſaid Truſtees, and within two Days after ſuch Notice enter into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with two ſufficient Sureties, conditioned to try ſuch Appeal at the then next General Quarter Seſſions to be holden for the ſaid County, and abide the Order of, and pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Quarter Seſſions as aforeſaid; and that ſuch Juſtices, upon the hearing and finally determining the Matter of ſuch Appeal, ſhall and may, and they are hereby directed or required to award ſuch Coſts to the Parties appealing or appealed againſt as they ſhall think proper, and that their Determination in or concerning the Premiſes ſhall be concluſive to all Parties to all Intents and Purpoſes whatſoever.

XXII. And

XXII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Receivers and Collectors to be appointed in purſuance of this Act, or any other Perſon or Perſons to be appointed by the ſaid Truſtees, or any five or more of them, for that Purpoſe, at all convenient Times, to inſpect the Books of Aſſeſſments of the Land Tax for the ſaid Pariſh, in order to aſcertain the Rates and Aſſeſſments to be raiſed and levied by virtue of this Act, and to take Copies thereof, if neceſſary, at the Expence of the ſaid Truſtees; and that ſuch Copies reſpectively, after the ſame ſhall have been examined with the original Aſſeſſment or Aſſeſſments, of which the ſame ſhall purport to be Copies reſpectively, and ſhall be duly atteſted or proved as true Copies thereof, ſhall be read or admitted as Evidence of ſuch original Aſſeſſment or Aſſeſſments reſpectively on the Matter of any ſuch Appeal, as aforeſaid. Collectors to be at Liberty to inſpect the Aſſeſſments of the Land Tax.

XXIII. 'And foraſmuch as the borrowing of Money upon the Credit of this Act will be the moſt 'ſpeedy and effectual Method to accompliſh the good and pious Purpoſes aforeſaid,' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons to lend or advance, at legal or lower Intereſt, to the ſaid Truſtees, or any five or more of them, from Time to Time, or to ſuch Perſon or Perſons as they, or any five or more of them, ſhall, by any Writing under their Hands and Seals, authoriſe and impower to receive the ſame, for the Purpoſes of this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of ſix thouſand Pounds Sterling, and for which Sum or Sums ſo to be lent and advanced as aforeſaid, the Perſon or Perſons ſo lending or advancing the ſame reſpectively ſhall be a Creditor or Creditors; and that the Monies ſo to be lent or advanced, together with the Intereſt thereof, ſhall be charged and chargeable on the ſaid Rents of Pews and Seats, and the ſaid Rates or Aſſeſſments ſo to be levied or raiſed as aforeſaid; and that the Monies ſo to be borrowed as aforeſaid ſhall be applied by the ſaid Truſtees, or any five or more of them, for the Purpoſes of this Act. Power to borrow Money, not exceeding 6000 l. Money to be chargeable on the Rents and Rates.

'XXIV. And, for the better enabling the ſaid Truſtees to borrow ſuch Monies upon the Credit of 'this Act, as aforeſaid,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, by any Writing or Writings under their Hands and Seals, to grant, bargain, ſell, or aſſign, the clear yearly Income ariſing, or to ariſe, from the Rents of the ſaid Pews and Seats (ſubject to ſuch Payment thereout of the yearly Sum of twelve Pounds and twelve Shillings to the ſaid Rector, and his Succeſſors, as aforeſaid), and the ſaid Rates or Aſſeſſments, ſo to be levied or raiſed as aforeſaid, or any of them, or a competent Part thereof, or of any of them, to ſuch Perſon or Perſons as ſhall ſo lend or advance Monies thereon, as aforeſaid, his, her, or their Executors, Adminiſtrators, or Aſſigns, as a Security, by way of Mortgage, for the Repayment of the Money ſo to be lent and advanced by him, her, or them reſpectively, as aforeſaid, and the Intereſt thereof; which Security, by way of Mortgage, as aforeſaid, ſhall and may be made by the Form of Words following, or any other Form of Words to the like Effect; that is to ſay, Truſtees may aſſign the Rents and Rates for ſecuring the Money borrowed.

'BY virtue of an Act of Parliament, made in the fourteenth Year of the Reign of his Majeſty 'King *George* the Third, for veſting a Piece of waſte Ground within, and Parcel of, the Manor 'of *Clapham*, in the County of *Surrey*, in Truſtees, and for enabling them to build a new Pariſh Church 'thereon, we of the Truſtees, in conſideration of the Sum 'of to *A. B.* our Treaſurer, in Hand paid, do grant, bargain, ſell, and aſſign, unto *C.* 'D. his Executors, Adminiſtrators, and Aſſigns, ſuch Proportion of the Rents, Rates, and Aſſeſſments, 'ariſing, or to ariſe, by virtue of the ſaid Act, as the ſaid Sum of doth or 'ſhall bear to the whole of the Sum advanced, or to be advanced, on the Credit thereof, to be had and 'holden, received and taken, by the ſaid *C. D.* his Executors, Adminiſtrators, and Aſſigns, from this 'Day of until the ſaid Sum of with Intereſt for the 'ſame, at the Rate of *per Centum per Annum*, by equal Half-yearly Payments, ſhall 'be repaid and ſatisfied.'

And Copies of all ſuch Securities ſhall be entered in a Book or Books, to be kept for that purpoſe by the Clerk to the ſaid Truſtees; and all and every Perſon and Perſons to whom any ſuch Security or Securities ſhall be made, and his, her, or their Executors, Adminiſtrators, or Aſſigns, is and are hereby impowered, from Time to Time, to aſſign or transfer, by Writing, under his, her, or their Hand or Hands, and to be indorſed on the Back of his, her, or their Security or Securities, and to be executed in the Preſence of two or more credible Witneſſes, all his, her, or their Right or Intereſt in or to ſuch Security or Securities, and the Principal and Intereſt Money thereby ſecured, to any Perſon or Perſons whomſoever; which Aſſignment or Transfer ſo to be made ſhall and may be in the Form of Words following, or in any other Form of Words to the like Effect; that is to ſay, Copies of Securities to be entered in Books. Securities may be aſſigned.

'I Do transfer this Mortgage, and all my Right and Intereſt in and to the principal Money hereby 'ſecured, and in and to all Intereſt now due upon the ſame, unto of his Ex- 'ecutors, Adminiſtrators, and Aſſigns. Dated this Day of

And that all ſuch Aſſignments and Transfers ſhall be produced and notified to the Clerk of the ſaid Truſtees for the Time being, within forty Days next after the Date thereof, who ſhall cauſe an Entry of ſuch Transfers and Aſſignments reſpectively to be made, containing, in Words at Length, the Dates of, and the Names of the Parties to, ſuch Aſſignments and the Sums of Money thereby aſſigned and transferred in the ſaid Book or Books ſo to be kept for entering the ſaid original Aſſignments and Conveyances, and for which Entry or Entries reſpectively the Clerk ſhall be paid the Sum of one Shilling, and no more: And that the Book or Books in which ſuch Entry or Entries ſhall be made ſhall and may, at Aſſignments to be entered in the Books.

all ſeaſonable Times, be peruſed and inſpected, without Fee or Reward, by any Perſon or Perſons intereſted in any ſuch Security or Aſſignment; and that, after ſuch Entry made, ſuch Aſſignment and Transfer ſhall intitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, or Aſſigns, to the Benefit thereof; and that ſuch Aſſignee may, in Manner aforeſaid, likewiſe aſſign and transfer again, and ſo *toties quoties*; and that it ſhall not be in the Power of any Perſon who ſhall have made ſuch Aſſignment or Transfer to diſcharge or make void the ſame, or any Monies due thereon.

Materials ariſing from the old Church veſted in the Truſtees.

XXV. And be it further enacted by the Authority aforeſaid, That the Materials ariſing from ſuch Part or Parts of the ſaid old Church, as is or are hereby directed to be taken down as aforeſaid, ſhall be, and the ſame are hereby veſted in the ſaid Truſtees; and that it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, and they are hereby authoriſed and impowered to ſell or diſpoſe of the ſame, or ſo much thereof, as ſhall not be uſed or appropriated by them for the Purpoſe of incloſing the ſaid North Aiſle of the ſaid old Church, and fitting up the ſame for the Purpoſe of performing Funeral Service therein, as aforeſaid, to ſuch Perſon or Perſons as ſhall be willing or deſirous to purchaſe the ſame: And that the Money ariſing by ſuch Sale or Sales, after defraying thereout, in the firſt Place, the Expences neceſſarily attending the ſame, ſhall be applied to or for the Purpoſes of this Act, and to and for no other Uſe or Purpoſe whatſoever.

Monuments, &c. taken down to be placed in ſome other Part of the old or new Church.

XXVI. Provided always, and be it further enacted by the Authority aforeſaid, That in the taking down of ſuch Part of the ſaid old Church, as is ſo directed to be taken down as aforeſaid, as little Damage ſhall be done to the Graves, Grave Stones, Monuments, and Monumental Inſcriptions, in and about the ſame, as reaſonably may be: And that ſuch of the ſaid Grave Stones, Monuments, and Monumental Inſcriptions, as ſhall be neceſſarily removed on account thereof, ſhall be fixed or placed in ſuch other Part or Parts of the ſaid old Church, except upon the North or Eaſt Walls thereof, or in the ſaid new Church, for anſwering, as far as may be, the Purpoſe or Purpoſes for which the ſame were originally placed or put up, as the ſaid Truſtees, or any five or more of them, ſhall, in their Diſcretion, think fit: And that ſuch Grave Stones, Monuments, and Monumental Inſcriptions, and alſo all and every the Vaults, Grave Stones, Monuments, and Monumental Inſcriptions, and Right of Burial, in ſuch Part of the ſaid old Church as ſhall not be ſo taken down, as aforeſaid, being the particular Property of any Perſon or Perſons now living, or belonging to the Families buried in or under the ſaid old Church, ſhall continue to belong to ſuch Perſon or Families reſpectively, in like Manner as before and at the Time of paſſing this Act.

The Truſtees Receipts and Payments to be entered in Books,

and all other Proceedings under the Act.

XXVII. Provided alſo, and be it further enacted by the Authority aforeſaid, That the ſaid Truſtees ſhall cauſe Entries to be made of all ſuch Sums of Money as ſhall be received from or on account of the ſaid Rents, Rates, or Aſſeſſments, and from the ſaid Materials, and otherwiſe, under this Act; and alſo from or on account of the voluntary Subſcriptions of Perſons diſpoſed to promote the ſaid pious Undertaking, and alſo of all Payments, Debts, and Credits, to be made, or cauſed to be made, by the ſaid Truſtees, or which ſhall ariſe from, or be occaſioned by, the carrying of the Powers of this Act into Execution, or any other Matter or Thing relating thereto, and alſo of all other their Proceedings under this Act, to be written or entered in one or more Book or Books to be kept for that Purpoſe; and that ſuch Book or Books ſhall, from Time to Time, and at all convenient Times, be open to the Inſpection and Peruſal of any Perſon or Perſons paying, or liable to pay, any of the ſaid Rents, Rates, or Aſſeſſments, or voluntarily contributing any Sum or Sums of Money, for or towards the Purpoſes of this Act.

Power of electing new Truſtees.

'XXVIII. And, in order to keep up a conſtant Succeſſion of Truſtees for executing the Purpoſes of 'this Act, until the ſame ſhall be anſwered or ſatisfied,' be it further enacted by the Authority aforeſaid, That, from Time to Time, and at all Times hereafter, as the Number of the ſaid preſent Truſtees, or of any future Truſtees hereafter to be elected and appointed in purſuance of this Act, ſhall be reduced to twenty reſident within the ſaid Pariſh, either by Death, Reſignation, or the Non-reſidence of any ſuch Truſtees, or from any Diſability to act in the ſaid Truſt, it ſhall and may be lawful for the ſurviving or remaining Truſtees, or any ten or more of them, by any Writing or Writings under their Hands and Seals, (without any Stamp thereon) to nominate, elect, and appoint, one or more fit and able Perſon or Perſons, being Pariſhioners of the ſaid Pariſh, and being Owner or Owners, Tenant or Tenants reſpectively, of a Houſe of the yearly Value of twenty Pounds at the leaſt, clear of all Taxes and Aſſeſſments, to be Truſtees with them for the Purpoſes of this Act, and which Perſons, ſo to be choſen and appointed, ſhall be and are hereby inveſted with the ſeveral powers given or granted by this Act to the Truſtees herein and hereby nominated and appointed.

The Owner of the Manor of Clapham to be one of ſuch new Truſtees.

XXIX. Provided alſo, and be it further enacted by the Authority aforeſaid, That the Owner or Proprietor of the ſaid Manor of *Clapham* for the Time being, or the Perſon who ſhall for the Time being be beneficially intereſted therein in Poſſeſſion, and not being under any Diſability to act in the Execution of the Powers hereby granted, ſhall be one of the ſaid Truſtees ſo to be nominated, elected, and appointed, as aforeſaid.

Truſtees having any intereſt in the Contracts, &c. to be diſabled from acting.

XXX. Provided alſo, and be it further enacted by the Authority aforeſaid, That if any of the ſaid preſent or future Truſtees ſo to be choſen for the Purpoſes of this Act, as aforeſaid, ſhall undertake any Part of the Building of the ſaid intended Church, or any of the Works relating thereto, or to the incloſing thereof, or to the ſaid old Church, and the incloſing of the ſaid North Aiſle thereof, as aforeſaid, or ſhall have any Share or Intereſt in any Contract relating to the ſeveral Matters aforeſaid, or any of them, every ſuch Perſon ſhall, during the Time of his being ſo intereſted in the Premiſes, be utterly diſabled from acting in the ſaid Truſt; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Rates to ceaſe when the Debts are paid off,

XXXI. Provided alſo, and be it further enacted by the Authority aforeſaid, That when the ſaid intended Church, with the Appurtenances, ſhall be completed, and the Works, with reſpect to the ſaid old Church, ſhall be done or performed, and the Monies ſo to be borrowed upon the Credit of this Act,

and the Intereſt thereof, ſhall be fully ſatisfied, and all Debts contracted on account of carrying the Powers of this Act into Execution, be paid, the ſaid Rates or Aſſeſſments ſhall ceaſe, and the ſaid Pews or Seats in the ſaid intended Church ſhall, from thenceforth, at all Times afterwards, be let or diſpoſed of, ſubject to the Contracts then exiſting with reſpect thereto (if any), by the Inhabitants of the ſaid Pariſh, in Veſtry aſſembled, or the major Part of them then preſent; and that the Money from thenceforth to ariſe from the letting or diſpoſing of the ſaid Pews, and alſo ſuch Sum or Sums of Money, received under this Act, from the Rents of the ſaid Pews or Seats, and the ſaid Rates or Aſſeſſments, and otherwiſe, as ſhall remain unapplied after the Purpoſes of this Act ſhall be ſatisfied, ſhall be applied, ſubject to ſuch yearly Payment of twelve Pounds and twelve Shillings thereout to the Rector of the ſaid Pariſh, and his Succeſſors, as aforeſaid, for the Benefit of the Pariſhioners of the ſaid Pariſh, in ſuch Manner as they in Veſtry aſſembled, or the major Part of them then preſent, ſhall think fit.

and the Pews to be let and diſpoſed of by the Inhabitants.

XXXII. And be it further enacted by the Authority aforeſaid, That all the Coſts, Charges, and Expences, of paſſing of this Act, and all other Charges incident to the obtaining thereof, ſhall be borne, paid, and defrayed out of the firſt Monies ariſing by virtue thereof, or from ſuch voluntary Contributions as aforeſaid.

Charges of this Act how to be paid.

XXXIII. And be it further enacted by the Authority aforeſaid, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Aſſignment, Transfer, or other Security, for the borrowing of Money, or other Writing whatſoever, relating to the Execution of this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Writings to be without Stamps.

XXXIV. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Default or want of Form in any Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall afterwards be done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damage in an Action on the Caſe. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action or Actions, for any ſuch Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed, or cauſed to be committed, any ſuch Irregularity, Treſpaſs, or other wrongful Proceedings, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants, in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he or they ſhall ſee fit; whereupon ſuch Proceedings, Orders, and Judgments, ſhall be had, made, and given, in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Diſtreſs not to be unlawful, nor the Party making the ſame to be a Treſpaſſer *ab initio*.

Tender of Amends may be made for any Treſpaſs, &c.

and Money paid into Court.

XXXV. And be it further enacted by the Authority aforeſaid, That no Proceedings to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order made, or other Matter or Thing to be done or tranſacted in or relating to the Execution of this Act, ſhall be vacated or quaſhed for want of Form, or be removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary notwithſtanding.

Proceedings not to be quaſhed for want of Form, nor removeable by *Certiorari*.

XXXVI. And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until twenty-one Days Notice ſhall be thereof given, in Writing, to the Clerk to the ſaid Truſtees, or after ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after ſix Months next after the Fact committed, for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought; and every ſuch Action ſhall be brought, laid, and tried, in the County or Place where ſuch Matters and Things reſpectively ſhall be committed or done, and not in any other County or Place; and the Defendant and Defendants, in ſuch Actions and Suits, and every of them, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial or Trials which ſhall be had thereupon; and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought, was done in purſuance and by the Authority of this Act: And if the ſaid Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was brought before twenty-one Days Notice thereof given as aforeſaid, or that ſufficient Satisfaction was made or tendered as aforeſaid; or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be laid in any other County or Place than as aforeſaid, then the Jury or Juries ſhall find for the Defendant or Defendants therein; and if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions; or if, upon any Demurrer or Demurrers in ſuch Action or Actions, Judgment ſhall be given for the Defendant or Defendants therein; then, and in either of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants may have for his, her, or their Coſts, in any other Caſes by Law.

Notice to be given of bringing Actions.

Limitation of Actions.

General Iſſue.

Treble Coſts.

XXXVII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be taken and allowed in all Courts of Juſtice as a Publick Act; and all Judges, Juſtices, and others, are hereby required to take Notice thereof as ſuch, without the ſame being ſpecially pleaded.

Publick Act.

CAP.

CAP. XIII.

An Act for enabling Sir *John Ramſden*, Baronet, to make and maintain a navigable Canal, from the River *Calder* (between a Bridge called *Cooper*'s *Bridge* and the Mouth of the River *Colne*) to *The King*'s *Mill*, near the Town of *Huddersfield*, in the Weſt Riding of the County of *York*.

Preamble.

'WHEREAS the making and maintaining a navigable Canal from the River *Calder*, in the Weſt Riding of the County of *York*, to a Mill called *The King*'s *Mill*, near the Town of *Huddersfield*, in the ſaid Weſt Riding, will be of particular Advantage to the Inhabitants of the ſaid Town and Parts adjacent, and of publick Utility: And whereas Sir *John Ramſden*, Baronet (a Minor), is ſole Proprietor of the ſaid Town (except one Houſe), and of a conſiderable Part of the Lands through which the ſaid Canal is propoſed to be made: And whereas Dame *Margaret Ramſden*, and *Thomas Ramſden*, Eſquire, Truſtees of the ſaid Sir *John Ramſden*, are deſirous that the ſaid Sir *John Ramſden* may be enabled to make and maintain ſuch Canal;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, it ſhall and may be lawful to and for the ſaid Sir *John Ramſden*, Baronet, his Heirs and Aſſigns, and he and they is and are hereby fully authoriſed and impowered, from Time to Time, and at all Times hereafter, to make, maintain, and ſupport, a navigable Canal for Boats, Barges, and other Veſſels, from the ſaid River *Calder*, between a Bridge called *Cooper*'s *Bridge* and the Mouth of the River *Colne*, along the North Side of the ſaid River, to a Mill called *The King*'s *Mill*, near the Town of *Huddersfield* aforeſaid; and alſo to make all neceſſary Cuts, Trenches, Paſſages, and Works whatſoever for ſupplying the ſaid Canal whilſt the ſame ſhall be making, and likewiſe when made, with Water from the ſaid River *Colne*; and alſo from any other Rivers, Brooks, Streams, Springs, Waters, and Watercourſes, which communicate with the ſaid Canal, or which are or may be found within the Diſtance of two Miles of any Part thereof; and, for that Purpoſe, the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, and his and their Agents, Servants, Workmen, and Labourers, is and are hereby authoriſed and impowered, in, upon, or through the Lands and Grounds of any Perſon or Perſons, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, to dig, cut, trench, ſough, and remove Earth, Stones, Rubbiſh, Trees, Roots of Trees, and all other Obſtructions, which may anywiſe hinder or prevent the making, maintaining, and uſing the ſaid Canal, and the Towing-paths on the Sides thereof: And it ſhall and may be lawful for the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, to make, maintain, and repair all ſuch Trenches, Paſſages, Gutters, and Watercourſes, as ſhall be neceſſary and proper to be made to convey Water to and from the ſaid Canal; and alſo to raiſe, ſtrengthen, and ſupport the Banks of the ſaid Canal, and alſo the Towing-paths, Trenches, Paſſages, Gutters, and Watercourſes reſpectively; and to make Weirs and convenient Places for diſcharging the Water from the ſaid Canal; and to make ſuch Back Drains, Gutters, or Trenches, as ſhall be neceſſary or proper to prevent any Damage to the Lands or Grounds adjoining or lying near the ſaid Canal, by the oozing or flowing of Water from or out of the ſame; and to make, maintain, enlarge, open, or alter, any Roads, Ways, Paſſages, Cuts, Locks, Trenches, Sluices, and other Conveniences, to or from the ſaid Canal for the carrying and conveying Goods, Commodities, and other Things, to and from the ſame; and alſo to erect Cranes, weighing Beams, and other Engines for loading or unloading Goods, Commodities, and other Things, where the ſame ſhall be neceſſary; and to incloſe and appropriate ſuch Parts of the ſaid Lands and Grounds adjoining to the ſaid Canal, as ſhall be neceſſary or proper for Houſes, Warehouſes, Wharfs, Quays, or Docks, and to make, maintain, repair, and alter, any Bridges, Arches, or Paſſages, over, under, or through, the ſaid Canal, or the ſaid Trenches, Paſſages, Gutters, Watercourſes, and Sluices reſpectively, which ſhall communicate therewith; and to make and ſet up ſuch Poſts, Rails, Hedges, Ditches, Banks, and other Fences, on the Side or Sides of the ſaid Canal, in ſuch Places as he or they ſhall think neceſſary and proper for ſeparating and dividing the Towing-paths from the adjoining Lands; and alſo to get, dig, lay, and convey away Soil, Clay, Gravel, Stones, or other Materials or Things, proper, requiſite, or convenient, for making, carrying on, continuing, or repairing, the ſaid Canal, and all other Matters and Works proper and neceſſary for making, maintaining, and uſing, the ſaid Navigation, in, from, through, and over any Lands or Grounds adjoining or lying near to the ſaid Canal, or other Works aforeſaid (not being the Ground whereon any Houſe ſtands, or not being an Orchard, Park, Paddock, planted Walk, Nurſery for Trees, or Avenue to a Houſe, which were planted and ſet apart as ſuch before the twenty-fourth Day of *March*, one thouſand ſeven hundred and ſeventy-three); and to do, perform, and execute, all ſuch other Works, Matters, and Things, neceſſary or proper for the making, carrying on, completing, maintaining, and uſing, the ſaid Navigation, as he the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, ſhall, from Time to Time, think fit; he and they, or his or their Agents, Workmen, or Servants, doing as little Damage as may be to and upon the Premiſes, and firſt making Satisfaction in Manner herein-after mentioned to the reſpective Owners of, and Perſons intereſted in, ſuch Lands, Grounds, or Premiſes, as ſhall be uſed, removed, or prejudiced, in or by the Execution of any of the Powers hereby granted.

Sir John Ramſden to make the Canal.

Bodies Politick, &c. impowered to treat.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, Feoffees in Truſt, Committees, Executors, and Adminiſtrators, and all other Truſtees whatſoever, not only for and on Behalf of their ceſtuique Truſts, whether Infants, Iſſue unborn, Lunaticks, Idiots, Femes-covert,

covert, or other Perſon or Perſons, and for all Femes-covert who are or ſhall be ſeiſed, poſſeſſed of, or intereſted, in their own Right, and for every other Perſon and Perſons however incapacitated, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any Meſſuages, Lands, Tenements, and Hereditaments, to be cut, digged, damaged, altered, removed, or uſed, for the Purpoſes of this Act, or to facilitate the carrying on and effecting the ſaid Navigation, to contract for, ſell, and convey, unto the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, or to ſuch Perſon and Perſons as he or they ſhall nominate and appoint for the Purpoſes of this Act, all or any Part of ſuch Meſſuages, Lands, Tenements, and Hereditaments, either in Conſideration of a Sum of Money to be paid in Groſs, or of an annual Rent and Payment to be charged and ſecured as herein-after mentioned; and where, by making the ſaid Canal, the Property of any Land Owner ſhall be ſeparated into ſmall Parcels, ſo as to render the Occupation thereof inconvenient, it ſhall and may be lawful to and for ſuch Bodies Politick, Corporate and Collegiate, and other ſuch Land Owners, by and with Conſent of the Commiſſioners to be appointed as herein-after mentioned, or any three or more of them, to be teſtified by any Writing or Writings, to be by them ſealed and delivered in the Preſence of, and atteſted by, two or more credible Witneſſes, to contract for, ſell, and diſpoſe of, or to convey in Exchange in lieu of other Lands, all or any Part of ſuch Lands or Grounds through which the ſaid Canal ſhall be made, to any Perſon or Perſons whomſoever, for ſuch Price or Prices in Money, or other Equivalent, as to the ſaid Commiſſioners, or any three or more of them, ſhall ſeem reaſonable: And that all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances, ſhall be valid and effectual in Law to all Intents and Purpoſes whatſoever; any Law, Statute, Uſage, or Cuſtom to the contrary thereof in any-wiſe notwithſtanding: And all Bodies Politick, Corporate or Collegiate, and all Perſons whomſoever, ſo conveying or exchanging as aforeſaid, are hereby indemnified for what he, ſhe, or they, or any of them, ſhall reſpectively do by virtue of or in purſuance of this Act: And all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances (other than thoſe which concern any Purchaſe or Exchange between any ſuch reſpective Land Owners to be made as aforeſaid), ſhall, at the Expence of the the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, be inrolled in the publick Regiſter Office at *Wakefield*, in the ſaid Weſt Riding of the County of *York*, and true Copies thereof reſpectively ſhall be allowed to be good Evidence in all Courts whatſoever; for which Inrolment ſhall be paid the Sum of Two-pence and no more for every two hundred Words, and ſo in proportion for any greater or leſs Number of Words.

Commiſſioners appointed.

'III. And in order to ſettle Differences which may ariſe between the ſaid Sir *John Ramſden*, his Heirs 'and Aſſigns, and the ſeveral Owners of, and Perſons intereſted in, any Meſſuages, Lands, Tenements, 'Hereditaments, and Premiſes, which ſhall or may be affected or prejudiced by the Execution of any of 'the Powers hereby granted, touching the Purchaſe-money to be paid, or Recompence to be made, to 'them reſpectively;' be it therefore enacted, That Sir *George Armitage* Baronet, *Joſeph Armitage*, *George Armitage*, *John Armytage*, *John Atkinſon*, *John Arthington*, *Thomas Arthington*, *Bryan Allott* Clerk, *Richard Allott* Clerk, *James Allott*, *Robert Arthington*, *Charles Allanſon*, *Richard Henry Beaumont*, *Muſgrave Briſco*, *John Battye*, *Daniel Battye*, —— *Burton* Clerk, *Richard Burton*, *Edmund Barker*, *Godfrey Boſville*, —— *Brooke*, *Thomas Beaumont*, *Arthur Burton*, *Richard Buxton*, *William Bankes*, *William Beatſon*, *John Croſsland*, *John Cookſon* M. D. *James Carr*, *Richard Cotton*, *George Cotton*, *John Dawſon*, *Jeremiah Dixon*, *Robert Denniſon*, *William Denniſon*, *Edward Elmſall*, *Henry Elmſall* Clerk, *James Farrer*, *James Farrer* junior, *William Fenton*, *Benjamin Farrand*, *Edward Gregg Hopwood*, *William Horsfall*, *William Hague*, *John Haigh*, *Thomas Haigh*, *Walter Hawkſworth*, *Thomas Hirſt*, *Thomas Holroyd*, *Thomas Holroyd* junior, Sir *James Ibbetſon* Baronet, Sir *John Liſter Kaye* Baronet, *Richard Kennett*, Sir *William Lowther* Baronet, *Pemberton Milnes*, *Gilbert Michell*, *John Milnes*, *James Milnes*, *Richard Milnes*, *John Michell* Clerk, —— *Montjoy* Clerk, *Joſiah Morley*, *John Milnes*, *Robert Milnes*, *James Maude*, *Francis Maude*, *Richard Milnes*, *Richard Mickle-thwait*, *Jonathan Nicholl*, *Benjamin North*, *William North*, Sir *Lionel Pilkington* Baronet, *Michael Pilkington*, *Harriſon Pilkington*, *William Radcliffe*, Sir *George Savile*, Sir *Savile Slingſby* Baronets, *John Smyth*, *John Silveſter Smith*, *William Serjeantſon*, *Robert Scott*, *Robert Smith* Clerk, *John Spencer*, *Sidney Swinney* Clerk, *Thomas Thornhill*, *George Thornhill*, *Richard Thornton*, *Joſeph Trotter* Clerk, *William Tottie*, Sir *Thomas Wentworth*, Sir *Rowland Winn*, Baronets; *William Walker*, *William Walker* junior, *John Walker*, *Joſeph Walker*, *John Woollin*, *Henry Wickham*, *John Winn*, *Benjamin Wilſon* Clerk, *Thomas Wilſon* Clerk, *William Whitacre*, *John Whitacre*, *Andrew Wilkinſon*, *Henry Zouch* Clerk, and *Samuel Zouch*; ſhall be, and are hereby appointed Commiſſioners for the ſettling, determining, and adjuſting, all Queſtions, Matters, and Differences, which ſhall or may ariſe between the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, and the ſeveral Owners of, and Perſons intereſted in, any Meſſuages, Lands, Tenements, and Hereditaments, that ſhall or may be affected or prejudiced by the Execution of any of the Powers hereby granted: And they the ſaid Commiſſioners, or any three or more of them, are hereby impowered, by Writing under their Hands and Seals (with the Conſent of the Parties concerned), to determine and adjuſt, from Time to Time, what Sum or Sums of Money ſhall be paid by the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, either by an annual Rent or Payment, or by a Sum of Money in Groſs, by and at the Election of the ſaid Owners of, and Perſons intereſted in, ſuch Meſſuages, Lands, Tenements, and Hereditaments, to ſuch Bodies Politick, Corporate or Collegiate, Perſon or Perſons reſpectively, who ſhall be intitled or intereſted as aforeſaid, for the abſolute Purchaſe of any Meſſuages, Lands, Tenements, and Hereditaments, to be cut, digged, damaged, altered, removed, or uſed, for the Purpoſes of this Act; and alſo to determine and adjuſt the Recompence to be made for any Damages occaſioned by any of the Works of the ſaid Navigation, which may, at any Time or Times hereafter, be ſuſtained by ſuch Bodies Politick, Corporate or Collegiate, or any Perſon or Perſons reſpectively, being Owners of, or intereſted in, any Meſſuages, Lands, Tenements, or Hereditaments, for or by reaſon of the making, repairing, or maintaining, the ſaid Canal, or any of the Banks, Cuts, Trenches, Paſſages, Gutters, Watercourſes, or Sluices, or of ſupplying the ſaid Canal with Water as aforeſaid, or by obſtructing and impounding

Commiſſioners to determine Differences;

impounding the Water, or by the flowing, leaking, or oozing of the Water over or through the Banks of the ſaid Canal, Cuts, Trenches, or Sluices, or over or through any Paſſages, Gutters, or Watercourſes, which ſhall be made purſuant to the Powers hereby given, or by not cleanſing the ſaid Watercourſes, Trenches, or Paſſages, or by turning or diverting any Streams or Brooks into the ſaid Canal, or by reaſon or means of the Execution of any of the Powers herein contained, by the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, his or their Agents, Workmen, or Servants, or by means or in conſequence of any of the Works to be made, for the Purpoſe of making and ſupporting the ſaid Navigation, in caſe ſuch Price or Value, Damages, and Recompence reſpectively, cannot be ſettled, adjuſted, and agreed for, by and between the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, and Perſons intereſted in any Meſſuages, Lands, Tenements, and Hereditaments, as aforeſaid: And if the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, for and on the Part and Behalf of him or themſelves; or if any ſuch Bodies Politick, Corporate or Collegiate, or other Perſon or Perſons ſo intereſted or intitled as aforeſaid, for and on his, her, or their Parts, ſhall refuſe to ſubmit any ſuch Matter to the Determination of the ſaid Commiſſioners, or any three or more of them, or ſhall be diſſatisfied with any Determination which ſhall be by them made as aforeſaid; and if any ſuch Body Politick, Corporate or Collegiate, Truſtee or Truſtees, or other Perſon or Perſons intitled or intereſted as aforeſaid, ſhall refuſe to receive, upon due Tender thereof made, ſuch Purchaſe-money or annual Rent, or ſuch Recompence as ſhall be ſo determined to be paid; or ſhall, upon Notice in Writing given to the principal Officer or Officers of ſuch Body Politick, Corporate or Collegiate, or to ſuch Truſtee or Truſtees, Perſon or Perſons reſpectively, or left at the Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier or Occupiers, of ſuch Lands or Grounds, for the Space of twenty Days next after ſuch Notice, neglect or refuſe to treat, or ſhall not agree with the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or by reaſon of Abſence ſhall be prevented from treating, or through Diſability by Nonage, Coverture, or other Impediment, cannot treat for themſelves, or make ſuch Agreement as ſhall be convenient for making the Canal and other Works aforeſaid, or ſhall not produce and evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim; then, and in every ſuch Caſe, the ſaid Commiſſioners, or any three or more of them, ſhall, and they are hereby impowered and required, from Time to Time, to iſſue a Warrant or Warrants, under their Hands and Seals, to the Sheriff of the ſaid County of *York* for the Time being; and in caſe the ſaid Sir *John Ramſden*, or any other Perſon intereſted in the Matter in queſtion, ſhall at ſuch Time happen to be Sheriff of the ſaid County, then to the Coroner or Coroners of the ſaid Weſt Riding of the ſaid County, requiring ſuch Sheriff or Coroner to impanel, ſummon, and return, a Jury of twenty-four ſufficient and indifferent Men, qualified according to the Laws of this Realm, to be returned for Trials of Iſſues joined in his Majeſty's Courts at *Weſtminſter*, to appear before the ſaid Commiſſioners, or any three or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, not being leſs than nine Days, nor more than twenty Days, after ſuch Warrant ſhall be ſerved upon ſuch Sheriff or Coroner: And in caſe a ſufficient Number of Jurymen ſhall not appear at the Time and Place appointed as aforeſaid, the ſaid Sheriff or Coroner ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service, being ſo qualified as aforeſaid, to make up the ſaid Jury to the Number of twelve; and all Parties concerned may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not challenge the Array: And the ſaid Commiſſioners, or any three or more of them, are hereby impowered to ſummon and call before them all ſuch Perſons as ſhall be thought neceſſary to be examined as Witneſſes touching the Matters in queſtion; and may order and authoriſe the ſaid Jury, or any ſix or more of them, to view the Place or Places, or Matters, in Controverſy; which Jury, upon their Oaths (which Oaths, as well as the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, any one of the ſaid Commiſſioners is hereby impowered to adminiſter), ſhall inquire of, aſſeſs, and aſcertain the Sum or Sums of Money, or annual Rent, to be paid for the Purchaſe of ſuch Lands or Grounds, or the Recompence to be made for the Damages that ſhall or may be ſuſtained as aforeſaid: And the ſaid Commiſſioners, or any three or more of them, ſhall give Judgment for ſuch Purchaſe-monies, Rent, or Recompence, ſo to be aſſeſſed by ſuch Juries; which ſaid Verdict, and the Judgment thereupon pronounced by the ſaid Commiſſioners, or any three or more of them, ſhall be binding and concluſive to all Intents and Purpoſes, againſt all Bodies Politick, Corporate or Collegiate, and all Perſons whomſoever.

But if the Parties are diſſatisfied, they may have a Jury.

Penalty on Sheriffs, &c. making Default to ſummon Juries when required.

IV. And be it further enacted, That if any ſuch Sheriff or Coroner, or his Deputy or Agent, ſhall make Default in the Premiſes, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of twenty Pounds: And if any Perſon ſummoned and returned as aforeſaid upon ſuch Jury ſhall not appear, or appearing refuſe to be ſworn or give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Perſon ſo ſummoned to give Evidence ſhall not appear, or appearing refuſe to be ſworn or examined, or to give Evidence; every Perſon ſo offending reſpectively, having no reaſonable Excuſe to be allowed by the ſaid Commiſſioners, or any three or more of them, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding five Pounds; to be levied by virtue of any Warrant or Warrants under the Hands and Seals of the ſaid Commiſſioners, or any three or more of them, by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo offending, rendering the Overplus to the Owner or Owners thereof, after ſuch Penalty, and the Charges of ſuch Diſtreſs and Sale, ſhall be deducted.

How the Expences of Juries are to be paid.

V. And be it further enacted, That in all Caſes where a Verdict or Aſſeſſment ſhall be given or made for more Monies as a Recompence or Satisfaction for any Meſſuages, Lands, Tenements, or Hereditaments, or for any Damage to be done thereto, or to the Property of any Perſon or Perſons whatſoever, than had been previouſly offered by or on Behalf of the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or than had been determined and aſſeſſed by the ſaid Commiſſioners; that then all the Expences of ſummoning ſuch Jury, and of taking ſuch Inqueſt, ſhall be ſettled by the ſaid Commiſſioners, or any three or more of them, and be defrayed by the ſaid Sir *John Ramſden*, his Heirs and Aſſigns: But if any Verdict or Aſſeſſment ſhall be

be given or made for no more or a leſs Sum than had been previouſly offered by or on Behalf of the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or than had been determined and aſſeſſed by the ſaid Commiſſioners as aforeſaid; then, and in every ſuch Caſe, the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, ſhall be ſettled in like Manner by the ſaid Commiſſioners, or any three or more of them, and be borne and paid by the Perſon or Perſons with whom the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, ſhall have ſuch Controverſy or Diſpute.

Perſons requeſting a Jury, to enter into a Bond to pay ſol.

VI. And be it further enacted, That all and every Perſon and Perſons making Complaint, and requeſting ſuch Jury, ſhall, before the ſaid Commiſſioners ſhall iſſue their Warrant or Warrants for ſummoning ſuch Jury as aforeſaid, firſt enter into Bond with one or more ſufficient Surety or Sureties to the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, in the Penalty of fifty Pounds, to proſecute ſuch his, her, or their Complaint, and to bear and pay the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, in caſe a Verdict ſhall be given for no more or a leſs Sum than had been offered by or on Behalf of the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or than had been aſſeſſed by the ſaid Commiſſioners before the ſummoning and returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or Damages as aforeſaid.

Time limited for making Complaints.

VII. And be it further enacted, That the ſaid Commiſſioners ſhall not take Notice of any Complaint to be made by any Perſon or Perſons whatſoever for any Injury by him, her, or them, ſuſtained, or ſuppoſed to be ſuſtained, unleſs Application ſhall be made in relation thereto by or on Behalf of ſuch Perſon or Perſons to the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or to his or their known Agent or Agents within ſix Months next after the paſſing of this Act, or next after the Time that ſuch ſuppoſed Injury or Damages ſhall have been ſuſtained, or the doing or committing thereof ſhall have ceaſed.

Penalty on giving falſe Evidence.

VIII. And be it further enacted, That all and every Perſon or Perſons who, in any Examination to be taken by virtue of this Act, ſhall give falſe Evidence before the Commiſſioners, or any three or more of them, or before any Juſtice of the Peace, ſhall and may be proſecuted for the ſame; and, upon Conviction thereof, ſhall be ſubject to ſuch Puniſhments and Diſqualifications as any Perſon can or may be ſubject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Upon Payment of Money, Land to veſt in Sir John Ramſden.

IX. And be it further enacted, That upon Payment of ſuch Sum or Sums of Money, or annual Rent, as ſhall be contracted or agreed for between the Parties, or be determined and adjudged by the ſaid Commiſſioners, or any three or more of them, or aſſeſſed by ſuch Juries in manner reſpectively as aforeſaid, for the Purchaſe of any ſuch Meſſuages, Lands, Tenements, or Hereditaments, as aforeſaid, to the Owners thereof, or other Perſons intitled to receive ſuch Monies or Rent reſpectively, or legal Tender thereof made to ſuch Owner, or other Perſon or Perſons, or to the principal Officer or Officers of any Body Politick, Corporate or Collegiate, at any Time after the ſame ſhall have been ſo agreed for, determined or aſſeſſed; or if he, ſhe, or they, cannot be found, or ſhall refuſe to accept ſuch Money or Rent, upon Payment thereof to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any three or more of them, ſhall, by Writing under their Hands, appoint, for the Uſe of, and to be paid upon Demand, without Fee or Reward, to ſuch Owners or Perſons reſpectively as aforeſaid; then, and in every ſuch Caſe, ſuch Meſſuages, Lands, Tenements, or Hereditaments reſpectively, and the Fee-ſimple and Inheritance thereof, ſhall from thenceforth be veſted in, and become, for ever, the ſole Property of the ſaid Sir *John Ramſden*, his Heirs and Aſſigns: And it ſhall and may be lawful for him and them, and his and their Agents, Workmen, and Servants, immediately to enter upon the ſame, and to dig, cut, trench, ſough, and remove, Earth, Stone, Rubbiſh, Trees, Roots of Trees, and all other Obſtructions, for the making, uſing, maintaining, and repairing, the ſaid Canal, and Towing-paths on the Sides thereof, in or upon ſuch Lands, Tenements, or Hereditaments, for which ſuch Satisfaction ſhall be determined or aſſeſſed as aforeſaid; and thereupon to make, erect, or do any Works, Matters, or Things, for the effecting and carrying on the ſaid Navigation, and for the ſupporting and maintaining the ſame, as the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, ſhall think requiſite; and to have, uſe, and enjoy, the Premiſes to and for his and their own Uſe and Benefit for the Purpoſes of the ſaid Navigation, diſcharged of all Rights and Claims whatſoever thereon: And this Act ſhall be ſufficient to indemnify as well the ſaid Commiſſioners, as the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, and his and their Servants, Agents, and Workmen, for what they, or any of them, ſhall do by virtue of the Powers hereby granted.

Verdicts to be inrolled.

X. And be it further enacted, That all Determinations of the ſaid Commiſſioners, or any three or more of them, which ſhall be ſubmitted to, and acquieſced in, by the Parties concerned, and alſo the ſaid Verdicts and Judgments, being firſt ſigned by three or more of the Commiſſioners who ſhall be preſent at the making of ſuch Determinations, or the taking of ſuch Verdicts, and pronouncing ſuch Judgments reſpectively, ſhall be inrolled in the publick Regiſter Office at *Wakefield*, in the ſaid Weſt Riding of the County of *York*; and the ſame, or true Copies thereof reſpectively, ſhall be allowed to be good Evidence in all Courts whatſoever; and all Perſons ſhall have Liberty to inſpect the ſame, as alſo the Inrolments of ſuch Contracts, Agreements, Sales, and Conveyances, as are herein-before mentioned, paying for each Inſpection the Sum of one Shilling; and to take Copies thereof without Stamps, paying for every Copy, not exceeding two hundred Words, the Sum of two Pence, and ſo in proportion for any Number of Words: And immediately on ſuch Payment, and Entries of ſuch Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the ſaid Court and Juries, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons for whoſe Uſe ſuch Money or Rent ſhall be paid, in, to, and out of the ſaid Meſſuages, Lands, Tenements, and Hereditaments, ſhall veſt in the ſaid Sir *John Ramſden*, his Heirs and Aſſigns; and he and they ſhall reſpectively be deemed in Law to be in the actual Seiſin or Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon, having any Eſtate in the Premiſes, had actually conveyed the ſame to them by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery of Seiſin, Fine, Recovery, or any other legal Conveyance whatſoever; and ſuch Payment ſhall not only bar all Right, Title,

Intereſt, Claim, and Demand, of the Perſon or Perſons to whoſe Uſe ſuch Payment was made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower or Dowers of the Wife or Wives of ſuch Perſon or Perſons, and all Eſtates Tail, in Reverſion or Remainder, againſt the Iſſue or Iſſues of ſuch Perſon and Perſons, and all and every other Perſon and Perſons whomſoever, as effectually as a Fine or Recovery, or either of them, would do, if levied or ſuffered by the proper Parties in due Form of Law.

Purchaſe-monies due to Corporations, to be laid out to the ſame Uſes as Eſtates purchaſed.

XI. And be it further enacted, That all Sums of Money which are to be paid to Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees whatſoever, for or on Behalf of any Infants, Lunaticks, Idiots, Femes covert, or other ceſtuique Truſts, or to any Perſon or Perſons whoſe Lands are limited in ſtrict Settlement, for the Purchaſe or Exchange of any Lands or Grounds aforeſaid, ſhall, in caſe the ſame exceeds the Sum of twenty Pounds by ſuch Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtee or Truſtees, Perſon or Perſons, ſeized of Lands or Grounds ſo limited in ſtrict Settlement, be laid out, as ſoon as conveniently may be, in the Purchaſe of Lands, Tenements, and Hereditaments, in Fee-ſimple; and conveyed to, or to the Uſe of ſuch Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees, or to and for ſuch other Perſon and Perſons, and for ſuch Eſtates, and to, for, upon, and ſubject to ſuch Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Lands or Grounds, for or in reſpect whereof ſuch Purchaſe-monies, or Monies received in Exchange, ſhall be paid as aforeſaid, were limited, ſettled, and aſſured, at the Times ſuch Purchaſe-monies were ſo agreed for, aſcertained, or aſſeſſed reſpectively, as aforeſaid, or ſo many of ſuch Uſes as ſhall be then exiſting and capable of taking Effect; ſuch Conveyances and Settlements (other than thoſe which concern any Purchaſe or Exchange between any of the reſpective Land Owners as aforeſaid) to be made at the Expence of the ſaid Sir *John Ramſden*, his Heirs and Aſſigns; and, in the mean time, and until ſuch Purchaſe and Purchaſes ſhall be made, the ſaid Monies ſhall be placed out by ſuch Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees, Perſon or Perſons, in ſome of the Publick Funds, or on Government or real Securities, in the Names of Two Perſons; the one to be nominated by the Party or Parties intereſted therein, and the other by the ſaid Commiſſioners, or any three or more of them; and the Intereſt ariſing, or to be produced from ſuch Funds or Securities, and alſo the annual Rent for ſuch Meſſuages, Lands, Tenements, or Hereditaments, where a Rent ſhall be fixed upon as aforeſaid, which ſhall be a Rent-charge, charged and chargeable upon the Rates or Dues hereby authoriſed to be taken by the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, ſhall be paid to ſuch Perſon or Perſons reſpectively as would, for the Time being, be intitled to the Rents and Profits of ſuch Lands, Tenements, and Hereditaments, ſo to be purchaſed, in caſe the ſame were purchaſed and ſettled purſuant to the Tenor and true Meaning of this Act.

Commiſſioners to ſettle Proportions of the Purchaſe Monies.

XII. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, are hereby impowered and required to ſettle what Shares and Proportions of the Purchaſe-monies, or Recompence for Damages, which ſhall be ſo agreed for by the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or any of them, or determined and adjuſted by the ſaid Commiſſioners, or any three or more of them, or aſſeſſed by the ſaid Juries in Manner reſpectively as aforeſaid, ſhall be allowed and paid to each Tenant or other Perſon having a particular Eſtate, Term, or Intereſt, in the Premiſes, for his, her, or their reſpective Intereſts therein; except in ſuch Caſes where the ſame are herein directed to be laid out and inveſted in the Purchaſe of Lands, Tenements, or Hereditaments.

In caſe the Parties are diſſatisfied, they may appeal to the Judge of Aſſize.

XIII. Provided always, That in caſe any Perſon or Perſons ſhall be diſſatisfied with the Determination and Adjuſtment of the ſaid Commiſſioners, or any three or more of them, it ſhall and may be lawful for ſuch Perſon or Perſons, within ſix Months next after ſuch Determination and Adjuſtment, to appeal to the Judge of Aſſize for the County of *York*; which Judge is hereby authoriſed and required to hear, and finally to determine and adjuſt the ſame.

In Default of Payment, Rates to be liable.

XIV. And be it further enacted, That in Default of Payment of ſuch Sum or Sums of Money, at ſuch Times, and in ſuch Manner, as ſhall be aſſeſſed and awarded for Damages of any Kind, by virtue of this Act, by the ſaid Commiſſioners, or any three or more of them, or by any Jury, the ſaid Commiſſioners, or any three or more of them, ſhall, and they are hereby authoriſed and required, to appoint one or more Perſon or Perſons to receive one half of the Rates or Dues by this Act impoſed; and thereout, in the firſt Place, to pay all ſuch Damages ſo to be determined or aſſeſſed as aforeſaid, with the Coſts (if any) occaſioned by ſuch Refuſal or Default of Payment, together with legal Intereſt for the ſame, to be computed from the Time ſuch Damages ſhall be awarded; and the Money ſo to be received by ſuch Perſon or Perſons ſhall and is hereby declared to be as ſo much Money received to the Uſe of ſuch Perſon or Perſons who ſhall be intitled to receive ſuch Satisfaction for Damages as aforeſaid, in Order and Courſe reſpectively, as ſuch Determination ſhall be in Priority of Time; and after ſuch Damages and Coſts ſhall be paid and ſatisfied, the Power and Authority of ſuch Receivers for the Purpoſes aforeſaid ſhall ceaſe and determine, or otherwiſe ſuch Party or Parties ſo aggrieved ſhall and may have a Remedy for ſuch Sum or Sums of Money ſo to be aſſeſſed and awarded, which ſhall not be paid according to the Judgment of the ſaid Commiſſioners, or any three or more of them, with Intereſt and Coſts for the ſame as aforeſaid, by Action at Law, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, to recover the ſame with full Coſts of Suit.

If Coſts are not paid, how they are to be recovered.

XV. Provided always, That in caſe the Damages, Intereſt, or Coſts, by this Act provided to be ſatisfied out of the Rates or Dues herein-after granted, ſhall not be ſatisfied and paid within the Space of twelve Months next after the ſame ſhall be ſo determined or aſſeſſed as aforeſaid; that then, and in ſuch Caſe, the ſaid Commiſſioners, or any three or more of them, upon Complaint made to them by or on Behalf of the

Perſon or Perſons ſuſtaining ſuch Damage, are hereby authoriſed and required to iſſue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the ſaid County of *York*, authoriſing and impowering ſuch Sheriff to levy and raiſe the Damages, ſo determined and aſſeſſed, by Diſtreſs and Sale of the Goods and Chattels of the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, together with ſuch reaſonable Charges as the ſaid Commiſſioners, or any three or more of them, ſhall, in ſuch Warrant, direct and appoint.

Annual Rents how recoverable.

XVI. And be it further enacted, That all and every ſuch yearly Rents or Sums as ſhall be agreed upon, or ſettled and aſcertained as aforeſaid, ſhall be charged or chargeable on the Rates or Dues ariſing by virtue of this Act, and ſhall be paid by the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, as the ſame ſhall become due and payable: And in caſe of Nonpayment thereof within twenty Days next after the ſame ſhall become due, and a Demand thereof made, the ſaid Commiſſioners, or any three or more of them, are hereby authoriſed and required, by an Order under their Hands and Seals, to appoint one or more Perſon or Perſons to receive one Moiety of the ſaid Rates or Dues, and to pay the ſame to ſuch Perſon or Perſons to whom ſuch yearly Rents or Sums ſhall be due and unpaid, as aforeſaid, until ſuch yearly Rents or Sums, with the Coſts and Charges of recovering and receiving the ſame, ſhall be fully ſatisfied and paid; or otherwiſe the ſaid yearly Rents or Sums may be ſued for and recovered, with Coſts, by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*; or, at the Election of the Parties intitled thereto reſpectively, may be recovered by Diſtreſs and Sale of the Goods and Chattels of the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, in ſuch Manner as the Law directs in Caſes of Diſtreſs for Rent; but ſo, nevertheleſs, that the Goods and Chattels of no other Perſon or Perſons than the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, be ſeized or detained by virtue of the Powers hereby given.

Rate of Tonnage.

XVII. And be it further enacted, That, in conſideration of the Expences of making and maintaining the ſaid Canal, and of carrying this Act into Execution, it ſhall and may be lawful to and for the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, from Time to Time, and at all Times hereafter, to aſk, demand, recover, and to take, to and for his and their own proper Uſe and Behoof, for Tonnage, for all Goods, Wares, Merchandiſe, Commodities, or other Things whatſoever, which ſhall be navigated, carried, or conveyed, upon or along the ſaid Canal, ſuch Rates and Dues (over and above what ſhall or may be paid for the Freight or Carriage thereof) as the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, ſhall think fit, not exceeding the Rates and Dues following; (that is to ſay) for every Ton of Stones, Slates, Flaggs, Lime, Limeſtones, or Coals, the Sum of Eight-pence, and ſo in proportion for any greater or leſs Weight than a Ton; and for every Ton of Goods, Wares, Merchandiſe, Commodities, or Things whatſoever, not hereinbefore enumerated, the Sum of one Shilling and Sixpence, and ſo in proportion for any greater or leſs Weight than a Ton; and for every Ton of Stones, Slates, Flaggs, Lime, or Lime-ſtones, Coals, Goods, Wares, Merchandiſe, Commodities, and other Things whatſoever, or any of them, which ſhall be navigated, carried, or conveyed, upon the ſaid Canal, for any leſs Diſtance than the whole Length thereof, ſuch Proportion of the ſaid Rates or Dues as ſhall be equal to ſuch Diſtance, or as near the ſame as conveniently may be.

Rates may be lowered and raiſed again.

XVIII. And be it further enacted, That it ſhall and may be lawful for the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, from Time to Time, to reduce and lower the Rates and Dues aforeſaid; and afterwards, from Time to Time, to raiſe and advance the ſame again to any Sum or Sums of Money, not exceeding the Rates or Dues herein-before granted; but no ſuch Reduction or Advancement ſhall at any Time be confined to any particular Part of the ſaid Canal, or to any particular Thing to be carried or conveyed as aforeſaid; but the ſaid Rates or Dues ſhall always extend to, and be equal upon, the whole Length of the ſaid Canal, at the ſame Time: And the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, ſhall cauſe a Table of the Rates or Dues which ſhall, from Time to Time, be demanded and taken upon the ſaid Canal, to be fixed up in the publick Market-houſe of the ſaid Town of *Huddersfield*, to the End that all Perſons concerned may know what Rates and Dues are to be paid for navigating upon the ſaid Canal.

Directions how Rates ſhall be recovered.

XIX. And be it further enacted, That the Rates or Dues herein-before granted, or which ſhall be reduced or raiſed again, as aforeſaid, ſhall be paid to ſuch Perſon or Perſons, and at ſuch Place and Places, near the ſaid Canal, in ſuch Manner, and under ſuch Regulations, as the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, ſhall order, direct, and appoint: And in caſe any Perſon or Perſons ſhall neglect or refuſe to pay the ſame, or any Part thereof, on Demand, to ſuch Perſon or Perſons as aforeſaid, the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, ſhall and may ſue for and recover the ſame with full Coſts, by Action of Debt, or on the Caſe, in any Court of Record; or the Perſon or Perſons to whom the ſaid Rates or Dues ought to be paid as aforeſaid, may, and he and they is and are hereby impowered to ſeize and detain any Goods, Wares, or Merchandiſe, or any Boat, Barge, or Veſſel, for which ſuch Rates or Dues ought to be paid; and in caſe ſuch Rates or Dues ſhall not be paid within the Space of five Days next after any ſuch Seizure made, it ſhall and may be lawful for the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or the Collector or Collectors of the ſaid Rates or Dues, to ſell ſuch Goods, Wares, Merchandiſe, Boats, Barges, or Veſſels, rendering the Overplus ariſing by ſuch Sale (if any) to the Owner or Owners thereof, after the ſaid Rates or Dues, and the reaſonable Charges of ſuch Seizure, Detention, and Sale, ſhall be deducted, ſatisfied, and paid.

Soiper's Waſte, Dung, &c. exempted from Rates.

XX. Provided always, and it is hereby declared, That no Rates or Dues ſhall be due, paid, or demanded, for any Soaper's Waſte, Dung, or any Sort of Manure, for the Uſe only of the Lands through which the ſaid Canal ſhall be cut, or within one Mile of the ſaid Canal (except Lime and Lime-ſtones), for being carried upon the ſaid Canal, or any Part thereof; ſo that the Things hereby exempted from the Payment of ſuch Rates and Dues do not paſs through any Lock but at the Time when the Water ſhall flow over the Dam called *Shore Foot Dam*; and that no Boat, Barge, or other Veſſel, making uſe of the ſaid Navigation, ſhall be charged or chargeable with any of the Rates or Dues aforeſaid, unleſs ſuch Boat, Barge, or other Veſſel, ſhall paſs through ſome Lock; but all ſuch Perſons who ſhall own, or

be concerned or employed in uſing, the ſaid Navigation as aforeſaid, ſhall make good any Damages that may be done to the Sides or Banks of the ſaid Canal, or any Part thereof, by the loading, unloading, or diſcharging, any Boats, Barges, or other Veſſels; which Recompence and Satisfaction, in caſe of any Difference, ſhall be ſettled and aſcertained by the ſaid Commiſſioners, or any three or more of them.

Profits of the Navigation not to exceed 6 l. per Cent. per Ann.

XXI. And be it further enacted and declared by the Authority aforeſaid, That the clear Profits to be received from the ſaid Navigation ſhall never exceed the Sum of ſix Pounds *per Centum per Annum*, upon all ſuch Money as ſhall be actually laid out and expended in making, maintaining, ſupporting, and managing, the ſaid Navigation, and the ſeveral Works relating thereto, and in defraying the Charges and Expences of obtaining and paſſing this Act.

Perſons to be appointed to keep an Account of the Receipts and Payments, &c.

'XXII. And, in order to aſcertain the Amount of the clear Profits of the ſaid Navigation,' be it further enacted, That the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, ſhall, and he and they is and are hereby required to appoint a proper Perſon, who ſhall enter in one or more Book or Books, to be provided for that Purpoſe, a true, exact, and particular Account of all Monies which ſhall, from Time to Time, be laid out and expended in making, maintaining, and preſerving, the ſaid Canal; and of all Charges and Expences which ſhall, from Time to Time, be incurred on account of the ſaid Navigation, and the ſeveral Works thereunto belonging; and alſo a true, exact, and particular Account of the Rates or Dues collected or received by virtue of this Act: And the Perſon ſo appointed to enter ſuch Accounts as aforeſaid, ſhall, at the End of every Year, make up, balance, and ſign the ſame: And if at any Time, upon making up and upon balancing the ſaid Accounts, it ſhall appear that the clear Profits of the ſaid Navigation ſhall, within ſuch Year, have exceeded the Rate of ſix Pounds *per Centum* on all ſuch Money as ſhall have been laid out and expended for making, maintaining, and ſupporting, the ſaid Canal, and in defraying the Charges and Expences which ſhall have been incurred on account of the ſaid Navigation, as aforeſaid; then, and in every ſuch Caſe, the ſeveral Rates or Dues to be taken during the Courſe of one entire Year, to be computed from the firſt Day of *January* then next following, ſhall be lower than the reſpective Rates or Dues allowed to be taken in each Caſe reſpectively, in the Proportion of one-eighth Part for every twenty Shillings which ſuch clear Profits ſhall have exceeded the Rate of ſix Pounds *per Centum per Annum* upon the Money laid out and expended as aforeſaid: And it ſhall not be lawful for the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, during the Courſe of ſuch entire Year as aforeſaid, to demand or take any greater or higher Rates or Dues than in the reduced Proportion aforeſaid; any Thing in this Act contained to the contrary hereof notwithſtanding.

Commiſſioners impowered to examine the Books of Account, &c.

'XXIII. And, to the End the Commiſſioners herein-before appointed may, from Time to Time, know 'the clear Profits of the ſaid Navigation,' be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any nine or more of them, and they are hereby impowered, from Time to Time, when and as often as they ſhall think fit (not exceeding Twice in any one Year), to examine the ſaid Books of Account, and take Copies thereof, or ſuch Extracts therefrom, as they ſhall think proper: And the Clerk, or Perſon keeping ſuch Books of Account, ſhall, from Time to Time, verify the Entries therein made, and alſo produce proper Vouchers for the Money expended upon Oath (if thereunto required by the ſaid Commiſſioners, or any three or more of them); which Oath the ſaid Commiſſioners, or any three of them, are hereby authoriſed and impowered to adminiſter to ſuch Perſon.

Maſters of Boats to give an Account of their Lading.

'XXIV. And, for the more eaſy collecting the ſaid Rates or Dues,' be it further enacted by the Authority aforeſaid, That the Maſters, Owners, and Managers, of every Boat, Barge, or other Veſſel, navigating upon the ſaid Canal, or any Part thereof, ſhall give a juſt Account, in Writing, ſigned by the Maſter, Owner, or Perſon having the Rule or Command of every ſuch Boat, Barge, or other Veſſel, to the Collector or Collectors of the ſaid Rates or Dues, at the Place or Places where he or they ſhall attend for that Purpoſe, of the Quantities, Qualities, and Weights, of Goods which ſhall be in or belonging to each Boat, Barge, or other Veſſel, from whence brought, and where they intend to land the ſame; and alſo of the Quantities, Qualities, and Weights, of ſuch Goods as ſhall have been diſcharged out of ſuch Boat, Barge, or other Veſſel, within the Limits of the ſaid Navigation, before their Arrival at the Place where ſuch Account is to be given: And in caſe ſuch Maſter, Owner, or Perſon, ſhall neglect or refuſe to give ſuch Account as aforeſaid, or ſhall give a falſe Account, or ſhall deliver any Part of their Loading or Goods at any other Place or Places than what is or are mentioned in the Account, they ſhall forfeit and pay to the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, the Sum of five Pounds for every ſuch Offence, over and above the Rates and Dues which they ought to pay for the ſame: And

In caſe of Difference, Goods to be weighed.

if any Difference ſhall ariſe between any Collector of the ſaid Rates or Dues and the Maſter, Owner, or Perſon having the Charge of any Boat, Barge, or other Veſſel, or the Owner of any Goods, Wares, or Merchandiſe, concerning the Weight or Quantity of the ſame; it ſhall be lawful for any ſuch Collector or Collectors to ſtop and detain any ſuch Boat, Barge, or other Veſſel, and to weigh, meaſure, or gauge, or cauſe to be weighed, meaſured, or gauged, all ſuch Goods, Wares, and Merchandiſe, as ſhall be therein contained: And in caſe the ſame ſhall, upon ſuch weighing, meaſuring, or gauging, appear to be of greater Weight or Quantity than ſuch Maſter, Owner, or Perſon having the Care of the ſaid Boat, Barge, or Veſſel, declared the ſame to be, then the Maſter, Owner, or Perſon, ſo offending, ſhall pay the Coſts and Charges of ſuch weighing, meaſuring, and gauging; all which ſaid Coſts and Charges, upon Refuſal of Payment thereof upon Demand, ſhall and may be recovered and levied as the ſaid Rates or Dues are hereby appointed to be recovered and levied; but if ſuch Goods, Wares, and Merchandiſe, ſhall appear to be of the ſame or leſs Weight or Quantity than the Maſter, Owner, or Perſon, ſo declared the ſame to be, then the ſaid Collector or Collectors ſhall pay the Coſts and Charges of ſuch weighing, meaſuring, and gauging; and ſhall alſo pay to ſuch Maſter or Perſon, or to the Owner or Owners of ſuch Goods, Wares, and Merchandiſe, one Shilling for every Hour that ſuch Boat, Barge, or other Veſſel, ſhall be detained by Occaſion of ſuch weighing, meaſuring, or gauging, and ſo in proportion for any greater or leſs Time than an Hour; and in Default of immediate Payment thereof by ſuch Collector or Collectors, the ſame

ſhall

ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Collector or Collectors, by Warrant or Warrants under the Hand and Seal of any Juſtice of the Peace for the ſaid Weſt Riding, rendering the Overplus (if any be) to the Owner, after ſuch Diſtreſs and Sale ſhall have been made as aforeſaid.

Navigation to be free upon Payment of the Rates.

XXV. And be it further enacted and declared by the Authority aforeſaid, That the ſaid Canal ſhall be free for all his Majeſty's Subjects whomſoever, who are hereby authoriſed and impowered to navigate upon the ſame with any Boats, Barges, or other Veſſels, not exceeding the Burthen of twenty-four Tons, and to uſe the ſaid Wharfs and Quays for loading and unloading Goods, Wares, and Merchandiſe; and alſo to uſe the ſaid Towing-paths for haling and drawing ſuch Boats, Barges, and other Veſſels, upon Payment of ſuch Rates or Dues as ſhall be demanded by the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, not exceeding the Rates or Dues herein-before mentioned.

Veſſels under 15 Tons not to paſs through Locks.

XXVI. Provided always, That no Boat, Barge, or other Veſſel, of leſs Burthen than fifteen Tons, ſhall paſs through any Lock without the Conſent of the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, or his or their principal Agent for the ſaid Navigation for the Time being, in Writing firſt had and obtained for that Purpoſe.

Arches, Tunnels, &c. to be made to communicate with the Towing-paths.

'XXVII. And, to the End the ſaid Navigation may be made and carried on with as little Damage 'to private Property as poſſible,' be it further enacted, That the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, ſhall, and he and they is and are hereby required, at his and their own proper Coſts and Charges, to make, or cauſe to be made, ſuch Arches, Tunnels, Drains, or other Paſſages, over, under, or into, the ſaid Canal, and the Trenches, Streams, and Watercourſes, communicating therewith, and the Towing-paths on the Sides thereof, of ſuch Depth and Breadth as ſhall be ſufficient, at all Times, to convey the Water from the Lands adjoining or lying near to the ſaid Canal; and that all ſuch Arches, Tunnels, Drains, or other Paſſages, ſhall, from Time to Time, be ſupported, maintained, and kept, in good and ſufficient Repair by the ſaid Sir *John Ramſden*, his Heirs and Aſſigns; and if at any Time or Times, after one Month's Notice ſhall be given by or on the Behalf of any Owner or Occupier of the ſaid adjacent Lands, who ſhall find him, her, or themſelves, aggrieved by the Obſtruction of any Watercourſe, to the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or to his or their known Agent, or the Collector of the ſaid Rates or Dues, the ſaid Arches, Tunnels, Drains, or other Paſſages, ſhall not be made, cleanſed, repaired, and maintained, according to the true Intent and Meaning of this Act, it ſhall and may be lawful for any Perſon or Perſons, having an Order in Writing for that Purpoſe from the ſaid Commiſſioners, or any three or more of them, from Time to Time, as often as there ſhall be Occaſion, to make, cleanſe, and repair, ſuch Arches, Tunnels, Drains, or other Paſſages, and the reaſonable Expence thereof, to be aſcertained by the ſaid Commiſſioners, or any three or more of them, ſhall be defrayed by the ſaid Sir *John Ramſden*, his Heirs and Aſſigns; and in caſe of Neglect or Refuſal to ſatisfy the ſame for the Space of one Month after Demand thereof made upon the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or his or their Agent, or upon any Collector of the ſaid Rates or Dues, ſuch Expences ſhall and may be levied and recovered in ſuch Manner as the Coſts and Charges of making and erecting Bridges, and other Works, by the Owners or Occupiers of Lands, are by this Act directed and appointed to be levied and recovered.

Owners aggrieved may repair the Works, and be reimburſed their Expences.

Brooks or Streams may be turned for watering the Lands.

XXVIII. Provided always, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to prevent the Tenants or Occupiers of the ſeveral Lands and Eſtates through which the ſaid Canal is intended to be made, from turning the ſeveral Brooks or Streams intended to run into the ſaid Canal, in order to water their reſpective Lands, ſo that ſuch Turning do not hinder ſuch Brooks or Streams from running into the ſaid Canal, after watering the reſpective Lands as aforeſaid.

Bridges, &c. to be made and kept in Repair.

XXIX. And be it further enacted, That the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, ſhall and may cauſe to be made, ſet up, and, from Time to Time, maintained and kept in Repair, convenient Gates, Bridges, Paſſages, and Stiles, in and over all the Ditches and Fences, Towing-paths and Ways, to be made for the Purpoſes of the ſaid Navigation, and ſhall and may fence in the ſaid Towing-paths where the ſame ſhall be wanting; and alſo ſhall and may cauſe to be made ſufficient Bridges, with proper Battlements, or Poſts and Rails on each Side, over the ſaid Canal, Trenches, and Paſſages for Water, where neceſſary, for the Uſe of the Occupiers of Lands, Tenements, and Hereditaments, thereunto adjoining, to make convenient Paſſages to and from the Lands for the Uſe and Occupation of the ſame.

Power to get Materials in caſe of ſudden Damage.

'XXX. And whereas it may hereafter happen from Floods, or from ſome unexpected Accidents, 'that the Locks, Weirs, Floodgates, Dams, Banks, Trenches, or other Works of the ſaid Canal, may 'be damaged or deſtroyed, and the adjacent Lands damaged or endangered, and that it may be neceſſary 'the ſame ſhould be immediately repaired or rebuilt to prevent farther Damage;' be it therefore enacted by the Authority aforeſaid, That as often as any ſuch Caſe ſhall happen, it ſhall and may be lawful for the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, from Time to Time, or his or their Servants, Agents, or Workmen, (without any previous Application to the ſaid Commiſſioners, and without any Delay or Interruption from any Perſon or Perſons whatſoever, to enter into any Lands, Grounds, or Hereditaments, adjoining or near to the ſaid Canal and Trenches (not being the Ground whereon any Houſe ſtands, or not being an Orchard, Park, Paddock, planted Walk, Nurſery for Trees, or Avenue to a Houſe), and to dig for, get, work, take, carry away, and uſe, all ſuch Stones, Gravel, and other Materials, as may be neceſſary or proper for the Purpoſes aforeſaid, without any previous Treaty whatſoever with the Owner or Owners, Occupier or Occupiers of, or other Perſon or Perſons intereſted in, ſuch Lands, Grounds, or Hereditaments, or any of them, doing as little Damage thereby as the Nature of the Works will admit of, and making Recompence for ſuch Damages to the Owners and Occupiers of, or other Perſons intereſted in, ſuch Lands, Grounds, or Hereditaments, within the Space of three Months next after the ſame ſhall be demanded, for all Damages which may be done by Means of the digging for, getting, working, taking, carrying away, and uſing ſuch Stones, Gravel, and Materials, or any of them;

which Damages, and the Satisfaction and Recompence to be made in respect thereof, shall be settled, adjusted, assessed, ascertained, and determined, by the Ways and Means herein-before prescribed with respect to other Damages done by getting Materials for making the said Navigation.

Land Owners may erect Warehouses on their own Lands:

XXXI. And be it further enacted, That nothing in this Act contained shall extend, or be construed to extend, to restrain or hinder the Lord or Lords of any Manor or Manors, or the Owner or Owners of any Lands or Grounds, through which the said Canal shall pass, from making, erecting, or using, any Wharfs, Quays, Landing-places, Cranes, Weigh-beams, or Warehouses, in or upon their own Lands, Grounds, or Wastes, adjoining or near to the said Canal, or from landing any Goods or Merchandise, or other Things thereupon, or upon the Banks lying between the same and the said Canal; or for making or using proper and convenient Places for Boats, Barges, or other Vessels, to lie in, turn, or pass by each other; so that the making, erecting, or using, thereof respectively, shall not, and do not, obstruct or prejudice the Navigation of the said Canal, or the Towing-paths on the Sides thereof; and all Sums of Money which shall be paid for the Use and Benefit of the said Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouses respectively, shall be, and the same are hereby vested in the Lord or Lords of such Manor or Manors, or the Owner or Owners of such Lands or Grounds, who shall make and erect such Wharfs, Quays, Landing-places, Cranes, Weigh-beams, or Warehouses respectively, his, her, and their Heirs and Assigns; so that the Rates or Dues granted to the said Sir *John Ramsden*, his Heirs and Assigns, for Tonnage, shall not be thereby reduced or altered.

And in case of Neglect, Sir John Ramsden may erect Warehouses.

XXXII. Provided always, That if any such Lord or Lords, Owner or Owners, shall not, within the Space of twelve Months after Notice given in Writing by or on Behalf of the said Sir *John Ramsden*, his Heirs and Assigns, that any Part or Parts of such Lands, Grounds, or Wastes, is or are intended to be used by them for the Purpose of erecting Warehouses and Buildings for the Use of the said Navigation, make and erect on such Part or Parts of such Lands, Grounds, or Wastes, sufficient Warehouses and Buildings, on some Plan to be approved of by three or more Commissioners, or shall not maintain and keep the same in substantial Repair; then, and in every such Case, the said Sir *John Ramsden*, his Heirs and Assigns, shall have full and absolute Power and Authority, without any Hinderance or Restraint whatsoever, to make use of such Lands or Grounds for erecting such sufficient Warehouses and Buildings; first making Satisfaction for the same, in such Manner as is directed with respect to other Lands or Grounds which shall be taken and used for the like Purposes.

For ascertaining the Rates of Wharfage.

XXXIII. And be it further enacted, That no more than the Sum of Three-pence *per* Ton shall be demanded or taken for Wharfage by any Person or Persons, Proprietor or Proprietors, Land Owner or Land Owners, who shall or may, at any Time hereafter, make, erect, or build, any Wharfs or Quays, on or near any Part of the said Canal, by virtue of this Act, unless the Goods, Wares, or Merchandise, which shall be laid thereon, shall remain or continue on such Wharf or Quay for a longer Time than the Space of six Days; but if the same remain and continue thereon for more than six Days, then the further Sum of one Halfpenny a Day shall be paid for the Wharfage of every Ton of such Goods.

Punishing Persons destroying the Works.

XXXIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully, maliciously, and to the Prejudice of the said Navigation, break, throw down, damage, or destroy, any Banks, or other Works to be erected or made by virtue of this Act, such Person or Persons shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court, by and before whom such Person or Persons shall be tried and convicted, shall and hereby have Power and Authority to transport such Felon for the Space of seven Years to some of his Majesty's Plantations in *America*, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm; or in Mitigation of such Punishment may, if they think fit, award such Sentence as the Law directs in Cases of Petit Larceny.

Penalty on Persons obstructing the Works.

XXXV. And be it further enacted, That if any Person or Persons shall wilfully and maliciously do any Hurt or Mischief to obstruct, hinder, or prevent, the carrying on, completing, supporting, or maintaining, the said intended Navigation, or any Works hereby authorised to be made, every Person so offending shall forfeit and pay any Sum not exceeding five Pounds, nor less than forty Shillings; and in Default of such Payment, shall be committed to some House of Correction for the said County of *York*, there to remain for the Space of one Calendar Month, unless such Penalty shall be sooner paid.

Boats to be marked.

'XXXVI. And for the better regulating of Masters of Boats, Bargemen, and others, employed upon 'the said Canal,' be it further enacted, That every Master, or Person having the Rule or Command, of any Boat, Barge, or other Vessel, passing on the said Canal, shall cause his Name to be set in large painted white capital Letters on each of the Outsides of every such Boat, Barge, or other Vessel, higher than the same shall sink into the Water when full loaded; and shall also permit and suffer every such Boat, Barge, or other Vessel, to be measured at the Expence of the said Sir *John Ramsden*, his Heirs and Assigns, by putting Weights into the same for that Purpose, or otherwise; and to be marked with Figures, or other Marks, at each End, on the Outside thereof, shewing how much or how far every Ton Weight of Loading which shall be put into such Boat, Barge, or other Vessel, will sink the same into the Water, whenever it shall be required by the said Sir *John Ramsden*, his Heirs or Assigns, or such Person or Persons as shall be appointed by him or them for that Purpose, provided that no such Vessel shall be measured more than four Times in any one Year; and every Owner, Master, or other Person, having the Rule or Command of any such Boat, Barge, or other Vessel, who shall refuse or neglect to put his Name thereon, or shall refuse to have his or their Boat, Barge, or other Vessel, measured or marked as aforesaid, or shall alter, deface, erase, or destroy, any of the said Letters, Figures, or Marks; he or they shall, for every such Offence respectively, forfeit and pay to the said Sir *John Ramsden*, his Heirs and Assigns, the Sum of five Pounds.

Owners answerable for Crews.

XXXVII. And be it further enacted, That the Master or Owner of every Boat, Barge, or other Vessel, navigating upon the said Canal, shall be, and is hereby made answerable for any Damage, Spoil, or

or Miſchief, that ſhall be done by his Boat, Barge, or other Veſſel, or any of the Boatmen or Watermen belonging to or employed in or about the ſame reſpectively, unto any of the Bridges, Weirs, Locks, Dams, Engines, Banks, Towing-paths, or other Works, in, upon, or near the ſaid Canal, Trenches, Sluices, and Paſſages, or by loading or unloading any Boat, Barge, or other Veſſel, and for any Treſpaſs or Damage that ſhall or may be done to the Owners or Proprietors of any Buildings, Erections, Lands, or Tenements, adjoining to the ſame, or any of them, other than is authoriſed by this Act; and the ſaid Maſter or Owner of ſuch Boat, Barge, or other Veſſel, ſhall and may be ſued and proſecuted for the ſame in any Court of Record whatſoever, and if found guilty, or if a Verdict paſs againſt him, or if Judgment be given againſt him upon Demurrer or by Default, the Plaintiff, in any ſuch Caſe, ſhall recover the Damages thereby ſuſtained, with Double Coſts of Suit.

Veſſels lying ſo as to obſtruct the Navigation to be removed.

XXXVIII. And be it further enacted, That if any Boat, Barge, or other Veſſel, ſhall be placed in *Cooper's Bridge* Dam in the River *Calder*, ſo as any ways to obſtruct the Paſſage of any Boat, Barge, or other Veſſel, going into or out of the ſaid Canal, or if any Boat, Barge, or other Veſſel, ſhall be placed in any Part of the ſaid Canal ſo as to obſtruct the Navigation, and the Perſon having the Care of ſuch Boat, Barge, or Veſſel, ſhall not immediately, upon Requeſt made, remove the ſame, he ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding ten Shillings, nor leſs than five Shillings, for every Hour ſuch Obſtruction ſhall continue; and it ſhall be lawful for the Agents or Servants of the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, or any of them, to cauſe any ſuch Boat, Barge, or other Veſſel, to be unloaded (if neceſſary), and to be removed in ſuch Manner as ſhall be proper for preventing any Obſtruction to the Navigation; and to ſeize and detain ſuch Boat, Barge, or other Veſſel, and the Loading thereof, until the Charges occaſioned by ſuch Removal are paid: And if any Boat, Barge, or other Veſſel, ſhall be ſunk in the ſaid Canal, and the Owner or Perſon having the Uſe of ſuch Boat, Barge, or other Veſſel, ſhall not, without Loſs of Time, weigh or draw up the ſame, it ſhall be lawful for the Agents, or Servants of the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or any of them, to cauſe ſuch Boat, Barge, or other Veſſel, to be weighed or drawn up, and to detain and keep the ſame, till Payment be made of all Expences neceſſarily occaſioned relating thereto.

Penalty on Perſons overloading Boats, and obſtructing the Paſſage of the Canal.

XXXIX. And be it further enacted, That if any Perſon or Perſons ſhall float any Timber upon the ſaid Canal; or load any Boat, Barge, or other Veſſel, with Timber, ſo that the ſame ſhall lie over the Sides of any ſuch Boat, Barge, or other Veſſel; or ſhall overload any Boat, Barge, or other Veſſel, navigating in or upon the ſaid Canal, and when ſo overloaded, ſhall put ſuch Boat, Barge, or other Veſſel, into the ſaid Canal, ſo as to obſtruct the Paſſage of any other Boat, Barge, or Veſſel, and ſhall not immediately, upon Notice given to the Owner or Perſon having the Care of ſuch Boat, Barge, or Veſſel, ſo obſtructing the Paſſage, as aforeſaid, hale the ſame back into ſuch Place or Places as ſhall be proper or made for Boats, Barges, or other Veſſels, to paſs each other; every ſuch Owner or Perſon floating ſuch Timber, or having the Care of ſuch Boat, Barge, or Veſſel, ſhall forfeit and pay, for every ſuch Offence, to the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, the Sum of five Pounds.

Regulations for Veſſels paſſing the Locks.

XL. And be it further enacted, That no Boatman, or his Agents or Servants, navigating any Boat, Barge, or other Veſſel, upon the ſaid Canal, and paſſing with the ſame through any Lock to be made upon the ſaid Canal, ſhall ſuffer the Water to remain in the Lock longer than is neceſſary for his Boat, Barge, or other Veſſel, to paſs through any ſuch Lock; and that every ſuch Boatman, or other Perſon as aforeſaid, in going down the ſaid Canal, ſhall ſhut the lower Gates and Cloughs of ſuch Lock before he or they ſhall draw the Cloughs of the upper Gates thereof; and after he or they ſhall have brought his or their Boat, Barge, or other Veſſel, into the ſaid Lock, ſhall ſhut the upper Gates and Cloughs before he or they ſhall draw the Cloughs of the lower Gates thereof; and in going up the ſaid Canal ſhall, ſo ſoon as he or they ſhall have paſſed with his or their Boat, Barge, or other Veſſel, out of the ſaid Lock, ſhut the upper Gates and Cloughs of the ſaid Lock, and afterwards draw the Cloughs of the lower Gates, unleſs there ſhall be then a Boat, Barge, or other Veſſel, in Sight, coming down the ſaid Canal; in which Caſe the lower Gates and Cloughs of the ſaid Lock ſhall be left ſhut, and the upper Gates ſhall be left open: And in all dry Seaſons, when there ſhall be a Scarcity of Water in the ſaid Canal, the Veſſel going up the ſame, if within any Diſtance not exceeding three hundred Yards below a Lock, ſhall paſs through ſuch Lock before the Veſſel coming down, and then the Boat, Barge, or other Veſſel, next above, ſhall come down; and if there are more Veſſels than one below and above any Lock at the ſame Time, in ſuch dry Seaſons, within the Diſtance aforeſaid (at which Diſtance a Poſt or Mark ſhall be ſet up or made to denote the ſame), ſuch Veſſels ſhall go up and come down at ſuch Locks by Turns as aforeſaid, till all the ſaid Veſſels going up or coming down ſhall have paſſed by; by which Method one Lockfull of Water may ſerve two or more Veſſels; and every Perſon acting contrary to theſe Directions, and being convicted thereof before any Juſtice of the Peace for the Weſt Riding of the ſaid County, upon the Oath of one or more Witneſs or Witneſſes, the Maſter or other Perſon having the Command of ſuch Boat, Barge, or other Veſſel, ſhall forfeit the Sum of forty Shillings: And if any Perſon or Perſons ſhall open any Gate or Gates in the ſaid Haling-ways, and leave the ſame open, every Perſon ſo offending, and being thereof convicted before any Juſtice of the Peace for the ſaid Weſt Riding, upon the Oath of one or more Witneſs or Witneſſes, ſhall, for every ſuch Offence, forfeit any Sum not exceding forty Shillings.

Penalty on maliciouſly or wantonly drawing Cloughs.

XLI. And be it further enacted, That if any Perſon ſhall maliciouſly or wantonly open, or cauſe to be opened, any Lock or Clough belonging to the ſaid Canal, having no lawful Occaſion ſo to do, nor for the Advantage of ſome Boat, Barge, or other Veſſel, to paſs ſuch Lock, or ſhall leave any Clough running, after any Boat, Barge, or other Veſſel, ſhall have paſſed any Lock belonging to the ſaid Canal; or if any Perſon or Perſons ſhall draw, or cauſe to be drawn, any Clough or Cloughs on the ſaid Canal or Trenches, ſo as, by flaſhing or otherwiſe, to waſte the Water of the ſaid Canal or Trenches, to the Prejudice of the ſaid Navigation; or ſhall throw any Ballaſt, Gravel, Stones, or Rubbiſh, into any Part of the

the ſaid Canal, or the Trenches or Watercourſes, to be made by virtue of this Act; every Perſon offending in any of the Caſes aforeſaid, and being thereof convicted before any Juſtice of the Peace for the ſaid Weſt Riding, by the Oath of any one or more Witneſs or Witneſſes, ſhall, for every ſuch Offence, forfeit and pay ſuch Sum as the ſaid Juſtice ſhall order and direct, not exceeding the Sum of five Pounds, whereof one Moiety ſhall go to the Informer, and the other Moiety to the ſaid Sir *John Ramſden*, his Heirs and Aſſigns; and in Default of Payment, the Perſon ſo offending ſhall, by Warrant of ſuch Juſtice, be committed to the Houſe of Correction, there to be kept to hard Labour for any Time ſuch Juſtice ſhall direct, not exceeding two Months.

Canal not to be ſubject to Commiſſioners of Sewers.

XLII. Provided always, and be it enacted and declared, That the ſaid Canal, or any Works whatſoever, to be made by virtue of this Act, ſhall not be ſubject to the Controul, Direction, Survey, or Order, of any Commiſſioners of Sewers; or to any Law or Statute relating to Sewers; any Law or Statute whatſoever to the contrary hereof notwithſtanding.

Rates to be exempted from Taxes

XLIII. And be it further enacted and declared, That the Rates, or Dues aforeſaid, ſhall, at all Times hereafter, be free and exempt from the Payment of all Taxes, Rates, Aſſeſſments, or Impoſitions whatſoever; any Law or Statute made, or to be made, to the contrary hereof notwithſtanding.

Rights of the Lords of Manors reſerved.

XLIV. And be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to defeat, prejudice, or affect, the Right or Rights of any Lord or Lords of any Manor or Manors, to the Mines of Stones or Quarries, lying or being within or under the Lands or Grounds to be ſet out or made uſe of for ſuch Canal, Towing-paths, or other Conveniencies aforeſaid; but that the Lord or Lords of ſuch Manor or Manors may work and uſe all ſuch Mines and Stone Quarries, provided the uſing or working the ſame be no Injury, Prejudice, or Obſtruction, to the ſaid Canal, Towing-paths, or other the Conveniencies aforeſaid, or any or either of them.

A Perſon appointed by Sir John Ramſden to attend as Clerk to the Commiſſioners.

XLV. And be it further enacted, That the Perſon to be appointed by the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, for keeping an Account of all Monies received and expended as aforeſaid, ſhall attend the ſaid Commiſſioners as their Clerk at all their Meetings, for executing the Purpoſes of this Act; and all Acts, Orders, and Proceedings of the Commiſſioners at ſuch Meetings, ſhall be entered by ſuch Clerk in proper Books to be kept for that Purpoſe; all which Books ſhall be open, at all ſeaſonable Times, for the Inſpection of any Perſon or Perſons intereſted and deſirous of ſeeing the ſame, without Fee or Reward; and the ſaid Orders and Proceedings, when entered as aforeſaid, ſhall be ſigned by ſuch Number of the Commiſſioners as by this Act are impowered to make ſuch Orders, and carry on ſuch Proceedings, and ſhall alſo be atteſted by the ſaid Clerk as a Witneſs thereto; and ſuch Orders and Proceedings, being ſo ſigned and atteſted, ſhall be deemed Originals, and admitted as Evidence without further Proof in all Courts whatſoever.

Commiſſioners dying, or refuſing to act, others to be choſen,

'XLVI. And, for continuing a ſufficient Number of Commiſſioners for putting this Act in Execution,' be it enacted by the Authority aforeſaid, That when any of the Commiſſioners hereby appointed, or to be elected, in Manner herein-after mentioned, ſhall die, or refuſe to act, the ſurviving or remaining Commiſſioners, or any nine or more of them, ſhall, and they are hereby impowered, from Time to Time, by Writing under their Hands and Seals, to elect and appoint, in the Place of every Commiſſioner dying or refuſing to act, ſome other Perſon qualified as herein-after mentioned: And in caſe nine ſuch Commiſſioners ſhall not ſurvive, who will meet together ſo to elect and appoint new ones in the Place of ſuch as are dead, or refuſe to act; then, and in that Caſe, three or more of the Commiſſioners of the Land Tax for the Weſt Riding of the County of *York* for the Time being, may elect and appoint nine or more other Perſons, qualified as in this Act mentioned, who ſhall proceed to fill up the Vacancies in the Manner herein directed; and all ſuch Commiſſioners, ſo elected or appointed, ſhall, from the Time of their Election or Appointment, have the like Authority in all Things relating to the Execution of this Act, as if they had been expreſsly named and appointed Commiſſioners in this Act, Notice of the Time, Place, and Purpoſe, of ſuch Meetings being given in Writing, to be affixed upon the Market Croſs, or ſome other conſpicuous Place in *Huddersfield*, fourteen Days at leaſt before every ſuch Meeting.

Qualification of Commiſſioners.

XLVII. And be it further enacted, That no Perſon ſhall act as a Commiſſioner in any Caſe where he ſhall be any ways intereſted or concerned in the Matter in queſtion; and that no Commiſſioner hereinbefore appointed, or who ſhall be elected by virtue of this Act, ſhall act as ſuch, unleſs at the Time he ſhall ſo act he ſhall be ſeized or poſſeſſed in his own Right, or in the Right of his Wife, of an Eſtate of Freehold or Copyhold in Lands, Tenements, or Hereditaments, of the clear yearly Value of one hundred Pounds; or of a perſonal Eſtate to the Amount of three thouſand Pounds (unleſs he ſhall be the eldeſt Son or Heir Apparent of a Peer of the Realm, or of a Perſon qualified to be elected, and ſerve as a Knight of the Shire for that Part of *Great Britain* called *England*): And if any Perſon hereby declared incapable to act as a Commiſſioner ſhall nevertheleſs preſume to act as ſuch, every Perſon ſo offending ſhall, for every Offence, forfeit the Sum of fifty Pounds to any Perſon who ſhall ſue for the ſame; to be recovered with full Coſts of Suit, by Action at Law, in any of his Majeſty's Courts of Record at *Weſtminſter*; in which Action no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed; and ſuch Perſon ſo proſecuted ſhall prove that he is qualified as before mentioned, or otherwiſe ſhall pay the ſaid Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Proſecutor than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act.

Commiſſioners to take an Oath.

XLVIII. Provided always, That no Perſon ſhall act as a Commiſſioner in any Caſe (except in adminiſtering the following Oath) until he ſhall have taken and ſubſcribed the ſame Oath before any three or more of the ſaid Commiſſioners, who are hereby authoriſed and impowered to adminiſter the ſaid Oath to any of the other Commiſſioners (that is to ſay);

The Oath.

'I *A. B.* do ſwear, That I will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the beſt of my Skill and Judgment, execute and perform the Powers and Authorities

'eſtabliſhed

'eſtabliſhed in me by virtue of an Act, made in the fourteenth Year of the Reign of his Majeſty King 'George the Third, for enabling Sir *John Ramſden* Baronet, to make and maintain a navigable Canal 'from the River *Calder* (between a Bridge called *Cooper's Bridge*, and the Mouth of the River *Colne*) to 'The King's *Mill*, near the Town of *Huddersfield*, in the Weſt Riding of the County of *York*.

'*So help me GOD.*'

Commiſſioners may act as Juſtices.

XLIX. Provided nevertheleſs, That ſuch Commiſſioners who are Juſtices of the Peace for the ſaid Weſt Riding ſhall and may, and they are hereby reſpectively impowered to act as Juſtices of the Peace in the Execution of this Act within the Limits of their reſpective Juriſdictions, notwithſtanding their being Commiſſioners; but no Perſon who ſhall hold any Place of Profit ariſing out of the Rates or Dues aforeſaid, or be concerned in Intereſt in any Contract or Bargain made, or to be made, for the Purpoſes of this Act, ſhall be capable of acting as a Commiſſioner under this Act.

Perſons intereſted, &c. not to hold Places of Profit.

Upon Application of Sir John Ramſden, or any of the Land Owners, Commiſſioners to call a Meeting.

L. And be it further enacted, That upon any Application to be made by the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, or any of the Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments, to be affected by the ſaid Navigation, or any of the Works neceſſary or relating thereto, unto the Commiſſioners appointed by and for the Purpoſes of this Act, or any three or more of them, deſiring them to appoint a Meeting of the Commiſſioners, the Commiſſioners, or any three or more of them, to whom ſuch Application ſhall be made, ſhall, and they are hereby authoriſed and required, within ſeven Days after ſuch Application made, to give Notice, in Manner hereby directed, of a Meeting to be held at ſuch Time and Place as ſhall be ſpecified in ſuch Notice, ſuch Time not being leſs than fourteen Days, nor more than twenty-one Days, from the Day on which ſuch Application ſhall be made as aforeſaid; and the ſaid Commiſſioners, or any three or more of them, are hereby authoriſed and required to meet at the Time and Place ſo to be appointed, in order to put this Act in Execution; and ſhall then adjourn themſelves, and afterwards meet at ſuch Place as the ſaid Commiſſioners aſſembled at ſuch Meeting, or any three or more of them, ſhall think proper and convenient: And if it ſhall happen that there ſhall not appear at any Meeting, which ſhall be appointed to be had or held as aforeſaid, a ſufficient Number of Commiſſioners to act and to adjourn; then, and from Time to Time, as often as the Caſe ſhall happen, ſuch Meeting ſhall be deemed adjourned until that Day three Weeks, and to the Place where the other Meeting was to have been held; and all Meetings of the ſaid Commiſſioners by virtue of this Act ſhall be publick; and the Majority of the ſaid Commiſſioners preſent at all ſuch Meetings are hereby authoriſed to execute the ſeveral Powers veſted in them by this Act; and that it ſhall and may be lawful for any three or more of the ſaid Commiſſioners (although they ſhall not be then aſſembled at a Meeting to be held as aforeſaid), from Time to Time, upon ſuch Requeſt made as aforeſaid, by Notice in Writing, ſigned by them, and publiſhed in Manner hereby directed, to ſummon a Meeting of the ſaid Commiſſioners, at ſuch Time and Place as ſhall be mentioned in ſuch Notice, for the ſettling and aſcertaining ſuch Damages as are here directed to be ſettled and aſcertained, notwithſtanding any Adjournment or Non-adjournment of any Meeting of the ſaid Commiſſioners.

Notice of Meetings to be publiſhed.

LI. Provided always, That no Meeting of the ſaid Commiſſioners ſhall be good or effectual for any of the Purpoſes of this Act, unleſs previous Notice of the Time and Place thereof, and the Buſineſs propoſed to be done, under the Hand of the Clerk for the Time being, attending the ſaid Commiſſioners, ſhall be firſt publiſhed in the *York* and *Leeds* News-papers, and in ſuch other Manner as the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, ſhall appoint; unleſs the Buſineſs to be tranſacted at any Meeting, of which ſuch Notice has been given as aforeſaid, ſhall not be concluded on the Day mentioned in ſuch Notice; in which Caſe the Commiſſioners, or any three or more of them, may, from Time to Time, adjourn to the ſucceeding Day (unleſs ſuch Day be *Sunday*, and then to the *Monday* following), and, in like Manner, from Day to Day; and may meet again at the ſame, or any other convenient Place, and proceed in ſuch Buſineſs, until the ſame is finiſhed, without any Notice to be given of the Meetings held by ſuch laſt-mentioned Adjournment.

Meetings to be held within the Town of Huddersfield.

LII. Provided alſo, That all Meetings of Commiſſioners for hearing or determining Complaints, Controverſies, or Diſputes, between the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, and any other Perſon or Perſons, ſhall be held in ſome convenient Place in the ſaid Town of *Huddersfield*; and that no Order or Determination ſhall be made, unleſs the Majority of Commiſſioners preſent, at ſuch Meeting reſpectively, ſhall concur therein; ſuch Majority not being leſs than the reſpective Numbers authoriſed to make ſuch Orders or Determinations; and that no Order or Determination of the ſaid Commiſſioners, duly made, ſhall be revoked or altered, unleſs twelve Commiſſioners ſhall be preſent and concur therein.

Writings to be without Stamps.

LIII. And be it further enacted, That no Summons, Order, Determination, Judgment, Warrant, Conſent, Agreement, Bond, or other Writing whatſoever, under the Hands, or under the Hand and Seal of any Juſtice of the Peace, or of the ſaid Commiſſioners, or any of them, or of any other Perſon or Perſons appointed or employed by them, or any other Writing whatſoever, made in purſuance of the Powers given in and by this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever; and that no Proceedings to be had or taken in purſuance of this Act ſhall be quaſhed or vacated for want of Form only.

Penalties and Forfeitures how to be recovered and applied.

LIV. And be it further enacted, That all Penalties and Forfeitures inflicted by this Act (the Manner of levying and recovering of which is not herein-before particularly directed), ſhall be levied by Warrant under the Hand and Seal, or Hands and Seals, of one or more Juſtice or Juſtices of the Peace of the Weſt Riding of the ſaid County of *York*; which ſaid Juſtice or Juſtices is and are hereby authoriſed to hear and examine Witneſſes upon Oath, and determine the ſame; and may, according to his or their Diſcretion, mitigate any Fine, Penalty, or Forfeiture, herein-before allowed to be mitigated; and all Fines, Forfeitures, and Penalties, by this Act impoſed and inflicted, the Application whereof is not herein-

before particularly directed, ſhall be paid to the ſaid Sir *John Ramſden*, his Heirs or Aſſigns, and ſhall be applied and diſpoſed of for the Uſe of the ſaid Navigation.

Diſtreſs not unlawful for want of Form,

nor the Party diſtraining be deemed a Treſpaſſer *ab initio*.

LV. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall afterwards be committed by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe.

Perſons aggrieved may appeal to the Quarter Seſſions.

LVI. Provided always, and be it enacted, That all Perſons who ſhall think themſelves aggrieved by the Order or Judgment of any Juſtice or Juſtices of the Peace, or any of the ſaid Commiſſioners, upon account of any Offence committed, or ſuppoſed to be committed, againſt this Act, may appeal to the Juſtices of the Peace for the Weſt Riding of the ſaid County of *York*, at their General or Quarter Seſſions of the Peace, within ſix Months next after ſuch Cauſe of Appeal ſhall have ariſen; the Perſon or Perſons ſo appealing giving Security to the Satisfaction of the ſaid Juſtice or Juſtices to proſecute ſuch Appeal with Effect, and to pay the Coſts which ſhall be allowed and aſcertained by the ſaid General or Quarter Seſſions, in caſe ſuch Order or Judgment ſhall be affirmed; and the Juſtices, at ſuch General or Quarter Seſſions, are hereby authoriſed and required to hear and determine ſuch Appeal, and to make ſuch Order therein, and award ſuch Coſts to the Party appealing or appealed againſt, as to them ſhall appear juſt; which Order ſhall be final and concluſive to all Parties, and ſhall not be removed or removeable by any Writ of *Certiorari*, or otherwiſe, into any of his Majeſty's Courts of Record at *Weſtminſter*, or elſewhere.

Limitation of Actions.

General Iſſue.

LVII. And be it further enacted, That if any Action, Suit, or Information, ſhall be brought or commenced againſt any Perſon or Perſons for any thing done in purſuance of this Act, or in the Execution of the Powers and Authorities, or the Orders and Directions herein-before given or granted, every ſuch Action, Suit, or Information, ſhall be brought and commenced within ſix Months next after the Fact committed for which ſuch Action or Suit ſhall be commenced, and not afterwards, and ſhall be brought, laid, and tried, in the County of *York*, and not elſewhere; and the Defendant or Defendants, in all ſuch Actions or Suits, may plead the General Iſſue, and give this Act, and the ſpecial Matter, in Evidence, at any Trial or Trials to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear to have been ſo done, or if any Action, Suit, or Information, ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought or laid in any other County or Place than as aforeſaid; that then, and in every or any ſuch Caſe, the Jury ſhall find for the Defendant or Defendants; and if a Verdict or Verdicts ſhall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action, Suit, or Information, after the Defendant or Defendants ſhall have appeared; or if, upon Demurrer, or otherwiſe, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants in every ſuch Caſe

Treble Coſts.

ſhall have Treble Coſts, and ſhall have ſuch Remedy for Recovery of the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

Sir John Ramſden's Truſtees to carry this Act into Execution during his Minority.

'LVIII. And whereas it will be for the Benefit of the ſaid Sir *John Ramſden*, and of all Perſons who 'have Eſtates near the ſaid Town of *Huddersfield*, that the ſaid Canal ſhould be made and completed 'as ſoon as conveniently can be done: And whereas the ſaid Dame *Margaret Ramſden*, and *Thomas* '*Ramſden* Eſquire, are willing to proceed in the Execution of this Act, during the Minority of the ſaid 'Sir *John Ramſden*, in caſe they are authoriſed ſo to do;' be it therefore further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Dame *Margaret Ramſden*, and *Thomas Ramſden* Eſquire, or the Survivor of them, and the Heirs, Executors, and Adminiſtrators of ſuch Survivor, and they are hereby fully authoriſed and impowered (during the Minority of the ſaid Sir *John Ramſden)*, to proceed in the Execution of this Act, and to cauſe the ſaid Canal to be made, and all other Works, Matters, and Things, whatſoever relative thereto, to be done, performed, and executed, for the making and completing the ſaid Navigation, agreeable to the Directions of this Act; and all Contracts, Agreements, Acts, Matters, and Things whatſoever, which ſhall be entered into, done, performed, and executed, by the ſaid Dame *Margaret Ramſden*, and *Thomas Ramſden*, or the Survivor of them, or the Heirs, Executors, or Adminiſtrators, of ſuch Survivor, in purſuance of this Act (during the Minority of the ſaid Sir *John Ramſden)*, ſhall be good, valid, and effectual in the Law, to all Intents, Conſtructions, and Purpoſes whatſoever; and ſhall be binding upon the ſaid Sir *John Ramſden*, his Heirs and Aſſigns, and upon all other Perſons and Parties whatſoever.

Publick Act.

LIX. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be, a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

CAP.

CAP. XIV.

An Act to repeal a Clauſe in an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; which regulates the Width of the Wheels, and the Length of Carriages liable to be weighed; and for indemnifying Perſons who have offended againſt the ſaid Clauſe.

'WHEREAS by a Clauſe in an Act of Parliament, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; it is enacted, That no Carriage, liable to be weighed by virtue of the ſaid Act, ſhall paſs along any Turnpike Road, being above Twenty Miles from the Cities of *London* or *Weſtminſter*, unleſs the ſame ſhall be made and conſtructed in ſuch Manner that no Pair of the Wheels thereof ſhall be wider than four Feet ſix Inches from Inſide to Inſide, to be meaſured on the Ground (except Wheels having the Soles of the Fellies thereof of the Breadth of nine Inches, which ſhall be ſo conſtructed as to roll a Surface of ſixteen Inches, and that the wider Pair of ſuch Wheels ſhall not be more than five Feet eight Inches from Inſide to Inſide, to be meaſured on the Ground); and that the Diſtance from the Centre of the Fore Wheel to the Centre of the Hind Wheel of any Waggon or four-wheeled Carriage, not being uſed for the Carriage of Timber only, be not above nine Feet, to be meaſured from the Centre of the Axle-trees at the Ends thereof, on Pain of the Owner or Owners of every ſuch Waggon, Wain, or Cart, forfeiting the Sum of five Pounds for every ſuch Offence; and that the Surveyor or Surveyors, Gate-keeper or Gate-keepers, of any Turnpike Road, is and are thereby authoriſed and required, at any Turnpike or Toll-gate, or at any other Place upon the Turnpike Road, to meaſure every ſuch Waggon, Wain, or Cart; and if any Maſter, or Driver of any Waggon, Wain, or Cart, ſhall hinder, or refuſe to permit ſuch Surveyor or Surveyors, Gate-keeper or Gate-keepers, to meaſure ſuch Waggon, Wain, or Cart, as aforeſaid, he or ſhe ſhall forfeit the Sum of five Pounds; and that it ſhall not be lawful for any ſuch Waggon, Wain, or Cart, not permitted to be meaſured as aforeſaid, to paſs along any Turnpike Road: And whereas the Proviſions in the ſaid Clauſe contained have been found very inconvenient;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Clauſe ſhall be, and is hereby declared to be, repealed.

Preamble. Clauſe in Act 13 Geo. 3. repealed.

II. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who hath or have offended, or been guilty of any Omiſſion, touching the Execution of the ſaid Clauſe, ſhall be, and is and are hereby indemnified againſt any Penalty or Forfeiture for the ſame; and that all perſonal Actions and Suits, Indictments, Informations, Proſecutions, and Proceedings whatſoever, which have been, or ſhall be, proſecuted or commenced againſt any Perſon or Perſons, for or by reaſon of any ſuch Offence or Omiſſion, ſhall be, and are hereby made, void, to all Intents and Purpoſes whatſoever.

Perſons guilty of Omiſſions touching the Execution of the ſaid Clauſe, are indemnified; and perſonal Actions for ſuch Offence, made void.

CAP. XV.

An Act for making perpetual two Acts, paſſed in the tenth and eleventh Years of the Reign of his preſent Majeſty, *for regulating the Trials of controverted Elections, or Returns of Members to ſerve in Parliament.*

'WHEREAS an Act, paſſed in the tenth Year of the Reign of His preſent Majeſty, intituled, *An Act to regulate the Trials of controverted Elections, or Returns of Members to ſerve in Parliament*, which Act was made to continue for a limited Time only: And whereas another Act, paſſed in the eleventh Year of the Reign of his ſaid Majeſty, intituled, *An Act to explain and amend an Act, made in the laſt Seſſion of Parliament, intituled*, An Act to regulate the Trials of controverted Elections, or Returns of Members to ſerve in Parliament: And whereas the Proviſions of the ſaid recited Acts are well adapted to procure to the Commons of this Realm a free and impartial Trial of controverted Elections of Members to ſerve in Parliament, and have been found, by Experience, to be practicable and beneficial:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Acts, paſſed in the tenth and Eleventh Years of his preſent Majeſty, ſhall be, and are hereby made, perpetual.

Preamble. Act 10 Geo. 3. and Act 11 Geo. 3. made perpetual by this Act.

CAP. XVI.

An Act for amending and rendering more effectual an Act, made in the thirtieth Year of the Reign of his late Majesty King *George* the Second (intituled, *An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the Townships or Hamlets of* March *and* Wimblington, *and in the Parish of* Upwell, *in the* Isle of Ely, *and County of* Cambridge), so far as the same relates to the several Fen Lands and Low Grounds lying in the sixth District, in the said Act described.

Preamble. Act 30 Geo. 2.

'WHEREAS by an Act, made in the thirtieth Year of the Reign of his late Majesty King *George* the Second, (intituled, *An Act for draining and preserving certain Fen Lands, Low Grounds, and Commons, in the Townships or Hamlets of* March *and* Wimblington, *and in the Parish of* Upwell, *in the* Isle of Ely, *and County of* Cambridge;) the Commissioners therein named, or to be nominated and appointed in Manner therein mentioned, or any five or more of them, were authorised and impowered, at their first or any General half-yearly Meeting, yearly and every Year, to assess, rate, tax, and charge, all and every the respective Owner or Owners, Occupier or Occupiers, of all and singular the Fen Lands and Low Grounds, situate and being within the sixth District (one of the six Districts into which the Fen Lands and Low Grounds, comprised in the said Act, were by the said Act divided), by an equal and proportionable Tax or Assessment, not exceeding in the Whole the Sum of two Shillings *per* Acre in one Year; to be paid in such Manner, and at such Times, as the Commissioners for the said sixth District, or any five or more of them, should direct; and to be applied and disposed of in making and maintaining the Works for draining, imbanking, and preserving, the Lands within the said District, and for the other Purposes therein mentioned: And whereas the said yearly Tax or Assessment of two Shillings *per* Acre has accordingly been charged and levied by the Commissioners acting for the said sixth District, and has, together with the Sum of six hundred Pounds (which by the said Act the Commissioners for the said District were impowered to borrow, and accordingly did borrow), been applied, in pursuance of the Direction given by the said Act, in making and maintaining the Works, and defraying the necessary Expences within the said District: And whereas, notwithstanding that the said Sums of Money have been duly laid out and expended, the same have been found very inadequate to the Purpose of effectually draining the Lands within the said District, which still continue very much annoyed and overflown with Water; and the several Owners and Proprietors of Lands within the said District are willing that the same should be charged with an additional Tax, or Assessment, in order to raise Money for compleating the Drainage of the Lands within the said District: And whereas such Tax or Assessment cannot be laid, nor the said Lands effectually drained and preserved, without the further Aid and Assistance of Parliament;' may it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That

Commissioners may lay an additional Tax.

it shall and may be lawful to and for the Commissioners of the said sixth District, or any three or more of them, at their first or any other General half yearly Meeting, to be held after the passing of this Act, yearly and every Year, over and above the Tax or Assessment of two Shillings *per* Acre, charged upon the Lands and Grounds lying within the said District by the said former Act, to assess, rate, tax, and charge, all and every the respective Owner or Owners, Occupier or Occupiers of all and singular the Fen Lands and Low Grounds lying within the said District, by an equal and proportionable Tax or Assessment, in any Sum or Sums of Money not exceeding in the Whole four Shillings *per* Acre in any one Year for every Acre of Fen Lands and Low Grounds lying within the said District: Which said additional Tax or Assessment shall be assessed, levied, collected, paid, and recovered, in the same Manner, and by the same Ways and Means; and shall, together with the Monies to be borrowed on the Credit thereof, be applied and disposed of in and about the particular Works, Banks, Drains, Mills, Engines, and other Matters necessary for draining the said District, in such and the same Manner as the said Tax or Assessment of two Shillings *per* Acre charged on the Lands and Grounds within the said District, and the Money borrowed on the Credit thereof, are, by the said former Act, directed to be applied; and the said additional Tax or Assessment of four Shillings *per* Acre, by this Act charged, shall commence and be computed from the first Day of *January*, one thousand seven hundred and seventy-four.

Penalty on not paying of Taxes.

II. And be it further enacted, That if any Person or Persons shall refuse or neglect to pay to the Collector or Collectors, Receiver or Receivers, or any other Person or Persons, appointed, or to be appointed, by the said Commissioners of the said District, the Tax or Assessment with which he, she, or they, shall be respectively charged by virtue of the said former, or this present Act, by the Space of two Calendar Months after the same shall have become due and payable; every such Person shall forfeit and pay to such Collector or Collectors, Receiver or Receivers, the further Sum of two Shillings and Sixpence for every twenty Shillings which shall be so in arrear and unpaid, and so in proportion for any greater or less Sum; to be levied by Distress and Sale of his, her, and their Goods and Chattels, in such Manner as the Tax or Assessment granted by the said former, or this present Act, is directed to be levied; and the Monies so forfeited and levied shall be applied towards the Works of the said District.

Clause repealed in former Act relating to Qualification of Commissioners.

III. And be it further enacted, That so much of the said Act, made in the thirtieth Year of the Reign of his late Majesty King *George* the Second, as regulates the Qualification of Commissioners or Agents for the said sixth District, or prescribes the Number of Commissioners necessary for putting in Execution any of the Powers of the said Act, so far as the same relates to the said District, shall, from and after the passing of this Act, be repealed.

IV. And

IV. And be it further enacted, That from and after the paſſing of this Act, no Perſon ſhall be capable of acting as a Commiſſioner for executing the ſaid former Act, ſo far as the ſame relates to the ſaid ſixth Diſtrict, or this preſent Act, unleſs he ſhall be the real Owner of thirty Acres or more of ſeveral Lands, ſubject to be taxed by virtue of the ſaid former, or this preſent Act, within the ſaid Diſtrict, or unleſs he ſhall be the real Owner of two or more Lots or Doles to which two or more Rights of Common do belong, on the Commons and Commonable Parts within the ſaid ſixth Diſtrict; any Thing in the ſaid former Act to the contrary notwithſtanding. Qualification of Commiſſioners.

V. And be it further enacted, That it ſhall be lawful for any Commiſſioner of the ſaid ſixth Diſtrict, who is the real Owner of ſixty Acres or more of ſuch ſeveral Lands or of four or more Lots or Doles within the ſaid ſixth Diſtrict, to appoint, by Writing under his Hand, from Time to Time, and for ſuch Time as he ſhall think proper, an Agent to act in his Abſence as a Commiſſioner; and every ſuch Agent ſhall and may, in the Abſence of the Perſon by whom he ſhall be appointed, act as a Commiſſioner in the Execution of the ſaid former Act, ſo far as the ſame relates to the ſaid ſixth Diſtrict, or this preſent Act, in ſuch and the ſame Manner, and as fully, to all Intents and Purpoſes, as ſuch Commiſſioner might act if he were perſonally preſent. Owners of ſixty Acres of ſeveral Lands, or four Lots or Doles, may appoint an Agent to act as a Commiſſioner.

VI. And be it further enacted, That every Perſon who ſhall be Joint Owner with any other Perſon or Perſons of ſuch ſeveral Lands, or of ſuch Lots or Doles within the ſaid ſixth Diſtrict, and the Intereſt or Property of ſuch Perſon in ſuch Lands, or in ſuch Lots or Doles, ſhall be equal to, or exceed the reſpective Quantities of ſeveral Lands, or the Numbers of ſuch Lots or Doles, as are herein-before reſpectively mentioned for the Qualification of Commiſſioners to act, or to appoint Agents to act in their Abſence, in the ſaid ſixth Diſtrict; every ſuch Perſon ſhall be, and is hereby reſpectively impowered to act as a Commiſſioner, or to appoint an Agent for the ſaid ſixth Diſtrict, in the ſame Manner, and as fully and effectually, to all Intents and Purpoſes, as if ſuch Perſon was diſtinctly and ſeparately poſſeſſed of ſuch Intereſt or Property in the ſaid ſixth Diſtrict. Joint Owners of ſeveral Lands, &c. may appoint Agents.

VII. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, ſhall and may execute all or any of the Powers of the ſaid former Act, ſo far as the ſame relates to the ſaid ſixth Diſtrict, or of this preſent Act; any Thing in the ſaid former Act to the contrary thereof notwithſtanding. Commiſſioners may put the former Act, in the ſixth Diſtrict, and this Act, in Execution.

VIII. And be it further enacted, That it ſhall and may be lawful to and for the Commiſſioners of the ſaid Diſtrict, or any three or more of them, to borrow, take up, and receive, any Sum or Sums of Money that they ſhall think proper, upon the Credit of the ſaid Tax or Aſſeſſment of four Shillings *per* Acre charged upon the Lands within the ſaid Diſtrict by virtue of this Act; and, by Writing, without Stamp, under the Hands and Seals of any three or more of the ſaid Commiſſioners, to mortgage, charge, aſſign, convey, or incumber, the ſaid Tax or Aſſeſſment, or any Part or Proportion of ſuch Tax or Aſſeſſment, with and for the Repayment of the Sums ſo borrowed, with ſuch Intereſt, at ſuch Times, and with ſuch Proviſoes and Conditions of Redemption, as ſhall be agreed upon; and the Sum or Sums of Money, ſo to be borrowed, ſhall and may be aſſigned and transferred in the ſame Manner as any Sum or Sums of Money, borrowed by virtue of the ſaid former Act, can and may be aſſigned and transferred. For borrowing Money.

IX. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, in any-wiſe to affect, impeach, or leſſen, any Right or Priority of Claim which any Perſon or Perſons, who have advanced any Money upon the Credit of the Tax or Aſſeſſment charged by virtue of the ſaid former Act upon the Lands to be taxed by virtue of this Act, now have upon ſuch Lands in reſpect of ſuch Money ſo advanced; but that the ſaid Lands ſhall, in the firſt Place, be liable to the Tax or Aſſeſſment charged by the ſaid former Act, and to the Money borrowed thereon; any Thing in this Act to the contrary notwithſtanding. Not to affect the Creditors under former Act.

X. Provided always, and be it enacted, That no more than the Sum of one thouſand four hundred Pounds ſhall be borrowed or owing at any one Time, on the Credit or Security of the ſaid Tax or Aſſeſſment of four Shillings *per* Acre, charged by virtue of this Act upon the ſaid Diſtrict; and that the ſaid Tax or Aſſeſſment of two Shillings *per* Acre charged by the ſaid former Act, and the ſaid Tax or Aſſeſſment of four Shillings *per* Acre charged by this Act, upon the Lands and Grounds within the ſaid Diſtrict, ſhall not, during the Time any principal Monies, or Intereſt, ſhall be due on the ſeveral Securities thereof, be leſs, in any one Year, than the ſeveral Sums charged upon the ſaid Diſtrict by the ſaid former or this preſent Act reſpectively. What Sum may be borrowed.

XI. And be it further enacted, That all the Charges and Expences of obtaining and paſſing this Act, ſhall be borne and defrayed out of the firſt Monies that ſhall ariſe by virtue of this Act. Charges of the Act how to be paid.

'XII. And, for the greater Eaſe and Security of any Perſon or Perſons who have advanced and lent, 'or may be willing to advance and lend, any Sum or Sums of Money on the Credit of the Taxes or 'Aſſeſſments laid by the ſaid former or this preſent Act, within the ſaid Diſtrict,' be it further enacted, That no Money, except for the Purpoſe of diſcharging the Expences incurred in obtaining and paſſing this Act, ſhall be applied, or be directed to be applied, by the Commiſſioners of the ſaid Diſtrict, at any General Half-yearly or other Meeting, to any of the Purpoſes of the ſaid former or this preſent Act, within the ſaid Diſtrict, unleſs the Intereſt then due on the ſeveral reſpective Sums borrowed, or to be borrowed, within the ſaid Diſtrict, on the Credit of the ſaid former or this preſent Act, ſhall have been fully diſcharged and paid off; or unleſs Money ſufficient for diſcharging and paying off ſuch Intereſt ſhall be reſerved in the Hands of the Treaſurer or Receiver to the ſaid Commiſſioners; any Thing in the ſaid former or this preſent Act contained to the contrary notwithſtanding. No Money to be applied at ſuch Times as the Intereſt due on the Money borrowed ſhall be behind and unpaid.

XIII. And be it further enacted, That in caſe the Treaſurer or Receiver to the ſaid Commiſſioners ſhall not pay, or cauſe to be paid, to the Perſons intitled thereto, the Intereſt that ſhall be due on the reſpective Sums borrowed, or to be borrowed, on the Credit of the ſaid former or this preſent Act, within the ſaid Diſtrict, on the reſpective half-yearly Days of Payment, when the ſame ſhall become due, or within twenty Penalty if the Treaſurer or Receiver do not pay the Intereſt when demanded.

twenty Days after (Demand thereof having firſt been made to ſuch Treaſurer or Receiver), every ſuch Treaſurer or Receiver ſhall, for every ſuch Default or Neglect, forfeit and pay to the Perſon or Perſons who ſhall be intitled to ſuch Intereſt ſo due, and which ſhall not have been paid, as aforeſaid, the Sum of twenty Pounds; ſuch Penalty to be recovered, together with double Coſts of Suit, in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint, or Information, in which no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed.

Commiſſioners impowered to ſell Mills or Engines.

XIV. And be it further enacted, That the ſaid Commiſſioners for the ſaid Diſtrict, or any three or more of them, ſhall and may, if they think it neceſſary, ſell, or cauſe to be ſold, all and every the Engines and Mills already erected by virtue of the ſaid former Act, or which ſhall be erected by virtue of this Act, within the ſaid Diſtrict, for the beſt Price that can be got for the ſame; and ſhall apply the Money ariſing by ſuch Sale to the Purpoſes of the ſaid Diſtrict.

Engines and Mills may be inſured from Fire.

XV. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, ſhall and may, if they think neceſſary, cauſe all and every the Engines and Mills already erected, by virtue of the ſaid former Act, within the ſaid Diſtrict, or which ſhall be erected by virtue of this Act, to be inſured againſt Fire in ſome of the publick Inſurance Offices, and from Time to Time to pay the Expence attending ſuch Inſurance out of the Monies ariſing out of the ſaid former Act, or this Act, within the ſaid Diſtrict.

Diſtreſs not unlawful for want of Form, &c.

XVI. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money, to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Notice, Warrant of Diſtreſs, or other Proceedings, relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe.

XVII. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, and the ſaid former Act, be it further enacted, That all and every the Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, or the ſaid former Act, ſo far as the ſame relates to the ſaid ſixth Diſtrict, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen, *(videlicet:)*

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me *C. D.* one of his Majeſty's Juſtices of the Peace for the *Iſle of Ely*, or County of *Cambridge*, either on his own Confeſſion, or on the Oath of one or more credible Witneſs or Witneſſes, [*as the Caſe ſhall be*,] by virtue of an Act, made in the Fourteenth Year of the Reign of his Majeſty King *George* the Third, *(for amending and rendering more effectual an Act, made in the Thirtieth Year of the Reign of his late Majeſty King* George *the Second*, intituled, *An Act for draining and preſerving certain Fen Lands, Low Grounds, and Commons, in the Townſhips or Hamlets of* March *and* Wimblington, *and in the Pariſh of* Upwell, *in the* Iſle of Ely, *and County of* Cambridge, *ſo far as the ſame relates to the ſeveral Fen Lands and Low Grounds lying in the ſixth Diſtrict, in the ſaid Act deſcribed;)* [ſpecifying the Offence, and Time and Place when and where the ſame was committed, as the Caſe ſhall be.]

'*Given under my Hand and Seal, the Day and Year above written.*'

The Clauſes of the former Act extended to this Act.

XVIII. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to repeal, alter, or take away, any of the Clauſes, Powers, and Authorities, given by the ſaid former Act, to the Commiſſioners acting by virtue and in purſuance thereof, within the ſaid ſixth Diſtrict; but that every Clauſe, Power, and Authority, therein contained, ſhall remain, and be in the ſame Force and Effect as if this Act had never been made; any Thing herein contained to the Contrary thereof notwithſtanding: But that all the Clauſes, Powers, and Authorities, given by the ſaid former Act, ſo far as the ſame relates to the ſaid ſixth Diſtrict, ſhall extend, and be conſtrued to extend, to this Act, as fully and effectually as if the ſame were repeated and re-enacted in this preſent Act; ſave only and except ſuch Part or Parts thereof as are altered and taken away by virtue of this Act.

Limitation of Actions.

XIX. And it is hereby further enacted, That if any Action, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done, or to be done, in purſuance of this Act; every ſuch Action or Suit ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards; and ſhall be laid or brought in the Court of Pleas of the ſaid *Iſle of Ely*, or in the County of *Cambridge*, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Suit, ſhall

General Iſſue.

and may plead the General Iſſue, and if in Replevin may juſtify and avow by virtue of this Act, as Perſons acting by Authority of Commiſſioners of Sewers are enabled to do, and give this Act, and the ſpecial Matter, in Evidence, without ſpecially pleading the ſame otherwiſe than as aforeſaid, at any Trial to be had thereupon, and that the Fact alleged to have been done was done in purſuance and by Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or forbear Proſecution, or diſcontinue his, her, or their Suit or Suits, or if any Verdict ſhall paſs againſt him, her, or them, upon a Demurrer or otherwiſe; then, and in any of

Treble Coſts.

the ſaid Caſes, the Defendant or Defendants, Avowant or Avowants, ſhall recover treble Coſts, for which he, ſhe, or they, ſhall have like Remedy as where Coſts by Law are awarded.

Publick Act.

XX. And be it further enacted and declared, That this Act ſhall be deemed and allowed in all Courts within this Kingdom, and upon all Occaſions whatſoever, to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Courts, Judges, and other Perſons, without ſpecially pleading the ſame.

CAP.

CAP. XVII.

An Act for appointing Commiſſioners to put in Execution an Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-four*, together with thoſe named in two former Acts for appointing Commiſſioners of the Land Tax.

CAP. XVIII.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March*, one thouſand ſeven hundred and ſeventy-four.

CAP. XIX.

An Act to diſcontinue, in ſuch Manner, and for ſuch Time as are therein mentioned, the landing and diſcharging, lading or ſhipping, of Goods, Wares, and Merchandiſe, at the Town, and within the Harbour, of *Boſton*, in the Province of *Maſſachuſet's Bay*, in *North America*.

'WHEREAS dangerous Commotions and Inſurrections have been fomented and raiſed in the Town of *Boſton*, in the Province of *Maſſachuſet's Bay*, in *New England*, by divers ill-affected Perſons, to the Subverſion of his Majeſty's Government, and to the utter Deſtruction of the publick Peace, and good Order of the ſaid Town; in which Commotions and Inſurrections certain valuable Cargoes of Teas, being the Property of the *Eaſt India Company*, and on board certain Veſſels lying within the Bay or Harbour of *Boſton*, were ſeized and deſtroyed: And whereas, in the preſent Condition of the ſaid Town and Harbour, the Commerce of his Majeſty's Subjects cannot be ſafely carried on there, nor the Cuſtoms payable to his Majeſty duly collected; and it is therefore expedient that the Officers of his Majeſty's Cuſtoms ſhould be forthwith removed from the ſaid Town:' May it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-four, it ſhall not be lawful for any Perſon or Perſons whatſoever to lade or put, or cauſe or procure to be laden or put, off or from any Quay, Wharf, or other Place, within the ſaid Town of *Boſton*, or in or upon any Part of the Shore of the Bay, commonly called *The Harbour of Boſton*, between a certain Headland or Point called *Nahant Point*, on the Eaſtern Side of the Entrance into the ſaid Bay, and a certain other Headland or Point called *Alderton Point*, on the Weſtern Side of the Entrance into the ſaid Bay, or in or upon any Iſland, Creek, Landing-place, Bank, or other Place, within the ſaid Bay or Headlands, into any Ship, Veſſel, Lighter, Boat, or Bottom, any Goods, Wares, or Merchandiſe whatſoever, to be tranſported or carried into any other Country, Province, or Place whatſoever, or into any other Part of the ſaid Province of the *Maſſachuſet's Bay*, in *New England*; or to take up, diſcharge, or lay on Land, or cauſe or procure to be taken up, diſcharged, or laid on Land, within the ſaid Town, or in or upon any of the Places aforeſaid, out of any Boat, Lighter, Ship, Veſſel, or Bottom, any Goods, Wares, or Merchandiſe whatſoever, to be brought from any other Country, Province, or Place, or any other Part of the ſaid Province of the *Maſſachuſet's Bay* in *New England*, upon Pain of the Forfeiture of the ſaid Goods, Wares, and Merchandiſe, and of the ſaid Boat, Lighter, Ship, Veſſel, or other Bottom into which the ſame ſhall be put, or out of which the ſame ſhall be taken, and of the Guns, Ammunition, Tackle, Furniture, and Stores, in or belonging to the ſame: And if any ſuch Goods, Wares, or Merchandiſe, ſhall, within the ſaid Town, or in any the Places aforeſaid, be laden or taken in from the Shore into any Barge, Hoy, Lighter, Wherry, or Boat, to be carried on board any Ship or Veſſel outward-bound to any other Country or Province, or other Part of the ſaid Province of the *Maſſachuſet's Bay* in *New England*, or be laden or taken into ſuch Barge, Hoy, Lighter, Wherry, or Boat, from or out of any Ship or Veſſel coming in and arriving from any other Country or Province, or other Part of the ſaid Province of the *Maſſachuſet's Bay* in *New England*, ſuch Barge, Hoy, Lighter, Wherry, or Boat, ſhall be forfeited and loſt.

Preamble.

Regulations, after June 1, 1774, to be obſerved in lading on the Shore of Boſton.

II. And be it further enacted by the Authority aforeſaid, That if any Wharfinger, or Keeper of any Wharf, Crane, or Quay, or their Servants, or any of them, ſhall take up or land, or knowingly ſuffer to be taken up or landed, or ſhall ſhip off, or ſuffer to be waterborne, at or from any of their ſaid Wharfs, Cranes, or Quays, any ſuch Goods, Wares, or Merchandiſe; in every ſuch Caſe, all and every ſuch Wharfinger, and Keeper of ſuch Wharf, Crane, or Quay, and every Perſon whatever who ſhall be aſſiſting, or otherwiſe concerned in the ſhipping or in the loading or putting on board any Boat, or other Veſſel, for that Purpoſe, or in the unſhipping ſuch Goods, Wares, and Merchandiſe, or to whoſe Hands the ſame ſhall knowingly come after the loading, ſhipping, or unſhipping thereof, ſhall forfeit and loſe treble the Value thereof, to be computed at the higheſt Price which ſuch Sort of Goods, Wares, and Merchandiſe, ſhall bear at the Place where ſuch Offence ſhall be committed, at the Time when the ſame ſhall be ſo committed, together with the Veſſels and Boats, and all the Horſes, Cattle, and Carriages, whatſoever made uſe of in the ſhipping, unſhipping, landing, removing Carriage, or Conveyance of any of the aforeſaid Goods, Wares, and Merchandiſe.

Penalty, if the Wharfingers, or Perſons aſſiſting, ſuffer Goods to be waterborne, contrary to the ſaid Regulations.

Power of the Admiral, Chief Commander, &c.

III. And be it further enacted by the Authority aforeſaid, That if any Ship or Veſſel ſhall be moored or lie at Anchor, or be ſeen hovering within the ſaid Bay, deſcribed and bounded as aforeſaid, or within one League from the ſaid Bay ſo deſcribed, or the ſaid Headlands, or any of the Iſlands lying between or within the ſame, it ſhall and may be lawful for any Admiral, Chief Commander, or Commiſſioned Officer, of his Majeſty's Fleet or Ships of War, or for any Officer of his Majeſty's Cuſtoms, to compel ſuch Ship or Veſſel to depart to ſome other Port or Harbour, or to ſuch Station as the ſaid Officer ſhall appoint, and to uſe ſuch Force for that Purpoſe as ſhall be found neceſſary: And if ſuch Ship or Veſſel ſhall not depart accordingly, within ſix Hours after Notice for that Purpoſe given by ſuch Perſon as aforeſaid, ſuch Ship or Veſſel, together with all the Goods laden on board thereon, and all the Guns, Ammunition, Tackle, and Furniture, ſhall be forfeited and loſt, whether Bulk ſhall have been broken or not.

This Act not to extend to Military Stores, nor to Fuel, &c. for the Uſe of the Inhabitants.

IV. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Military or other Stores for his Majeſty's Uſe, or to the Ships or Veſſels whereon the ſame ſhall be laden, which ſhall be commiſſioned by, and in the immediate Pay of, his Majeſty, his Heirs or Succeſſors; nor to any Fuel or Victual brought Coaſtwiſe from any Part of the Continent of *America*, for the neceſſary Uſe and Suſtenance of the Inhabitants of the ſaid Town of *Boſton*, provided the Veſſel wherein the ſame are to be carried ſhall be duly furniſhed with a Cocket and Let-paſs, after having been duly ſearched by the proper Officers of his Majeſty's Cuſtoms at *Marblehead*, in the Port of *Salem*, in the ſaid Province of *Maſſachuſet's Bay*; and that ſome Officer of his Majeſty's Cuſtoms be alſo there put on board the ſaid Veſſel, who is hereby authoriſed to go on board, and proceed with the ſaid Veſſel, together with a ſufficient Number of Perſons, properly armed, for his Defence, to the ſaid Town or Harbour of *Boſton*; nor to any Ships or Veſſels which may happen to be within the ſaid Harbour of *Boſton* on or before the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-four, and may have either laden or taken on board, or be there with Intent to load or take on board, or to land or diſcharge any Goods, Wares, and Merchandiſe, provided the ſaid Ships and Veſſels do depart the ſaid Harbour within fourteen Days after the ſaid firſt Day of *June*, one thouſand ſeven hundred and ſeventy-four.

Seizures, Penalties, &c. to be proſecuted by any Admiral, &c.

V. And be it further enacted by the Authority aforeſaid, That all Seizures, Penalties, and Forfeitures, inflicted by this Act, ſhall be made and proſecuted by any Admiral, Chief Commander, or Commiſſioned Officer, of his Majeſty's Fleet, or Ships of War, or by the Officers of his Majeſty's Cuſtoms, or ſome of them, or by ſome other Perſon deputed or authoriſed, by Warrant from the Lord High Treaſurer, or the Commiſſioners of his Majeſty's Treaſury for the Time being, and by no other Perſon whatſoever: And if any ſuch Officer, or other Perſon authoriſed as aforeſaid, ſhall, directly or indirectly, take or receive any Bribe or Reward, to connive at ſuch lading or unlading, or ſhall make or commence any colluſive Seizure, Information, or Agreement for that Purpoſe, or ſhall do any other Act whatſoever, whereby the Goods, Wares, or Merchandiſe, prohibited as aforeſaid, ſhall be ſuffered to paſs either inwards or outwards, or whereby the Forfeitures and Penalties inflicted by this Act may be evaded, every ſuch Offender ſhall forfeit the Sum of five hundred Pounds for every ſuch Offence, and ſhall become incapable of any Office or Employment, civil or military; and every Perſon who ſhall give, offer, or promiſe, any ſuch Bribe or Reward, or ſhall contract, agree, or treat with, any Perſon, ſo authoriſed as aforeſaid, to commit any ſuch Offence, ſhall forfeit the Sum of fifty Pounds.

500l. Penalty on Perſons conniving at the lading or unlading of Goods, &c.

Penalties inflicted by this Act how to be proſecuted, &c.

VI. And be it further enacted by the Authority aforeſaid, That the Forfeitures and Penalties inflicted by this Act ſhall and may be proſecuted, ſued for, and recovered, and be divided, paid, and applied, in like Manner as other Penalties and Forfeitures inflicted by any Act or Acts of Parliament, relating to the Trade or Revenues of the *Britiſh* Colonies or Plantations in *America*, are directed to be proſecuted, ſued for, or recovered, divided, paid, and applied, by two ſeveral Acts of Parliament, the one paſſed in the fourth Year of his preſent Majeſty, (intituled, *An Act for granting certain Duties in the* Britiſh *Colonies and Plantations in* America; *for continuing, amending, and making perpetual, an Act paſſed in the ſixth Year of the Reign of his late Majeſty King* George *the Second, intituled,* An Act for the better ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in *America*; *for applying the Produce of ſuch Duties, and of the Duties to ariſe by virtue of the ſaid Act, towards defraying the Expences of defending, protecting, and ſecuring, the ſaid Colonies and Plantations*; *for explaining an Act made in the Twenty-fifth Year of the Reign of King* Charles *the Second, intituled,* An Act for the Encouragement of the *Greenland* and *Eaſtland* Trades, and for the better ſecuring the Plantation Trade; *and for altering and diſallowing ſeveral Drawbacks on Exports from this Kingdom, and more effectually preventing the clandeſtine Conveyance of Goods to and from the ſaid Colonies and Plantations, and improving and ſecuring the Trade between the ſame and* Great-Britain;) the other paſſed in the eighth Year of his preſent Majeſty's Reign, (intituled, *An Act for the more eaſy and effectual Recovery of the Penalties and Forfeitures inflicted by the Acts of Parliament relating to the Trade or Revenues of the* Britiſh *Colonies and Plantations in* America.)

Charter Party Bills of Loading to be void.

VII. And be it further enacted by the Authority aforeſaid, That every Charter Party Bill of Loading, and other Contract for conſigning, ſhipping, or carrying any Goods, Wares, and Merchandiſe whatſoever, to or from the ſaid Town of *Boſton*, or any Part of the Bay or Harbour thereof, deſcribed as aforeſaid, which have been made or entered into, or which ſhall be made or entered into, ſo long as this Act ſhall remain in full Force, relating to any Ship which ſhall arrive at the ſaid Town or Harbour, after the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-four, ſhall be, and the ſame are hereby declared to be, utterly void, to all Intents and Purpoſes whatſoever.

His Majeſty, in reſpect to the Haven of Boſton, may, by Proclamation, appoint its Bounds.

VIII. And be it further enacted by the Authority aforeſaid, That whenever it ſhall be made to appear to his Majeſty, in his Privy Council, that Peace and Obedience to the Laws ſhall be ſo far reſtored in the ſaid Town of *Boſton*, that the Trade of *Great Britain* may ſafely be carried on there, and his Majeſty's Cuſtoms duly collected, and his Majeſty, in his Privy Council, ſhall adjudge the ſame to be true, it ſhall and may be lawful for his Majeſty, by Proclamation, or Order of Council, to aſſign and appoint the Extent, Bounds, and Limits, of the Port or Harbour of *Boſton*, and of every Creek or Haven within the

ſame,

ſame, or in the Iſlands within the Precinct thereof; and alſo to aſſign and appoint ſuch and ſo many open Places, Quays, and Wharfs, within the ſaid Harbour, Creeks, Havens, and Iſlands, for the landing, diſcharging, lading, and ſhipping of Goods, as his Majeſty, his Heirs or Succeſſors, ſhall judge neceſſary and expedient; and alſo to appoint ſuch and ſo many Officers of the Cuſtoms therein as his Majeſty ſhall think fit; after which it ſhall be lawful for any Perſon or Perſons to lade or put off from, or to diſcharge and land upon, ſuch Wharfs, Quays, and Places, ſo appointed within the ſaid Harbour, and none other, any Goods, Wares, and Merchandiſe whatever.

Proviſo as to Goods, &c. laden or landed on Places prohibited.

IX. Provided always, That if any Goods, Wares, or Merchandiſe, ſhall be laden or put off from, or diſcharged or landed upon, any other Place than the Quays, Wharfs, or Places, ſo to be appointed, the ſame, together with the Ships, Boats, and other Veſſels employed therein, and the Horſes, or other Cattle and Carriages uſed to convey the ſame, and the Perſon or Perſons concerned or aſſiſting therein, or to whoſe Hands the ſame ſhall knowingly come, ſhall ſuffer all the Forfeitures and Penalties impoſed by this or any other Act on the illegal ſhipping or landing of Goods.

Not to extend to enable his Majeſty to appoint Ports, Creeks, &c. till Satisfaction be made to the Eaſt India Company.

X. Provided alſo, and it is hereby declared and enacted, That nothing herein contained ſhall extend, or be conſtrued, to enable his Majeſty to appoint ſuch Port, Harbour, Creeks, Quays, Wharfs, Places, or Officers, in the ſaid Town of *Boſton*, or in the ſaid Bay or Iſlands, until it ſhall ſufficiently appear to his Majeſty that full Satisfaction hath been made by or on Behalf of the Inhabitants of the ſaid Town of *Boſton* to the United Company of Merchants of *England* trading to the *Eaſt-Indies*, for the Damage ſuſtained by the ſaid Company by the Deſtruction of their Goods ſent to the ſaid Town of *Boſton*, on board certain Ships or Veſſels as aforeſaid; and until it ſhall be certified to his Majeſty, in Council, by the Governor, or Lieutenant Governor, of the ſaid Province, that reaſonable Satisfaction hath been made to the Officers of his Majeſty's Revenue, and others, who ſuffered by the Riots and Inſurrections above mentioned, in the Months of *November* and *December*, in the Year one thouſand ſeven hundred and ſeventy-three, and in the Month of *January*, in the Year one thouſand ſeven hundred and ſeventy-four.

Limitation of Actions.

General Iſſue.

Treble Coſts.

XI. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced, either in *Great Britain* or *America*, againſt any Perſon or Perſons, for any Thing done in purſuance of this Act of Parliament, the Defendant or Defendants, in ſuch Action or Suit, may plead the General Iſſue, and give the ſaid Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared; or if Judgment ſhall be given upon any Verdict or Demurrer, againſt the Plaintiff, the Defendant or Defendants ſhall recover treble Coſts, and have the like Remedy for the ſame, as Defendants have in other Caſes by Law.

CAP. XX.

An Act for the Relief of Priſoners charged with Felony, or other Crimes, who ſhall be acquitted or diſcharged by Proclamation, reſpecting the Payment of Fees to Gaolers, and giving a Recompence for ſuch Fees, out of the County Rates.

Preamble.

'WHEREAS Perſons in Cuſtody for Felonies, or other Crimes, or on Suſpicion thereof, or as Acceſſaries thereto, though no Bills of Indictment are afterwards preferred or found againſt them, or they are acquitted on their Trials, are nevertheleſs frequently detained for certain Fees to the Sheriffs, Gaolers, or Keepers of Priſons, in whoſe Cuſtody they happen to be, which is both oppreſſive and unjuſt:' For Remedy whereof, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That every Priſoner who now is, or hereafter ſhall be, charged with any Felony or other Crime, or as an Acceſſary thereto, before any Court holding criminal Juriſdiction, within that Part of *Great Britain* called *England* and *Wales*, againſt whom no Bill of Indictment ſhall be found by the Grand Jury, or who, on his or her Trial, ſhall be acquitted, or who ſhall be diſcharged by Proclamation, for want of Proſecution, ſhall be immediately ſet at large in open Court, without the Payment of any Fee or Sum of Money to the Sheriff, Gaoler, or Keeper of the Gaol or Priſon, from whence he or ſhe ſhall be ſo diſcharged, and ſet at Liberty, for or in reſpect of ſuch Diſcharge.

Priſoners charged with Felony or other Crimes in England for want of Proſecution to be ſet at large.

Sheriffs, Gaolers, or Keeper's Fees, aboliſhed.

II. And be it further enacted by the Authority aforeſaid, That all ſuch Fees as have been uſually paid, or payable, to the ſeveral Sheriffs, Gaolers, and Keepers of Priſons in *England* and *Wales*, in any of the Caſes aforeſaid, ſhall abſolutely ceaſe, and the ſame are hereby aboliſhed and determined; and from and after the paſſing of this Act, no Gaoler, or Keeper of any Gaol or Priſon, ſhall aſk, demand, take, or receive, any Sum or Sums of Money from any of the ſaid Priſoners, as Fees, for, upon, or in reſpect of his or her Diſcharge.

The Treaſurers of Counties, &c. as are not aſſeſſed at large, on Receipt of a Certificate, ſigned by a Judge, &c. ſhall pay to ſuch Gaolers not exceeding 13s. 4d. in lieu of ſuch Fees.

III. And be it further enacted by the Authority aforeſaid, That, in Lieu of ſuch Fees ſo aboliſhed as aforeſaid, the Treaſurers, or other proper Officers of the ſeveral Counties, or of ſuch Diſtricts, Hundreds, Ridings, or Diviſions, of a County, as are not uſually aſſeſſed to the County at large, and of ſuch Cities, Towns Corporate, Cinque Ports, Liberties, Franchiſes, and Places, as do not pay to the Rates of the ſeveral Counties in which they are reſpectively ſituated, ſhall, on receiving a Certificate, ſigned by one or more Judge or Juſtice, before whom ſuch Priſoner ſhall have been diſcharged as aforeſaid, (which Certificate the Judge or Juſtice is hereby required to give), pay out of the Rates of ſuch County, or of ſuch Diſtrict, Hundred, Riding, or Diviſion, or out of the publick Stock of ſuch City, Town Corporate, Cinque

Cinque Port, Liberty, Franchiſe, or Place, ſuch Sum as has been uſually paid upon that Occaſion, not exceeding thirteen Shillings and Four-pence for every Priſoner ſo diſcharged as aforeſaid, to the Sheriff, Gaoler, or Keeper of the Priſon, whence the ſaid Priſoner ſhall have been diſcharged as aforeſaid; which ſeveral Sums, ſo paid in purſuance of this Act, ſhall be reſpectively allowed to the ſaid Treaſurers and Officers by the Juſtices before whom their Accounts ſhall be paſſed.

CAP. XXI.

An Act for more effectually carrying into Execution certain Propoſals, made by the moſt Noble *Henry* Duke of *Buccleugh*, the moſt Noble *Charles* Duke of *Queenſberry* and *Dover*, and others, for redeeming the Annuities granted by the Company of the Bank of *Ayr*, in that Part of *Great Britain* called *Scotland*, known under the Firm of *Douglas*, *Heron*, *and Company*.

Preamble.

'WHEREAS the moſt Noble *Henry* Duke of *Buccleugh*, the moſt Noble *Charles* Duke of *Queenſberry* and *Dover*, the Right Honourable *Patrick* Earl of *Dumfries*, *Archibald Douglas* of *Douglas* Eſquire, and a conſiderable Number of other Perſons, did, in the Year of our Lord one thouſand ſeven hundred and ſixty-nine, enter into a Partnerſhip, and ſubſcribe a Capital or Stock of one hundred and ſixty thouſand Pounds, or thereabouts, for carrying on the Buſineſs of Banking in that Part of *Great Britain* called *Scotland*, under the Firm of *Douglas*, *Heron*, *and Company*, with Intention chiefly of improving Manufactures and Agriculture, by accommodating and extending the Credit of the Manufacturers and Farmers of that Part of the Kingdom: And whereas, by too great an Enlargement of the Credit given to the Manufacturers, Farmers, and others, the Partnerſhip did, in *June*, one thouſand ſeven hundred and ſeventy-two, come to be in great Want of Money to ſatisfy the Demands made upon them, owing to the Check given to Credit by the many Bankruptcies that happened at that Time in different Parts of this Kingdom: And whereas the Copartners in the ſaid Company, in order to raiſe Money to ſatisfy the Demands upon them, and thereby prevent the Bankruptcy of many, which their ſtopping Payment would neceſſarily have occaſioned, did raiſe, on granting Annuities for one and two Lives, the Sum of four hundred and fifty thouſand Pounds, and upwards, ſubject to a Power given by the Purchaſers of the ſaid Annuities, by verbal Agreement, for the ſaid Copartners to redeem the ſaid Annuities, by repaying the Purchaſe-money originally given for the ſaid Annuities, and one Half-year's Annuity more, as a Premium for ſuch Power of Redemption: And whereas the ſaid Copartners, in order to extricate their Affairs, and to enable them to redeem their ſaid Annuities, did, at a General Meeting, held on the twelfth Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-three, reſolve to diſcontinue the ſaid Banking Buſineſs, and nominated and appointed the Perſons following, being twelve of the Copartners, or any three of them, to be a Committee, with Power to do every Thing neceſſary for managing and winding up the Affairs of the Partnerſhip that could be done by the Reſolutions of a General Meeting, *videlicet*, The ſaid *Henry* Duke of *Buccleugh*, the ſaid *Charles* Duke of *Queenſberry* and *Dover*, *Archibald Douglas* of *Douglas*, *John Hamilton* of *Sundrum*, *Alexander Ferguſon* of *Craigdarroch*, *Ilay Campbell*, *David Ferguſon*, *Alexander Wight*, *John Campbell*, *Andrew Croſbie*, *George Home*, and *Alexander Mackonochie*, Eſquires: And whereas, at another Meeting of the ſaid Copartners, held on the twenty-firſt Day of *December*, one thouſand ſeven hundred and ſeventy-three, the Perſons following were added to the ſaid Committee, *videlicet*, *Thomas Lockhart*, Eſquire, Commiſſioner of Exciſe, and *John Syme* Writer to the Signet, and any five of the ſaid Committee were declared to be a Quorum, for executing all Buſineſs: And whereas the ſaid Committee, after much Conſideration of the moſt proper and effectual Method of redeeming the ſaid Annuities, finding it was impoſſible to raiſe any conſiderable Sum for that Purpoſe out of the Funds of the Partnerſhip, without bringing great Diſtreſs upon their Debtors, and injuring the Credit of that Part of the Kingdom where they chiefly reſided, did call a Meeting of the Annuitants together, on the ninth Day of *February*, one thouſand ſeven hundred and ſeventy-four, and deliver to them, in Writing, the following Propoſals: Firſt, That his Grace the Duke of *Buccleugh*, the Duke of *Queenſberry*, *Archibald Douglas* Eſquire, and others, being the preſent Committee, choſen and appointed by a General Meeting of Proprietors at *Edinburgh*, to manage the Affairs of the ſaid Meſſieurs *Douglas*, *Heron*, *and Company*, do execute Bonds of fifty Pounds each, ſome few broken Sums excepted, to the Amount of the original Sums paid for the ſaid Annuities, with the Addition of half a Year's Purchaſe, or fifty Pounds more, on every Annuity of one hundred Pounds, and *pro rata* for every greater or leſſer Annuity, the ſaid Committee binding themſelves, and their Heirs and Executors, and having a Power to bind all the Partners of the ſaid Company, and their Heirs and Executors, to the due Performance of the Obligations in the ſaid Bonds: Second, That the ſaid Bonds of fifty Pounds each, carrying an Intereſt of five Pounds *per* hundred Pounds, be made payable to a Perſon named, his Executors, Adminiſtrators, or Aſſigns, by Indorſement, and rendered to all Intents and Purpoſes negotiable and vendable, like *Eaſt India Bonds*, Navy, and Exchequer Bills, or any Effects of a ſimilar Nature: Third, That as the Principal of the ſaid Bonds, the Premium of Redemption included, is eſtimated nearly at four hundred and eighty thouſand Pounds, the Intereſt at five *per Centum* thereon is twenty-four thouſand Pounds *per Annum*, it is further propoſed, that ſpecifick Eſtates in Land unentailed in *Scotland*, to the clear Amount in Rent of thirty-two thouſand Pounds *per Annum*, or upwards, be ſubjected, by Mortgage, as a corroborative Security for the Diſcharge of the Principal and Intereſt of the ſaid Bonds; that is to ſay, Of the Intereſt every Half-year in *London*; and of the Principal by four Inſtalments, *videlicet*, One fourth Part, as nearly as the Whole may be conveniently divided, at *Mid-*

ſummer,

'*ſummer*, one thouſand ſeven hundred and ſeventy-eight; one fourth Part at *Midſummer*, one thouſand 'ſeven hundred and ſeventy-nine; one fourth Part at *Midſummer*, one thouſand ſeven hundred and 'eighty; and the laſt, whether ſomething more or leſs than a Fourth, at *Midſummer*, one thouſand ſeven 'hundred and eighty-two: Fourth, That the Care of inveſtigating the Titles and Values of the ſaid 'Eſtates in Lands, and of executing the Securities in due Form, be left to *James Montgomery* Eſquire, 'Lord Advocate, and *Henry Dundas* Eſquire, Solicitor General, of *Scotland*, with the Approbation, and 'under the Inſpection, of *Alexander Wedderburn* Eſquire, Solicitor General of *England*, and *Joſeph* '*Banks*, of *Lincoln's Inn*, Eſquire, upon the recent Precedent of a ſimilar Tranſaction, when a Loan of 'fourſcore thouſand Pounds was furniſhed to the ſaid Company on the Security of other landed Eſtates, 'under the Care, and by the Advice, of the ſame learned Gentlemen: Fifth, That after the ſaid landed 'Eſtates, in the preſent Inſtance, to the Amount, in Rent, of thirty-two thouſand Pounds *per Annum*, or 'ſo much thereof as ſhall be adequate to the Claim of ſuch Annuitants as ſhall ſubſcribe their Aſſent to theſe 'Propoſals, ſhall have been approved of by the ſaid four learned Gentlemen, the Mortgage Deeds, called '*Heritable Bonds* in *Scotland*, ſhall be made out and aſſigned to Sir *William Henry Aſhhurſt*, one of the Judges 'of his Majeſty's Court of King's Bench, the ſaid Lord Advocate and Solicitor General of *Scotland*, the 'ſaid *Alexander Wedderburn* Solicitor General of *England*, *Joſeph Banks*, *Richard Glover*, and *Alexander* '*Mackonochie*, Eſquires, or to any other Perſons in *Scotland* or *England*, in Number more or leſs, at the 'Election of the Annuitants themſelves, for the ſpecial Purpoſe of being Truſtees, and holding the ſaid 'Eſtates of thirty-two thouſand Pounds clear Rent, in Behalf of the Annuitants, for the full and due Per-'formance of the Obligations in the ſaid Bonds, which are to be ſubſtituted in lieu of the Annuities by the 'ſaid Committee of Meſſieurs *Douglas*, *Heron*, *and Company:* Sixth, That in caſe the ſaid Annuitants, 'or any Number of them, ſhall accept of theſe Offers, and of the before-named ſeven Perſons as Truſtees 'for all or ſuch Proportion of the ſaid Mortgages as ſhall be adequate to the Claim of ſuch Number as ſhall 'ſubſcribe their Aſſent, it is further provided and earneſtly deſired, that they will appoint three or five Gen-'tlemen, of their own Body, to inſpect all the Proceedings relative to this Tranſaction, and to report the 'ſame at a publick Meeting to be called by the Inſpectors: Seventh, That when, with the Approbation 'and Concurrence of the ſaid Inſpectors, all the Premiſes above mentioned ſhall have paſſed the regular 'Forms, and the Holders of Annuities ſhall be put in Poſſeſſion of Bonds to the Amount of ſeven hundred 'and fifty Pounds for an Annuity of one hundred Pounds on one Life, and eight hundred and fifty Pounds 'for an Annuity of one hundred Pounds on two Lives, and *pro rata* for every greater or leſſer Annuity; 'and when they ſhall have received in Money whatever is accrued and due for the Annuities down to the 'Date of the new Bonds; that then the old Bonds and Judgments, or other Securities, by which they 'claimed their ſaid Annuities, ſhall be given up, and Satisfaction acknowledged on the ſaid Judgments: 'Eighth, That in caſe any of the Annuitants, who ſhall ſign their Aſſent to theſe Propoſals, ſhould die 'before the final Execution of the ſame, all the Benefit thereof ſhall remain to their Heirs and Executors, 'as fully and effectually as if the original Annuitants were actually alive; but if the ſaid Propoſals ſhould 'not be made good, in that Caſe the preſent Annuitants ſhall remain in the ſame State of Annuitants they 'now are: Ninth, That Parliament ſhall be applied to for an Act, under whoſe Sanction and Authority 'the Bonds may be lawfully iſſued: And whereas, the Annuitants preſent at the ſaid Meeting, having 'taken the ſaid Propoſals into Conſideration, did unanimouſly agree to the ſame, and the following Memo-'randum was then ſubſcribed by many of the ſaid Annuitants preſent, and hath ſince been ſubſcribed by 'many others who were not then preſent; *videlicet*, London, *Ninth* February, *one thouſand ſeven hundred* '*and ſeventy-four. We underwritten Purchaſers of Annuities from Meſſieurs* Douglas, Heron, and Company, '*conſent and agree to the within Propoſals for the Redemption of the ſame, and approve of the Truſtees named in* '*the fifth Article*; *and, in Conformity with the Sixth, appoint Sir* Thomas Frankland *Baronet*, Martin Bladen 'Hawke *Eſquire*, George Dempſter *Eſquire*, Peregrine Cuſt *Eſquire*, *and* Daniel Giles *Eſquire*, to '*be our Inſpectors over all Proceedings relative to the Execution of the ſaid Propoſal:* And whereas it would 'greatly facilitate the redeeming the ſaid Annuities, and ſave much Trouble and Expence to the ſaid Co-'partners, if the Committee appointed for ſettling the Affairs of the ſaid Copartnerſhip, or any five or 'more of them, were enabled to iſſue Bonds for ſecuring the Payment to the reſpective Annuitants of the 'principal Money and Intereſt, according to the ſaid Propoſals, or to raiſe Money thereon for the Redemp-'tion of the ſaid Annuities, and to make the ſaid Bonds negotiable by Indorſement thereon; but it being 'apprehended that the ſame cannot be rendered effectual to anſwer the Intention of the Parties, or the ſaid 'Propoſals carried into Execution, without the Aid and Authority of Parliament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the ſaid *Henry* Duke of *Buccleugh*, *Charles* Duke of *Queenſberry* and *Dover*, *Archibald Douglas* of *Douglas* Eſquire, *John Hamilton* of *Sundrum*, *Alexander Ferguſon* of *Craigdarroch*, *Ilay Campbell*, *David Ferguſon*, *Alexander Wight*, *John Campbell*, *Andrew Croſbie*, *George Home*, *Alexander Mackonochie*, *Thomas Lockhart*, and *John Syme*, or any five of them (of which the ſaid *Henry* Duke of *Buccleugh*, *Charles* Duke of *Queenſberry* and *Dover*, and *Archibald Douglas* of *Douglas* Eſquire, or any two of them, or the Survivor of them, ſhall be three, two, or one, as the Caſe may happen), to execute and iſſue Bonds for the Payment of any Sum or Sums of Money, not exceeding in the Whole five hundred thouſand Pounds, for redeeming the Annuities ſo granted by the Partnerſhip of *Douglas*, *Heron*, *and Company*, as aforeſaid, or for raiſing Money thereon for redeeming the ſaid Annuities, or any Part thereof; each of which ſaid Bonds ſhall not be for ſecuring leſs than fifty Pounds and Intereſt, and ſhall be conceived in the following Words, or Words to the like Effect; (that is to ſay,)

The Committee to grant Bonds.

Form of the Bonds.

'KNOW all Men by these Presents, That we being a Quorum of the Committee, nominated and appointed by the Copartners of the Partnership in *Scotland*, which past under the Firm of *Douglas, Heron, and Company*, with Power to do all Things necessary for extricating the Affairs of the said Company, are held and firmly bound to in the Sum of of lawful Money of *Great Britain*; for the due Payment whereof we bind the said Company, and ourselves, and each of us, and our and each of our Heirs, Executors, and Administrators, and the Copartners of the said Copartnership, and each of them, and their and each of their Heirs, Executors, and Administrators respectively. Witness our Hands this Day of one thousand seven hundred and

The Condition of the above-written Obligation is such, That if the said or any of them, or the said Messieurs Douglas, Heron, and Company, *do and shall well and truly pay, or cause to be paid, unto the said his Executors, Administrators, or Assigns, the Sum of of lawful Money of* Great Britain, *at or on the* Royal Exchange *in the City of* London, *on the Day of which will be in the Year of our Lord one thousand seven hundred and with Interest for the same in the mean Time, at the Rate of* per Centum per Annum, *in* London, *by two half-yearly Payments; that is to say, on the Day of and Day of in every Year, by even and equal Portions, free from all Taxes and Deductions whatsoever, the first Payment thereof to be made on the Day of next ensuing the Date of the said Obligation, then the said Obligation shall be void, or else remain in full Force and Virtue.*

Bonds to be numbered.

Which Bonds so to be given shall be numbered, beginning with Number I. and so proceeding in arithmetical Progression, and shall be entered in a Book, to be kept for that Purpose, by *Kenneth M'Kenzie* of *Spring Gardens*, in the City of *Westminster*, Esquire, without Fee or Reward, or by such other Person as shall be appointed by the said Inspectors; and which Bonds shall be inspected and approved of by any one of the said Inspectors in the following Words: *I have inspected, and approve this Bond.*

Heritable Securities to be granted to Trustees.

II. Provided always, that prior to the issuing of the said Bonds, heritable Security shall be granted and constituted to Sir *William Henry Ashhurst* Knight, *James Montgomery*, *Alexander Wedderburn*, *Henry Dundas*, *Joseph Banks*, *Richard Glover*, and *Alexander Mackonochie*, Esquires, in Trust, in Terms of the Proposals before mentioned.

All Bonds given by the Trustees to be stamped with a 2 s. 6 d. Stamp.

III. And be it further enacted by the Authority aforesaid, That all Bonds to be given by the said *Henry* Duke of *Buccleugh*, *Charles* Duke of *Queensberry* and *Dover*, *Archibald Douglas* of *Douglas* Esquire, *John Hamilton* of *Sundrum*, *Alexander Ferguson* of *Craigdarroch*, *Ilay Campbell*, *David Ferguson*, *Alexander Wight*, *John Campbell*, *Andrew Crosbie*, *George Home*, *Alexander Mackonochie*, *Thomas Lockhart*, and *John Syme*, or any five of them (of which the said *Henry* Duke of *Buccleugh*, *Charles* Duke of *Queensberry* and *Dover*, and *Archibald Douglas* of *Douglas* Esquire, or any two of them, or the Survivor of them, shall be three, two, or one, as the Case may happen), shall be upon Parchment or Paper, with a Stamp of two Shillings and Sixpence; and shall be assignable by Indorsement upon the original Bond without Stamps, to any Person or Persons whomsoever; and such Bond or Bonds may, in like Manner, be again assignable by Indorsement, without Stamps, as aforesaid, and so *toties quoties*, as often as Occasion shall be or require: And that such Indorsee or Indorsees of such Bond or Bonds shall and may, and they are hereby impowered to bring any Action or Actions, Suit or Suits, at Law or in Equity, in his, her, or their Name or Names, against the Persons so giving such Bond or Bonds as aforesaid, or any of them, their or any of their Heirs, Executors, or Administrators, or any other of the said Copartners of the said Copartnership, their or any of their Heirs, Executors, or Administrators, for the recovering and receiving the several Sums of Money for which such Bond or Bonds shall be so given, and the Interest respectively due for the same, as fully and effectually, to all Intents and Purposes, as though the said Bond or Bonds had been originally given and entered into to such Indorsee or Indorsees.

Bonds to be transferrable by Indorsement without Stamps. Indorsees may bring Actions at Law for the Recovery of their Money.

Bonds not negotiable by Indorsement after June 24, 1782. Proviso.

IV. Provided always, That the said Bonds shall not be negotiable or transferrable by Indorsement after the twenty-fourth Day of *June*, one thousand seven hundred and eighty-two.

V. Provided also, That nothing in this Act contained shall extend, or be construed to extend, to affect any Questions or Disputes that have arisen, or may arise, between the different Partners of the said Company, known under the Firm of *Douglas, Heron, and Company*.

Bonds to be personal Estate.

VI. And be it further enacted by the Authority aforesaid, That the aforesaid Bonds of fifty Pounds each, or upwards, shall, notwithstanding the heritable Bonds, and real Security to be given in Trust, as aforesaid, be considered, and taken and held to be personal or moveable Estates, and shall belong to the Executor or Administrator or personal Representative, and not to the Heir of the Creditor, and may be disposed of or transmitted to any Person or Persons, by Deed or Will, in such and the same Manner as any other personal Estate is disposed of or transmitted in *Scotland* or *England*; any Law, Custom, or Usage, to the contrary notwithstanding.

Publick Act.

VII. And be it further enacted and declared by the Authority aforesaid, That this Act shall be deemed, taken, and allowed, in all Courts within *England* or *Scotland*, to be a Publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons, without specially pleading the same.

CAP.

CAP. XXII.

An Act to enable his Majesty to grant unto Major General *Simon Fraser* the Lands and Estate of the late *Simon* Lord *Lovat*, upon certain Terms and Conditions.

Preamble. Act 25 Geo. 2.

'WHEREAS by an Act, made in the twenty-fifth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for annexing certain forfeited Estates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same, and applying the Rents and Profits thereof, for the better civilizing and improving the Highlands of* Scotland, *and preventing Disorders there for the future*; all and every the Lands, Lordships, Baronies, Patronages, Tithes, Salmon Fishings, and other like Heritages and Estates whatever, which became forfeited to his said late Majesty by the Attainder of *Simon* late Lord *Lovat*, were unalienably annexed to the Imperial Crown of these Realms: And whereas, before the Attainder of the said *Simon* late Lord *Lovat*, his said Estate was settled by a Deed of Entail, which coming to be tried before the Court of Session in *Scotland*, the Estate was determined to be forfeited by a Majority of one Voice, and that Judgment was not appealed from: And whereas, in the Year one thousand seven hundred and forty-seven, Proof was brought before Parliament of the Means used to involve *Simon Fraser*, eldest Son of the said *Simon* late Lord *Lovat*, in the late unnatural Rebellion, at a tender Age; and the said *Simon Fraser*, ever since he was capable of acting for himself, hath testified his Loyalty to his Majesty and the Royal Family, and proved the Sense he entertained of the Excellence of the happy Constitution of this Country, by declining to engage in the Service of a foreign State, though destitute of any Establishment here; and by dedicating himself to the Service of his Country at the Beginning of the late War; upon which Occasion he raised, in a very short Time, a large Body of Men, and commanded a Regiment composed of them, with which he served meritoriously during the Course of it; and was the first who offered to set that Example, which, in its Consequences, proved advantageous to the State, by calling forth, from a Corner of the Kingdom, many thousand Soldiers, whose Efforts to demonstrate their Zeal and Attachment to his Majesty's Royal Person and Government contributed to the Glory and Success of that War: And whereas the said *Simon Fraser* hath, in the Course of his Service, attained the Rank of Major General in his Majesty's Army, and since the Peace hath been employed, by his Majesty's Command, in the Service of a Power whose Alliance this Country hath always deemed important: By all which his Case appears to be peculiarly distinguished:' May it therefore please your Majesty (upon the humble Petition of the said Major General *Simon Fraser*), that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to his Majesty, his Heirs and Successors, to give, grant, and dispone unto the said Major General *Simon Fraser*, his Heirs and Assigns, all and every the Lands, Lordships, Baronies, Patronages, Tithes, Salmon and other Fishings, and other like Heritages and Estates whatever, which became forfeited to his said late Majesty, by the Attainder of the said *Simon* late Lord *Lovat*, and which were annexed to the Imperial Crown of these Realms, by the before-recited Act of the twenty-fifth Year of the Reign of his said late Majesty, in the same Manner, and as fully and extensively, to all Intents and Purposes, as the same, and every Part and Parcel thereof, were vested in his said late Majesty by the Attainder of the said *Simon* late Lord *Lovat*, and as the same, and every Part and Parcel thereof, were held, enjoyed, and possessed, by the said *Simon* late Lord *Lovat*, before his Attainder; any Thing in the said before-recited Act of the twenty-fifth Year of the Reign of his said late Majesty to the contrary notwithstanding: Subject always, nevertheless, to, and chargeable with, the Payment to his Majesty, his Heirs and Successors, of the Sum of twenty thousand nine hundred eighty-three Pounds and one Penny Sterling of principal Money, together with Interest for the same, at the Rate of three Pounds Sterling *per Centum per Annum*, the said principal Sum of twenty thousand nine hundred eighty-three Pounds and one Penny Sterling to be, and the same is hereby declared to be, payable unto his Majesty, his Heirs and Successors, by the said Major General *Simon Fraser*, his Heirs and Assigns, at any Term of *Whitsunday* that the same shall be demanded after the Term of *Whitsunday* that shall be in the Year of our Lord one thousand seven hundred and eighty-four, upon twelve Months previous Notice to be for that Purpose given, in Writing, to the said Major General *Simon Fraser*, his Heirs or Assigns; and the said Interest to commence from the Term of *Whitsunday* which shall immediately follow the Date of the aforesaid Grant, and to be paid annually afterwards to his Majesty, his Heirs and Successors, or to the Receiver-general for the time being of the Rents, Revenues, and Casualties, belonging to the Crown in *Scotland*, on Behalf of his Majesty, his Heirs and Successors, at every following Term of *Whitsunday*, so long as the aforesaid Sum of twenty thousand nine hundred eighty-three Pounds and one Penny Sterling, of principal Money, shall continue and remain unpaid.

His Majesty, &c. may grant unto Major General Simon Fraser all the Lands, &c. forfeited by the Attainder of Simon late Lord Lovat,

but subject to the Payment of 20,983 l. 1 d. Sterling, with Interest at 3 l. per Cent. at any Term after Whitsunday 1784.

II. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to, and in the Power of, the said Major General *Simon Fraser*, his Heirs and Assigns, to make Payment to his Majesty, his Heirs and Successors, or to the Receiver-general aforesaid for the Time being, on Behalf of his Majesty, his Heirs and Successors, of the aforesaid Sum of twenty thousand nine hundred eighty-three Pounds and one Penny Sterling, with so much Interest thereof, at the Rate aforesaid, as shall happen to be due at the Time, at any Term of *Whitsunday*, after the Term of *Whitsunday* which shall be in the Year of our Lord one thousand seven hundred and seventy-four; and that on such Payment being made, the said Receiver-general for the Time being shall have Power and Authority, and he is hereby impowered, authorised, and required, to execute, on Behalf of his Majesty, his Heirs and Successors, and to deliver to the said Major General *Simon Fraser*, his Heirs and Assigns, a full and ample Discharge

Major General Fraser may make Payment of the aforesaid Sum at any Term after Whitsunday 1774, and his Majesty's Receiver general may grant a full Discharge, according to the

Forms of Law in Scotland.

Diſcharge and Renunciation of the ſaid Money, Principal, and Intereſt, prepared according to the Forms preſcribed by the Law of *Scotland*, for diſcharging and renouncing an heritable Debt or Incumbrance upon a real Eſtate in that Part of the united Kingdom; and that the Receipts or Diſcharges which ſhall be from Time to Time given to the ſaid Major General *Simon Fraſer*, his Heirs and Aſſigns, by the ſaid Receiver-general for the Time being, on receiving Payment of the Intereſt Money above mentioned, and alſo the Diſcharge and Renunciation hereby directed and required to be executed and delivered by the ſaid Receiver-general for the Time being, on receiving Payment of the aforeſaid Principal Money, and Intereſt thereof, due at the Time of ſuch Payment, ſhall be good, valid, and ſufficient Acquittances, and a good, valid, and ſufficient Diſcharge and Renunciation to the ſaid Major General *Simon Fraſer*, his Heirs and Aſſigns, in the ſame Manner, and as effectually, to all Intents and Purpoſes, as if the ſaid Receipts, and the ſaid Diſcharge and Renunciation, had been granted by his Majeſty, his Heirs or Succeſſors; any Law or Uſage to the contrary notwithſtanding.

After the Date of the Grant by his Majeſty, the Act 25 Geo. 2. with reſpect to the Eſtate of the late Lord Lovat, to be repealed.

III. And be it further enacted by the Authority aforeſaid, That from and after the Date of ſuch Grant ſo to be made by his Majeſty, his Heirs or Succeſſors, of all and every the Lands, Lordſhips, Baronies, Patronages, Tithes, Salmon and other Fiſhings, and other like Heritages and Eſtates whatever, which became forfeited to his ſaid late Majeſty by the Attainder of the ſaid *Simon* late Lord *Lovat*, and which were afterwards, by the before-recited Act of the twenty-fifth Year of the Reign of his ſaid late Majeſty, annexed to the Imperial Crown of theſe Realms, the ſaid Act of the twenty-fifth Year of the Reign of his ſaid late Majeſty, ſo far as it relates to the before-mentioned Lands, Lordſhips, Baronies, Patronages, Tithes, Salmon and other Fiſhings, and other like Heritages and Eſtates whatever, forfeited by the Attainder of the ſaid *Simon* late Lord *Lovat*, and annexed as aforeſaid, ſhall be, and the ſame is hereby repealed: And all and every the ſaid Lands, Lordſhips, Baronies, Tithes, Salmon and other Fiſhings, and other like Heritages and Eſtates whatever, which became forfeited to his ſaid late Majeſty by the Attainder of the ſaid *Simon* late Lord *Lovat*, ſhall from thenceforth be diſannexed from the Imperial Crown of theſe Realms, in the ſame Manner, and as fully and effectually, as if the ſaid Act of the twenty-fifth Year of the Reign of his ſaid late Majeſty had never been made; any Thing in the ſaid Act to the contrary notwithſtanding.

Saving Clauſe with reſpect to Bodies Politick, &c.

IV. Saving to all and every Perſon and Perſons, Bodies Politick and Corporate, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators (other than and except the King's moſt Excellent Majeſty, his Heirs and Succeſſors), all ſuch Eſtates, Rights, Titles, Intereſts, Claims, and Demands, of, into, and out of, the Lands and Premiſes to be granted as aforeſaid, as they, every, or any of them, had before the paſſing this Act, or ſhould or might have held or enjoyed, in caſe this Act had never been made.

CAP. XXIII.

An Act for amending, and rendering more effectual, ſeveral Acts of Parliament of the ſixteenth and ſeventeenth, and twenty-ſecond Years of King *Charles* the Second, and of the eleventh Year of his late Majeſty, for draining and preſerving certain Lands called *Deeping Fens*, in the County of *Lincoln*.

Preamble.

'WHEREAS two ſeveral Acts of Parliament have been made and paſſed, one in the ſixteenth and ſeventeenth Years of his late Majeſty King *Charles* the Second, and the other in the twenty-ſecond Year of his ſaid late Majeſty, for draining *Deeping Fens*, and other Fens therein mentioned: And whereas, in the eleventh Year of the Reign of his late Majeſty King *George* the Second, another Act was made and paſſed, to enable the Adventurers, Owners, and Proprietors, of the ſaid Fens to raiſe a competent Sum of Money, for the effectual Drainage and future Preſervation thereof, and for other Purpoſes in the ſaid Act mentioned: And whereas the Lands intended to be drained by the ſaid Acts contain thirty thouſand Acres or thereabouts, although no more than ten thouſand and thirty-ſix Acres thereof are liable to, and chargeable with, the Taxes for draining the ſaid Lands, and for making, erecting, maintaining, and repairing the Drains, Banks, and other Works thereunto belonging: And whereas ſuch Part of the River *Welland* as lies within the Town of *Spalding*, between *Hawthorn Bank* and the Outfall at Sea, has of late Years been very much contracted by ſeveral Wharfs and Buildings which have been erected within the Banks of the ſaid River, and the ſaid River below the ſaid Town is in many Parts not of ſufficient Capacity to carry off the Water in Times of Flood: And whereas the ſaid Adventurers are at a very great annual Expence in endeavouring to drain and improve the ſaid Lands; but unleſs they are impowered to widen and cleanſe the ſaid River, and unleſs ſome further Powers are granted to them, the ſaid Fen Lands and Low Grounds cannot be effectually drained and improved:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, the ſaid Adventurers, or any three or more of them, ſhall have full Power and Authority to take down and remove all ſuch Wharfs, Buildings, Erections, and other Obſtructions, built, erected, and made, on the Sides of the ſaid River *Welland*, within the ſaid Town of *Spalding*, between the ſaid *Hawthorn Bank* and the Outfall at Sea (except ſuch Tunnels and Sluices as now lie, or hereafter may be laid into the ſaid River *Welland*, for draining the Lands adjoining the ſaid River *Welland*, the Tunnel herein after particularly mentioned excepted); and that the ſaid River, between *Hawthorn Bank* and the Outfall at Sea aforeſaid (after ſuch Obſtructions are removed), ſhall for ever hereafter remain ſixty-five Feet wide; and alſo to take away and remove ſo much of the whole Length of the ſeveral Frontages belonging to the Perſons herein-after named, any Quantity not exceeding the ſeveral Depths herein-after particularly

Adventurers may take down and remove Wharfs, Buildings, &c.

particularly mentioned and expreſſed; (that is to ſay,) On the Eaſt Side of the ſaid River *Welland*, from the Frontage belonging to *Elizabeth Clarke*, Widow, ſeven Feet; from the Frontage belonging to *Ann Parkinſon*, and now in the Tenure or Occupation of *John Hutchin*, ſeven Feet; from the Frontage belonging to the ſaid *John Hutchin*, ten Feet; from the Frontage belonging to the ſaid *Ann Parkinſon*, now in the Tenure or Occupation of the ſaid *John Hutchin*, ten Feet; from the Frontage belonging to the ſaid *Ann Parkinſon*, now in the Tenure or Occupation of the ſaid *John Hutchin*, ſix feet; from the Frontage belonging to *Hannah Bough* Spinſter, fifteen Feet; from the Frontage belonging to the ſaid *Hannah Bough*, ſituate near the *High Bridge*, fifteen Feet; from the Frontage belonging to the ſaid *Hannah Bough*, ſituate below the ſaid *High Bridge*, fifteen Feet; from the Frontage belonging to the Truſtees of the Poor of *Spalding*, ſixteen Feet; from the Frontage belonging to *Elizabeth Clarke*, Widow, twenty Feet; from the Frontage belonging to *Doubleday*, eighteen Feet; from the Frontage belonging to *Samuel Sharp*, eighteen Feet; from the Frontage belonging to *Henry Bennet*, twenty Feet and an Half; from the Frontage belonging to Sir *Sampſon Gideon* Baronet, twenty Feet and an Half; from the Frontage belonging to *Daniel Arnold*, twenty Feet and an Half; from the Frontage belonging to *John Roſbe*, twenty Feet and an Half; from the Frontage belonging to *Thomas Thorpe*, twelve Feet; from the Frontage belonging to *Mary Heeld*, eight Feet; from the Frontage belonging to *Judith Richards*, ſeven Feet; and from the Frontage belonging to *Ann Stevens*, two Feet; and on the Weſt Side of the ſaid River *Welland*, from the Frontage belonging to *John Maſſey*, twelve Feet; from the Frontage belonging to *John Grundy* Eſquire, in the Tenure or Occupation of *Theophilus Buckworth*, fourteen Feet; from the Frontage belonging to *Owen Scotney*, ſixteen Feet; from the Frontage belonging to *John Ellington*, twenty-two Feet; from the Frontage belonging to the ſaid *Henry Bennett*, twenty-four Feet; from the Frontage belonging to the Heirs of *Robie Swan*, twenty-four Feet; from the Frontage belonging to *Theophilus Buckworth* Eſquire, in the Tenure or Occupation of *Thomas Thorpe* and *Thomas Pitts*, twenty-four Feet and three Quarters; from the Frontage belonging to the Heirs of the ſaid *Robie Swan*, in the Tenure or Occupation of Widow *Hoyte*, twenty-four Feet; from the Frontage belonging to the ſaid *Theophilus Buckworth* Eſquire, in the Tenure or Occupation of *Fullwood Sanderſon*, twenty-four Feet; from the Frontage belonging to *John Melburn*, twenty-four Feet; from the Frontage belonging to the Reverend *John Dinham*, twenty-four Feet; from the Frontage belonging to the ſaid *Theophilus Buckworth* Eſquire, in the Tenure or Occupation of *Edward Newcombe*, twenty-four Feet and a Quarter; from the Frontage belonging to the Truſtees of *Sparkes*'s Gift to the Poor of *Spalding*, twenty Feet; from the Frontage belonging to the ſaid *Theophilus Buckworth* Eſquire, in the Tenure or Occupation of *John Thiſtleton*, nineteen Feet; and from the Frontage belonging to *Thomas Foulgham*, twelve Feet; they the ſaid Adventurers paying and making Satisfaction to the ſeveral Owners and Proprietors of all ſuch Wharfs, Buildings, Erections, and Frontages, as ſhall be taken down, removed, or uſed as aforeſaid, before the ſame ſhall be taken down, removed, or uſed, for the Purpoſes aforeſaid; and the ſaid Adventurers are hereby required to remove and take away all ſuch Rubbiſh or Materials as ſhall or may ariſe from taking down or removing any ſuch Wharfs, Buildings, Erections, or Frontages, as aforeſaid, within the Space of one Calendar Month from the Time they ſhall begin to take down or remove the ſame; and in caſe the ſaid Adventurers ſhall neglect to remove and take away all ſuch Rubbiſh or Materials for the Space of one Calendar Month as aforeſaid, it ſhall and may be lawful to and for the ſeveral and reſpective Owners and Proprietors of ſuch Wharfs, Buildings, Erections, or Frontages, to remove all ſuch Rubbiſh and Materials, and all the Expences attending ſuch Removal ſhall be reimburſed ſuch Owners or Proprietors by the ſaid Adventurers.

II. Provided always, and it is hereby declared, That nothing in this Act contained ſhall authoriſe the ſaid Adventurers to remove the Tunnel which is oppoſite to a Warehouſe belonging to *William Bailey*, nearer the Turnpike Road than fifteen Feet from the Place where the ſaid Tunnel is now ſituated. Proviſo.

III. And be it further enacted, That the ſaid Adventurers, or any three or more of them, ſhall have full Power and Authority to agree with the Proprietors of, and Perſons intereſted in, any Wharfs, Buildings, Erections, Frontages, Lands, or Hereditaments, which they the ſaid Adventurers, or any three or more of them, ſhall judge neceſſary to be taken down, removed, or otherwiſe made uſe of, for the Purpoſe of widening the ſaid River within the Town of *Spalding* as aforeſaid, for the Purchaſe of ſuch Wharfs, Buildings, Erections, Lands, and Hereditaments, or for the Recompence to be made to ſuch Proprietors and Perſons intereſted for the Damage, Loſs, or Injury, they may ſuſtain thereby, and alſo to ſettle and aſcertain in what Proportion the Sum or Sums ſo agreed for ſhall be paid to the ſeveral Perſons intereſted in the Premiſes; and it ſhall be lawful for all Guardians, Truſtees, and Feoffees in Truſt, and all other Truſtees whatſoever, Bodies Politick and Corporate, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their ceſtuique Truſts, and all and every other Perſon and Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any ſuch Wharfs, Buildings, Erections, Lands, or Hereditaments, to contract and agree with the ſaid Adventurers for the Sale of ſuch Wharfs, Buildings, Erections, Lands, or Hereditaments, as ſhall be neceſſary to be purchaſed for the Purpoſes aforeſaid: And all ſuch Contracts and Agreements ſo entered into, made, and executed, as aforeſaid, ſhall be good and effectual in the Law to all Intents and Purpoſes whatſoever; and in caſe it ſhall happen that any ſuch Guardian, Truſtee or Truſtees, Bodies Politick and Corporate, or any other Perſon or Perſons intereſted or concerned as aforeſaid, ſhall, for the Space of fourteen Days after Notice in Writing given to ſuch Guardian or Guardians, Truſtee or Truſtees, Perſon or Perſons reſpectively, or left at his, her, or their reſpective Place or Places of Abode, or at the Houſe of the Tenant or Tenants, Occupier or Occupiers, of ſuch Wharfs, Buildings, Erections, Lands, or Hereditaments, refuſe to treat, or ſhall not agree with the ſaid Adventurers, or any three or more of them; then, and in every ſuch Caſe, the ſaid Adventurers, or any three or more of them, are hereby impowered, from Time to Time, to iſſue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the County of *Lincoln*, or if ſuch Sheriff ſhall be immediately intereſted in ſuch Matter, then to one of the Coroners of the

Adventurers may purchaſe Wharfs, &c.

Guardians, &c. impowered to ſell.

Perſons refuſing to treat, a Jury to be ſummoned.

the ſaid County, requiring ſuch Sheriff or Coroner to impanel, ſummon, and return a Jury, and the ſaid Sheriff or Coroner is hereby required accordingly to impanel, ſummon, and return, twenty-four Men qualified according to the Laws of this Realm, to be returned for Trials of Iſſues joined in his Majeſty's Courts at *Weſtminſter*, to appear before ſuch Sheriff or Coroner, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, in order that out of them a Jury of twelve may be ſworn to inquire touching the Matters in queſtion; and in caſe a ſufficient Number of Jurymen ſhall not appear at ſuch Time and Place, the ſaid Sheriff or Coroner ſhall return other honeſt and indifferent Men that can ſpeedily be procured to attend that Service, being qualified as aforeſaid, to make up the ſaid Jury to the Number of twelve; and all Parties concerned may have their Challenges againſt any of the ſaid Jurymen; and the ſaid Sheriff or Coroner is hereby impowered and required (at the Inſtance and Requeſt of either of the Parties intereſted in the Matters in queſtion), by a Warrant or Warrants under his Hand and Seal, from Time to Time, as Occaſion ſhall require, to ſummon and call before him all ſuch Perſons as ſhall be thought neceſſary to be examined as Witneſſes touching the Matters in queſtion, not being intereſted therein; and the ſaid Sheriff or Coroner may order and authoriſe the ſaid Jury, or any ſix or more of them, to view the Place or Places, or Matters, in Controverſy; which Jury (upon their Oaths, to be adminiſtered by the ſaid Sheriff or Coroner, which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Sheriff or Coroner is hereby impowered to adminiſter) ſhall enquire of, aſſeſs, and aſcertain, the Sum or Sums of Money to be paid for the Purchaſe of ſuch Wharfs, Buildings, Erections, Lands, or Hereditaments, or the Recompence to be made for Damages that may or ſhall be ſuſtained as aforeſaid, and to ſettle and aſcertain in what Proportion the Sum or Sums ſo aſſeſſed ſhall be paid to the ſeveral Perſons intereſted in the Premiſes; and the Verdict of ſuch Jury ſhall be binding to all Intents and Purpoſes againſt all Parties whatſoever.

Jurors may be challenged.

Witneſſes may be ſummoned and examined upon Oath.

Verdicts of the Jury to be filed with the Clerk of the Peace.

IV. And be it further enacted, That all ſuch Verdicts which ſhall be given in relation to any ſuch Wharfs, Buildings, Erections, Lands, or Hereditaments, as aforeſaid, ſhall be delivered to the Clerk of the Peace for the Parts, Diviſion, or Place, wherein ſuch Wharfs, Buildings, Erections, Lands, or Hereditaments, are ſituated, and ſhall be filed with the Rolls of ſuch Parts, Diviſion, or Place; and the ſame, or a true Copy thereof, ſhall be admitted as Evidence in all Courts whatſoever; and all Perſons ſhall have Liberty to inſpect the ſame, upon paying for every Inſpection the Sum of one Shilling; and the Clerk for every ſuch Parts, Diviſion, or Place, ſhall deliver a true Copy of ſuch Inrolment, or any Part thereof, to any Perſon or Perſons who ſhall demand the ſame, he or they paying for every ſuch Copy, not exceeding two hundred Words, the Sum of Sixpence, and ſo in proportion for any greater Number of Words.

After Satisfaction is made, Adventurers may proceed in the Works.

V. And be it further enacted, That, upon Payment of ſuch Sum or Sums of Money as ſhall be agreed upon between the ſaid Adventurers, or any three or more of them, and the Party or Parties intereſted, or of ſuch Sum or Sums of Money as ſhall be aſſeſſed by any ſuch Jury to ſuch Party or Parties, or legal Tender thereof made, the ſaid Adventurers, and their Agent or Agents, Servants, Labourers, and Workmen, ſhall have full Power and Authority to pull down ſuch Wharfs and Buildings, and to enter upon ſuch Lands and Hereditaments, in reſpect whereof ſuch Monies were ſo agreed for or aſſeſſed, for the Purpoſes of this Act, and they ſhall be and are hereby indemnified for ſo doing; and all and every Perſon and Perſons ſhall from thenceforth be, to all Intents and Purpoſes whatſoever, diveſted of all Right, Title, Claim, or Intereſt, of, in, or to the ſame.

Expences of the Jury how to be borne.

VI. And be it further enacted, That in all Caſes where any Verdict ſhall be given for a greater Sum or Recompence than ſhall have been offered by or on Behalf of the ſaid Adventurers, or any three or more of them, before the ſummoning any ſuch Jury, the Expences of ſummoning ſuch Jury, and the Witneſſes attending in conſequence thereof, and of taking and returning ſuch Inqueſt or Verdict, ſhall be paid by the ſaid Adventurers, or their Treaſurer for the Time being, out of the Monies ariſing from the Taxes to be impoſed upon the Lands in the ſaid Fen for the better Drainage thereof; but if any Verdict ſhall be given for no more or a leſs Sum than ſhall have been ſo previouſly offered by or on the Behalf of the ſaid Adventurers, or any three or more of them, then, and in every ſuch Caſe, ſuch Expences ſhall be paid by the Owners of or Perſons intereſted in the Buildings, Wharfs, or Hereditaments, in queſtion.

What Works are to be done by the Adventurers.

VII. And be it enacted by the Authority aforeſaid, That the ſaid Adventurers ſhall, and they are hereby authoriſed and required, well and ſufficiently to build and complete a new Sea Sluice, ſupported by Dovetail and grooved Piling, on the South Side of the River *Glen*, at the Diſtance of one hundred and ten Feet from the preſent Outfall of the ſaid River, ſuch Sea Sluice to be thirty Feet clear in the Water-way at the leaſt, the Floor of the ſaid Sluice to be laid at leaſt as low as the old Floor of the Reſervoir Sluice; and ſhall alſo build a new Sluice at or near the preſent *Podehole* Sluice, the clear Water-way of which ſhall be made and continued of leſs Capacity, by three Feet at the leaſt, than the ſaid Sea Sluice, to drain the ſaid Fens called *Deeping Fens*, and alſo the low Lands in *Pinchbeck* and *Spalding*, and ſhall continue, by a new Cut, the Drain called *Vernat's Drain*, down to the ſaid intended Outfall Sluice; and make the ſaid Drain from a Place called *Podehole Sluice* to the ſaid intended Outfall Sluice, not leſs than forty Feet wide at the Top, nor leſs than twenty Feet wide at the Bottom, with the ſaid Bottom ſunk as low as, and upon a Level with, the Floor of the ſaid Outfall Sluice, with Forelands of ten Feet at leaſt, except in ſuch Places where it ſhall not be found neceſſary to remove the old Banks; and that the ſaid Adventurers ſhall, and they are hereby alſo required to make and continue the Drain called *Langtoft Roft*, thirty Feet wide at the leaſt, and the Drain called *North Drove Dike*, twenty Feet wide at the leaſt, and the Drain called *Black Dike Roft*, thirty Feet wide at the leaſt, and the Drain called *South Drove Dike*, twenty Feet wide at the leaſt, and the Drain called *The Eighteen Feet Drain*, forty Feet wide at the leaſt, and the Bottom of all ſuch Drains of a level with the Floor of *Podehole* Sluice; and that the ſaid Adventurers may take Land for ſuch Purpoſes from the Commons adjoining thereto reſpectively, and that the Water in or upon the Commons in the ſaid Fens ſhall and may, at all Times thereafter, have free Paſſage into all ſuch old and new Drains

and Works as now are or ſhall be uſed for the draining the ſaid Fen Lands, or any of them, without any Obſtruction thereto.

VIII. Provided always, and be it enacted, That the ſaid new Cut to be made from the Sea Sluice to the Drain called *Vernat's Drain*, ſhall be carried nearly in a parallel Line with the River *Welland* on the North Side thereof, from the intended Sea Sluice, over the Lands and Grounds of *Shadworth Hodgſon*, Gentleman, to Lands belonging to the Right Honourable *Stuart*, commonly called *Lord Linton*, and *Thomas Meaſure*, Gentleman; then along the boundary Line between the ſaid Lands belonging to the ſaid *Lord Linton* and *Thomas Meaſure*; then along the boundary Line, between the Lands belonging to Sir *Sampſon Gideon*, Baronet, and *Graham Wilkinſon*, Gentleman, to the preſent Drain called *Vernat's Drain*; any Thing in this Act, or the ſaid former Acts, to the contrary notwithſtanding.

The new Cut, to be made from the Sea Sluice to Vernat's Drain, ſhall be carried in a parallel Line with the River Welland.

IX. Provided alſo, and be it enacted, That all the Earth which ſhall be taken out in making the ſaid new Cut, ſhall be equally laid on each Side of the ſaid Cut.

Earth taken out of new Cut to be laid on each Side.

X. And be it further enacted by the Authority aforeſaid, That the Powers given to the Commiſſioners of Sewers by the ſaid Act of the ſixteenth and ſeventeenth Years of his late Majeſty King *Charles* the Second, to ſhut down the Sluice at *Podehole* aforeſaid, and to ſtop the ſaid Drain called *Vernat's Drain* for the Space of two Months in every Year, in order to drain the Lands in *Pinchbeck* and *Spalding*, ſhall, from and immediately after the ſaid Adventurers ſhall have opened and ſcoured the ſaid Drain called *Vernat's Drain*, and laid down the Floor, and erected the ſaid Sea Sluice, and alſo the ſaid Sluice at *Podehole*, in Manner aforeſaid, ceaſe and determine; and it ſhall not be lawful for the ſaid Commiſſioners hereafter to ſtop the Sluice and Doors to be ſet down at *Podehole* aforeſaid for any greater Space of Time than twenty-eight Days in the Courſe of any one Year, to be reckoned from the firſt Day of *January* in one Year to the firſt Day of *January* in the ſucceeding Year; and that the ſaid Sluice and Doors ſhall not at any Time be ſtopped by the ſaid Commiſſioners for more than three ſucceſſive Days together, within the Space of fourteen Days, in order that there ſhall always be reſerved to the ſaid Adventurers a clear Interval of eleven Days between the different Times of ſetting down the ſaid Sluice and Doors as aforeſaid, for the running or carrying off the Fen Waters; any Thing contained in the ſaid recited Act of the ſixteenth and ſeventeenth Years of King *Charles* the Second, or in any other Act or Acts of Parliament to the contrary hereof in any-wiſe notwithſtanding.

Power of Commiſſioners of Sewers, reſpecting the ſhutting Podehole Sluice, &c. altered.

XI. Provided nevertheleſs, and be it enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners of Sewers, at any of their Courts to be holden for the Parts of *Holland*, and they are hereby authoriſed and impowered, to order and direct any Tunnel or Tunnels to be laid through the Bank or Banks of the ſaid Drain called *Vernat's Drain*, for the Purpoſe and Conveniency of draining the Lands adjoining upon the ſaid Drain, or for the taking Water out of the ſaid Drain into the ſaid Lands, at ſuch Time and Times, and in ſuch Manner, as they ſhall think fit; but no Tunnel or Tunnels ſhall be laid through the ſaid Bank or Banks of the ſaid Drain by the Owner or Occupier of any Lands adjoining thereto, without the Leave or Conſent of the Commiſſioners of Sewers; and in caſe any ſuch Owner or Occupier, having ſuch Leave or Conſent, ſhall, by laying any Tunnel or Tunnels through the ſaid Banks, do any Injury or Damage to the ſaid Banks, the Commiſſioners of Sewers are hereby required, at ſome of their Courts to be holden for the Parts of *Holland*, as aforeſaid, to order the ſame to be made good, at the Expence of ſuch Owner or Occupier.

Commiſſioners of Sewers may order Tunnels to be made in the Banks, &c.

XII. Provided always, That the ſaid Adventurers, their Heirs or Aſſigns, ſhall not be anſwerable for any Damage that may ariſe to any Lands, either from ſuch Tunnels being laid through ſuch Banks as aforeſaid, with or without ſuch Leave as aforeſaid, or from any Neglect in the Court of Sewers to order ſuch Bank or Banks to be repaired after ſuch Tunnels ſhall be laid down as aforeſaid; any Thing contained in the ſaid recited Act or Acts, or any of them, or in this preſent Act, to the contrary hereof in any-wiſe notwithſtanding.

Adventurers not to be anſwerable for Damages occaſioned by Tunnels, &c.

'XIII. And whereas by Reaſon of the Narrowneſs of the Arches of *Surfleet Bridge*, and *Croſs Gate Bridge* 'in *Pinchbeck*, over the River *Glen*, the Waters coming down the ſaid River are greatly obſtructed in their 'Courſe,' be it therefore enacted by the Authority aforeſaid, That the ſaid Adventurers ſhall, and they are hereby authoriſed and required, within twelve calendar Months from the Day of the paſſing this Act, to take down the ſaid *Surfleet Bridge*, and, within the Time aforeſaid, to build another good and ſufficient Bridge in the Stead thereof, of not leſs Capacity and Dimenſions than the preſent Bridge in *Pinchbeck* aforeſaid, called *Money Bridge*; and the ſaid Adventurers are hereby alſo required to enlarge the ſaid Bridge called *Croſs Gate Bridge* to a Water-way of thirty Feet within the Space of two calendar Months from the Time *Surfleet Bridge* ſhall be rebuilt as aforeſaid.

Adventurers may pull down and rebuild Surfleet and Croſs-gate Bridges.

XIV. And be it further enacted, That the ſaid Adventurers ſhall, and they are hereby required to cauſe the Drain called *Gravel Drain* to be properly ſcoured and cleanſed, and the Bank thereof, on the Side next the ſaid Fens, to be properly ſtrengthened; and to make and continue the ſaid Drain and Bank to the North-eaſt Corner of a certain Place called *Swine's Meadow*; and alſo to make a ſtrong and ſufficient Dam at the South End of the ſaid Drain, to convey the Water Northward into the *Counter Waſh*; and alſo thoroughly repair and enlarge the South Bank of the *Counter Drain*, and widen and deepen the ſaid *Counter Drain* from the End of *Gravel Drain* to *Podehole Sluice* aforeſaid, for the carrying off and conveying the upland Waters along *Vernat's Drain* to the Sea, without overflowing the ſaid Fens.

Gravel Drain, &c. to be ſcoured.

XV. And be it further enacted by the Authority aforeſaid, That the ſaid Adventurers ſhall, and are hereby required, in the firſt place, to cauſe the ſaid Sluice, called *The Sea Sluice*, and the Sluice called *Podehole Sluice*, to be built and opened, and the new Cut, and *Vernat's Drain*, to be made and widened, from the ſaid *Sea Sluice* to *Podehole Sluice*, as herein-before directed; and until ſuch Time that ſuch Works ſhall have been completed, it ſhall not be lawful for the ſaid Adventurers to do or perform the Works herein-before directed to be done or performed upon the Drain called *Gravel Drain*, and the Bank thereof, to *Swine's Meadow*, the Dam to be made at the South End of the ſaid Drain, the South Bank of the Counter

The Sea Sluice and Podehole Sluice, in the firſt place, to be made and widened.

Drain, and the ſaid Counter Drain, from the End of *Gravel Drain* to *Podehole Sluice*, the Drain called *Langtoft Roft*, the Drain called *North Drove Dike*, the Drain called *Black Dike Roft*, the Drain called *South Drove Dike*, the Drain called *The Eighteen Feet Drain*, or any of them; any Thing in this Act contained to the contrary hereof notwithſtanding.

The Adventurers may regulate Tunnels in the North Weſt Side of the Rivers Welland and Glen.

XVI. And be it enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, the Owner or Owners of any Tunnel or Tunnels now laid, or which ſhall hereafter be laid, through any of the Banks called *Deeping Bank*, *Barſton Bank*, the *Counter Bank*, and *Gravel Drain Bank*, when extended to *Swine's Meadow Corner*, is, and are hereby required, on or before the thirtieth Day of *September* in every Year, well and ſufficiently to dam, ſtop, or make up, with Dove-tail or other Piles, all and every ſuch Tunnel and Tunnels already made, or which may hereafter be made, for conveying Water into the ſaid Fens, or any of them: And in caſe the Owner or Owners of ſuch Tunnel or Tunnels, or his or their Tenant or Tenants, ſhall refuſe or neglect effectually to dam and ſtop ſuch Tunnel or Tunnels on or before the Time aforeſaid, it ſhall and may be lawful for the ſaid Adventurers, their Servants or Agents, and they are hereby authoriſed and impowered, immediately after the firſt Day of *October* in every Year, well and ſufficiently to dam, ſtop, and make up, with Dove-tail or other Piles, in Manner before-mentioned, all and every ſuch Tunnel or Tunnels made, or to be made, for conveying Water into the ſaid Fens, or any of them, as aforeſaid, at the Coſts and Charges of the Owner or Owners thereof, or his, her, or their Tenant or Tenants, ſo neglecting to ſtop and ſecure the ſame; and the ſaid Tunnel or Tunnels, when dammed or ſtopped up as aforeſaid, ſhall ſo remain till the firſt Day of *May* then next following: And in caſe any ſuch Owner or Owners, Tenant or Tenants, ſhall refuſe or neglect, for the Space of twenty-eight Days, to pay the Expences of the ſame, after Demand being made by the Agent or Agents of the ſaid Adventurers, it ſhall then be lawful to and for the ſaid Adventurers, by an Order made at their General Annual Meeting, to take up and entirely remove the ſaid Tunnel or Tunnels, and to ſell ſo much of the Materials thereof as will defray the Expences attending the taking up and removing the ſame.

Proprietors of Lands, Guardians, &c. may borrow Money for the Purpoſes of this Act.

XVII. And be it further enacted, That it ſhall and may be lawful for all Owners or Proprietors of taxable Lands, being Tenants in Tail, or for Life or Lives only, or having any other limited Eſtate or Eſtates therein, and for the Huſbands of all Femes-covert, and all other Perſons being or acting as Truſtees of charitable and other Uſes, Guardians, Committees, or Attornies, to any Minors, Idiots, Lunaticks, or Perſons beyond the Seas, or under any other Incapacity or Diſability whatſoever, intitled to any Share or Part of the ſaid taxable Lands, and they, and each and every of them for the Time being, are hereby reſpectively authoriſed, enabled, and impowered, to borrow any Sum or Sums of Money which ſhall be annually aſſeſſed on ſuch Lands, not exceeding the Sum of forty Shillings *per* Acre for every Acre of their ſaid Lands; which Money, when borrowed, ſhall be applied for the Purpoſes of this Act, and not otherwiſe; and for the Repayment of all ſuch Money, with the Intereſt thereof, to grant, mortgage, leaſe, or demiſe, their reſpective Parts or Shares in the ſaid taxable Lands, to the Uſe of the Perſon or Perſons who ſhall advance and lend ſuch Money, his, her, and their reſpective Executors, Adminiſtrators, and Aſſigns, either in Fee-ſimple or for any Term or Terms of Years; ſo as ſuch Grants, Mortgages, Leaſes, or Demiſes, be reſpectively made with a Proviſo or Condition to ceaſe and be void, or with an expreſs Truſt to be ſurrendered, when the Sum or Sums of Money thereby ſecured, and the Intereſt thereof, ſhall be fully paid and ſatisfied, and ſo as in every ſuch Grant, Mortgage, Leaſe, or Demiſe, which ſhall be made as aforeſaid, there be contained a Covenant to pay and keep down the Intereſt of the Money thereby ſecured, ſo that the Perſon intitled to the Premiſes in Reverſion or Remainder ſhall not be liable to the Payment of any larger Arrear of Intereſt than for one Year preceding the Time that the Title to ſuch Poſſeſſion ſhall have commenced; and every ſuch Grant, Mortgage, Leaſe, or Demiſe, which ſhall be made as aforeſaid, ſhall be good and valid in Law to all Intents and Purpoſes.

The Times of holding annual Meetings.

'XVIII. And whereas by the ſaid Act of the twenty-ſecond of King *Charles* the Second, the Adventurers 'are reſtrained from holding their publick annual Meetings for aſſeſſing and raiſing the Acre Tax at any 'Time in the Year except on the *Thurſday* next after the ſecond *Sunday* in *April*, and it would be more con-'venient to many of the ſaid Adventurers if their annual Meetings were to be holden for the future upon the 'laſt *Thurſday* in *April*;' be it therefore enacted by the Authority aforeſaid, That from and after the paſſing of this Act, ſo much of the ſaid Act as directs the ſaid Adventurers to meet on the *Thurſday* next after the ſecond *Sunday* in *April*, in every Year, ſhall be, and is hereby repealed; and that it ſhall and may be lawful for the ſaid Adventurers, or any three or more of them, to meet at the Town of *Spalding*, for the Purpoſe of aſſeſſing and raiſing the Acre Tax as aforeſaid, directed to be aſſeſſed and raiſed by virtue of the ſaid Act, upon the laſt *Thurſday* in *April* in every Year, and on no other Day; any Thing contained in the ſaid Act of the twenty-ſecond Year of King *Charles* the Second to the contrary hereof notwithſtanding.

Days for paying the Taxes laid by the Adventurers.

'XIX. And whereas the Time fixed by the ſaid laſt-mentioned Act for Payment of the Rates or Taxes 'directed to be paid for draining the ſaid Fens is too late in the Year for completing the Works neceſſary to 'be done in that Year for which ſuch Rates or Taxes are raiſed, and it would be greatly for the Benefit of 'the Adventurers if the Money to be raiſed by the ſaid Rates or Taxes was raiſed and paid at two ſeparate 'Payments;' be it therefore enacted by the Authority aforeſaid, That from and after the paſſing of this Act the Rates or Taxes directed to be laid and raiſed by all or any of the ſaid former Acts, and by this preſent Act, for the Purpoſe of draining and improving the ſaid Fen Lands, ſhall be laid and made as herein-after directed, and not otherwiſe; (that is to ſay), All ſuch Rates and Taxes as ſhall be laid on the ſaid taxable Lands in the ſaid Fens, at the annual Meetings of the ſaid Adventurers, which ſhall be held for that Purpoſe on the ſaid laſt *Thurſday* in *April*, in every Year, at the Town of *Spalding*, ſhall be paid by the reſpective Owners of the ſaid Lands or Grounds to the Treaſurer, or Deputy Treaſurer, or Receiver, to the ſaid Adventurers for the Time being, by two equal Payments, on the twenty-ſecond Day of *May*, and the eleventh Day of *November*, in every Year; the firſt Payment whereof ſhall be made on the twenty-ſecond Day of *May* next after the Day on which ſuch Rates and Taxes are laid; and in caſe the ſaid Owners or

Proprietors ſhall neglect or refuſe to pay the ſame on the reſpective Days or Times before limited for Payment thereof, or within ten Days after, every ſuch Perſon ſo neglecting or refuſing ſhall be ſubject and liable to the ſame Penalties and Forfeitures, and the ſaid taxable Lands to the like Seizures and Sequeſtrations as they are ſeverally ſubject and liable to by any former Act or Acts.

Saving the Rights of the Commiſſioners of Sewers.

XX. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend to repeal, invalidate, leſſen, or diminiſh, alter, or take away, any of the Rights, Powers, and Authorities of any Perſon or Perſons, or any of the Rights, Powers, and Authorities of the Commiſſioners of Sewers for the County of *Lincoln* reſpectively, veſted in them, or either of them, by force and virtue of the ſaid recited Act or Acts, or either of them (except certain Rights, Powers, and Authorities which were given to the Commiſſioners of Sewers by the ſaid Act of the ſixteenth and ſeventeenth of his late Majeſty King *Charles* the Second, over the Sluice at *Podehole*, and over *Vernat*'s *Drain*, which are meant to be varied, altered, and abridged, as herein-before is particularly mentioned); but that all ſuch reſpective Rights, Powers, and Authorities, of any Perſon or Perſons, and Commiſſioners of Sewers, together with every Clauſe, Article, Sentence, Penalty, Matter, and Thing, ſeverally contained in the ſaid recited Act or Acts, or either of them (except as before is excepted), ſhall remain, continue, and be in as full Force and Virtue as if this Act had not been made.

Prejudicing of the Works made for improving certain Fen Lands lying between Boſton Haven and Bourn, how to be prevented.

XXI. Provided alſo, and be it further enacted, That nothing herein contained ſhall extend to prejudice, obſtruct, prevent, or defeat, any of the Works made, or to be made, in purſuance of an Act, made in the fifth Year of his preſent Majeſty's Reign, (intituled, *An Act for draining and improving certain low Marſh and Fen Lands, lying between* Boſton Haven *and* Bourn, *in the Parts of* Keſteven *and* Holland, *in the County of* Lincoln,) and in purſuance of an Act, made in the tenth Year of his preſent Majeſty's Reign, *(for amending and rendering more effectual the ſaid Act made in the fifth Year of his preſent Majeſty's Reign,)* or to impower the Commiſſioners acting by virtue of this Act to intermeddle with, or to invalidate, leſſen, alter, or take away, any of the Rights, Powers, or Authorities, which by the ſaid two laſt-mentioned Acts were veſted in all or any of the Commiſſioners acting under the ſaid Acts, but that the ſame ſhall be and continue as fully, to all Intents and Purpoſes, as if this Act had never been made; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Every Perſon ſhall account upon Oath for the Money received, &c. if thereunto required.

XXII. And be it further enacted, That every Perſon who ſhall be employed by the ſaid Adventurers in the Care, Direction, Execution, or Management, of the ſaid Works, or any of them, ſhall, at any Meeting (if required), give in his Accounts upon Oath touching all Money received and expended by him, in, about, or concerning ſuch Works (which Oath the ſaid Adventurers, or any three of them, are hereby impowered to adminiſter); and that the ſaid Adventurers may diſplace any ſuch Perſon or Perſons, if they ſhall then judge proper.

Expences of the Act how to be paid.

XXIII. And be it further enacted, That the Charges and Expences incurred in relation to the obtaining and paſſing this Act ſhall be paid, borne, and defrayed, by the ſaid Adventurers out of any Money now in their Hands, or which ſhall hereafter come to their Hands by virtue or in purſuance of any former Act or Acts, or of this Act.

Perſons aggrieved may appeal to the Quarter Seſſions.

XXIV. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of the ſaid former Acts, or of this Act, and for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the Juſtices of the Peace, at their next General Quarter Seſſions of the Peace to be holden in and for the Diviſion or Diſtrict in the ſaid County where ſuch Cauſe of Complaint or Diſpute ſhall ariſe or happen; or in caſe the Cauſe of Complaint ſhall ariſe within twenty-one Days next before ſuch General Quarter Seſſions of the Peace, then to the ſecond General Quarter Seſſions to be held for the ſaid Diviſion or Diſtrict; ſuch Appellant firſt giving, or cauſing to be given, twenty-one Days Notice at the leaſt, in Writing, of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the ſaid Adventurers, or their Agent, and within four Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid Diviſion or Diſtrict, with two ſufficient Sureties conditioned to try ſuch Appeal, and abide by the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at the ſaid Quarter Seſſions to be held for the ſaid Diviſion or Diſtrict; and the ſaid Juſtices, at the ſaid Seſſions, upon due Proof of ſuch Notice being given, and of the entering into ſuch Recognizance as aforeſaid, ſhall hear and finally determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Quarter Seſſions ſhall be final, binding, and concluſive, to all Intents and Purpoſes whatſoever.

Limitation of Actions.

XXV. And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be brought or commenced againſt the ſaid Adventurers, or any Perſon or Perſons, for any Thing done in purſuance of this Act, until twenty-one Days Notice ſhall be thereof given to ſuch Perſon or Perſons, or to the ſaid Adventurers or their Agents, or after ſufficient Satisfaction, or a Tender thereof hath been made to the Party or Parties aggrieved, or after ſix Calendar Months next after the Fact committed; and every ſuch Action or Suit ſhall be laid or brought in the ſaid County of *Lincoln*, and not elſewhere; and the Defendant or Defendants, in every ſuch Action or Suit, ſhall and may plead the General Iſſue, Not guilty, and give this Act, and the ſpecial Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be brought before twenty-one Days Notice ſhall be thereof given as aforeſaid, or after a ſufficient Satisfaction made or tendered as aforeſaid, or after the Time limited for bringing the ſame as aforeſaid, or ſhall be brought in any other County than as aforeſaid, that then the Jury ſhall find for the Defendant or Defendants; and, upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit; or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall recover treble Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in any other Caſes by Law; nor ſhall any Perſon or Perſons who

General Iſſue,

Treble Coſts;

ſhall offend againſt this Act be ſued or proſecuted after the Expiration of ſix Calendar Months from the Time of the Offence committed.

Publick Act. XXVI. And be it enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons, without ſpecially pleading the ſame.

CAP. XXIV.

An Act for paving, repairing, lighting, and watching, the Streets, and other publick Paſſages and Places within that Part of the Pariſh of *Clerkenwell* called *Saint James*'s, and removing Obſtructions and Annoyances therein; for widening the Paſſage from *Clerkenwell Green* to the Pariſh Church; and for watching and lighting certain Highways within the ſaid Pariſh.

CAP. XXV.

An Act for the more effectual preventing Frauds, and Embezzlements, by Perſons employed in the Woollen Manufactory.

Preamble. 'WHEREAS Frauds are frequently committed, and Embezzlements made, by Perſons employed 'in the Woollen Manufactory, particularly by their ſecreting, ſelling, or otherwiſe illegally diſ-'poſing of, the working Tools and Materials they are intruſted with, by the Weavers taking the Biers 'out of the Chains, and withholding Part of the Woof or Abb Yarn delivered to them, and by the 'Pickers, Scribblers, and Spinners, embezzling Part of the Wool and Yarn intruſted to them, and alſo 'by damping, ſteaming, and watering, the Reſidue, in order to make up the Deficiency in Weight, oc-'ſioned by ſuch Embezzlements, and alſo by taking off, picking, or cutting out the Liſt, Forrel, or other 'Marks, of any Piece or Pieces of Cloth, by Means whereof the Clothiers ſuſtain great Damage and 'Loſs: And whereas the Abuſes committed in the Clothing Manufacture by Perſons carrying, collecting, 'buying, and receiving, from the Labourers employed in that Manufacture, Ends of Yarn, Wefts, 'Thrumbs, Short Yarn, and other Refuſe of Cloth, Drugget, and other Woollen Goods, and Goods 'mixed with Wool, have been found very detrimental to the ſaid Manufactures; and the ſaid Frauds and 'Abuſes are frequently carried on and committed ſo ſecretly, that the Laws now in being are by no 'Means ſufficient to prevent the ſame, whereby Perſons employed in the ſaid Manufacture are tempted 'and encouraged to embezzle, purloin, ſecrete, ſell, and detain, the Goods and Materials with which they 'are intruſted by the Clothiers, and other Woollen Manufacturers, ſo that the Cloth made comes out de-'fective in the Subſtance, Perfection, and Excellence, intended by the Clothier, to the Diſcredit of the Ma-'nufacturer, and Injury of the Publick: And whereas it is apprehended ſuch Frauds and Embezzlements 'would not be ſo frequent if the Detection and Puniſhment of the ſaid Offences were made more eaſy 'and certain:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Picker, Scribbler, Spinner, or Weaver, or other Perſon or Perſons whatſoever, who ſhall be anyways employed in or about the making or manufacturing of Woollen Cloth, or in preparing Materials for that Purpoſe, ſhall not return all working Tools or Implements, Wool, Yarn, Chain, Woof, or Abb, delivered out to be worked up and manufactured, and all ſuch Materials, as aforeſaid, wherewith he, ſhe, or they, ſhall be intruſted, or give a ſatisfactory Account touching the ſame reſpectively, to his, her, or their Employer, when thereunto required by the Perſon or Perſons by whom he, ſhe, or they, ſhall have been ſo intruſted, or by his, her, or their known Clerk or Servant, or ſhall fraudulently ſteam, damp, or water the Wool or Yarn delivered to him, her, or them, to be worked up; or if any Perſon or Perſons ſhall take off, cut, or pick out, the Liſt, Forrel, or other Mark, of any Piece of Cloth, and ſhall be convicted of any ſuch Offence before ſome Juſtice or Juſtices of the Peace for the County, Diviſion, Liberty, or Place, where the Perſon or Perſons ſo offending ſhall reſide, either by the Confeſſion of the Party or Parties, or by the Oath or Oaths of one or more credible Witneſs or Witneſſes; every ſuch Perſon ſo convicted ſhall be committed to the Houſe of Correction for the Space of one Calendar Month.

Perſons employed in the Woollen Manufacture, not returning Implements and Materials to their Employers;

or ſhall cut or pick off the Liſt or Mark of Cloth, on Conviction before a Juſtice, to be commited for one Calendar Month.

II. And be it further enacted, That if any Perſon or Perſons ſo employed, and who ſhall have been entruſted with any Tools, Implements, Wool, Yarn, Chain, Woof, or Abb, or other Materials as aforeſaid, ſhall not have delivered or accounted for the ſame, ſhall abſcond, or cannot be found, or ſhall ſell, or otherwiſe diſpoſe of the ſame, or any Part thereof; or if any Perſon or Perſons ſhall fraudulently buy or receive ſuch Tools, Implements, or Materials, of any Perſon ſo employed or entruſted; or if any Perſon or Perſons ſhall be ſuſpected of, and charged on, ſuch Suſpicion with having embezzled and kept back, by means of fraudulently damping, ſteaming, or watering, the Wool and Yarn delivered out to him, her, or them; or with having ſold, bought, or otherwiſe received the ſame, or any Part thereof, as aforeſaid, and Oath ſhall be made thereof reſpectively before one of his Majeſty's Juſtices of the Peace for the County, Diviſion, Liberty, or Place, where any ſuch Offence was committed; ſuch Juſtice ſhall thereupon iſſue his Warrant to any Conſtable or Conſtables, or other Peace Officer or Peace Officers, to enter into and ſearch, in the Day-time, the Place of Dwelling or Reſidence of ſuch Perſon or Perſons ſo offending, and alſo ſuch other Houſe or Place, Houſes or Places, of which the Clothier, Clerk, or Servant, as aforeſaid, ſhall make Oath that he, ſhe, or they, have juſt Cauſe to ſuſpect, it appearing to the ſaid Juſtice to be reaſonable Suſpicion that the ſaid working Tools, or the ſaid Materials, or ſome Part or Parts thereof, to have been embezzled or kept back, ſold, bought, or received, as aforeſaid, may be ſecreted

Perſons abſconding and ſelling Materials; or fraudulently buying or receiving ſuch Tools;

Juſtices may iſſue Wrrrants to Conſtables to ſearch,

ſecreted and lodged: And if, upon Search, any of the ſaid working Tools, Wool, Yarn, Chain, Woof, or Abb, or any Cloth with the Liſt, Forrel, or other Marks, taken off, cut, or picked out, ſhall be found, the ſaid Conſtable or Conſtables, Peace Officer or Peace Officers, ſhall ſeize the ſame, and apprehend the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion the ſame ſhall be found, and bring him, her, or them, before the ſame, or ſome other of his Majeſty's Juſtices of the Peace for the County, Diviſion, Liberty, or Place aforeſaid; and unleſs ſuch Perſon or Perſons, in whoſe Cuſtody the ſame ſhall be found, can give a good Account how he, ſhe, or they, came by the ſame, to the Satisfaction of ſuch Juſtice or Juſtices; then, and in ſuch Caſe, ſuch Perſon or Perſons ſhall be thereof convicted, and ſuffer ſuch Puniſhment as is herein-before directed to be inflicted on Perſons not returning the Tools or Materials as aforeſaid; and all ſuch Tools, Wool, Yarn, Chain, Woof, or Abb, or ſuch Cloth as aforeſaid, ſo ſeized, and not accounted for as aforeſaid, ſhall, upon ſuch Conviction, be delivered over to the Churchwardens or Overſeers of the Poor of the Pariſh where the ſame were ſeized, to be by them ſold; and the Monies ariſing by ſuch Sale, after defraying the Expences of ſuch Sale, ſhall be applied to the Uſe of the Poor of the ſaid Pariſh.

Conſtables may ſeize Tools, &c. and bring the Perſons, in whoſe Cuſtody they are found, before ſome Juſtice.

III. Provided always, That in caſe the Perſon or Perſons accuſed ſhall requeſt of ſuch Juſtice to appoint a reaſonable Time to produce the Perſon or Perſons of or from whom he, ſhe, or they, bought or received the ſame, or ſome one or more credible Witneſs or Witneſſes, to prove the Sale or Delivery thereof; then, and in ſuch Caſe, it ſhall and may be lawful for the ſaid Juſtice, and he is hereby authoriſed and required to appoint ſuch reaſonable Time as aforeſaid, and to iſſue out a Summons to the Conſtable, or other Peace Officer, of the Pariſh or Place where ſuch Perſon or Perſons, or ſuch Witneſs or Witneſſes, ſhall reſpectively reſide, requiring him, her, or them, to appear before ſuch Juſtice, at ſuch Time and Place as ſhall be ſo appointed by ſuch Juſtice, in order to be examined and give Evidence, on Oath, of the ſeveral Matters aforeſaid; but ſuch Perſon or Perſons, at the Time of making ſuch Requeſt, ſhall enter into a Recognizance, with or without Surety or Sureties, as ſuch Juſtice ſhall think proper, for his, her, or their Appearance before him at the Time ſo to be ſet, or, for want of ſuch Recognizance as aforeſaid, ſhall be committed until the Time that ſhall be ſo ſet or appointed by the ſaid Juſtice for the Appearance of ſuch Party or Parties, Witneſs or Witneſſes: And if at ſuch appointed Time ſuch Perſon or Perſons ſhall be convicted of any of the Offences aforeſaid; then, and in ſuch Caſe, he, ſhe, or they, ſhall ſuffer ſuch Puniſhment as is herein-before directed to be inflicted on Perſons not returning ſuch Tools or Materials as aforeſaid.

Juſtice to allow a reaſonable Time for producing Parties.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Juſtice or Juſtices, upon Information made to him or them, on Oath, by any credible Perſon or Perſons, that there is juſt Cauſe to ſuſpect that any Ends of Yarn, Wefts, Thrumbs, Short Yarn, or other Refuſe of Cloth, Drugget, or of other Woollen Goods, or of Goods mixed with Wool (Flocks and Pinions only excepted), have been collected and received, and are lodged or concealed, in any Dwelling-houſe, Warehouſe, Outhouſe, Yard, or other Place, by Warrant under his Hand and Seal, to cauſe every ſuch Dwelling-houſe, Warehouſe, Outhouſe, Yard, and other Place, to be ſearched in the Day-time; and if ſuch Ends of Yarn, Wefts, Thrumbs, Short Yarn, or other Refuſe of Cloth, Drugget, or other Woollen Goods, or Goods mixed with Wool (Flocks and Pinions only excepted), above the Quantity of three Pounds, ſhall be found therein, to ſeize the ſame; and alſo to cauſe the Perſon or Perſons in whoſe Houſe, Warehouſe, Outhouſe, Yard, or other Place, the ſame ſhall be found, to be brought before him, or ſome other Juſtice or Juſtices of the Peace for the ſame County, Diviſion, Liberty, or Place, and on Proof being made thereof upon Oath before ſuch Juſtice or Juſtices, that ſuch Ends of Yarn, Wefts, Thrumbs, Short Yarn, or other Refuſe of Cloth, Drugget, Woollen Goods, or Goods mixed with Wool (Flocks and Pinions only excepted), were found in the Dwelling-houſe, Warehouſe, Outhouſe, Yard, or other Place, of ſuch Perſon or Perſons ſo brought before ſuch Juſtice or Juſtices, ſuch Perſon or Perſons not exculpating him, her, or themſelves, to the Satisfaction of ſuch Juſtice or Juſtices, ſhall thereupon ſuffer ſuch Puniſhment as is herein-before directed to be inflicted on Perſons not returning the Tools or Materials as aforeſaid, and the Materials ſo found in the Cuſtody of ſuch Perſon or Perſons ſhall, by Order of ſuch Juſtice or Juſtices, be burnt, or otherwiſe deſtroyed.

Juſtices, upon Information made, may cauſe Houſes to be ſearched; and the ſame to be ſeized, and Parties brought before them.

V. Provided always, That if, upon any Information made upon Oath before any Juſtice or Juſtices againſt any Perſon or Perſons offending againſt this Act, it ſhall appear to ſuch Juſtice or Juſtices, that ſuch Perſon or Perſons ſo informed againſt hath or have been already before convicted of any Offence againſt this Act; then, and in ſuch Caſe, ſuch Juſtice or Juſtices ſhall not proceed to convict ſuch Offender or Offenders, but ſhall and may commit him, her, or them, to the Houſe of Correction, there to remain until the next General Quarter Seſſion of the Peace to be held in and for the ſaid County, Diviſion, Liberty, or Place, or until ſuch Offender or Offenders ſhall have entered into a Recognizance, with ſufficient Sureties, to appear at ſuch Seſſions, and then and there to abide the Order of the Juſtices at ſuch Seſſion; and ſuch Juſtice or Juſtices ſhall and may bind over the Informer to proſecute the ſaid Offender or Offenders at the ſaid Seſſions, and the Juſtices at ſuch Seſſions ſhall then and there proceed to inquire into and determine the ſame in a ſummary Way; and if, upon ſuch Inquiry, ſuch Perſon or Perſons ſhall be found guilty of the ſaid Offence, the ſaid Juſtices ſhall, at their Diſcretion, commit ſuch Offender or Offenders to the Houſe of Correction for any Time they think proper to direct, not exceeding three Calendar Months.

How Offenders, on a Second Offence, are to be proceeded againſt.

VI. Provided alſo, That if it ſhall appear to the Juſtices, at their General Quarter Seſſions, that ſuch Perſon or Perſons hath, or have, already been convicted, at ſome General Quarter Seſſions, of any Offence againſt this Act; then, and in ſuch Caſe, the ſaid Juſtices ſhall, upon a like Inquiry and Conviction, in a ſummary Way, direct the ſaid Offender or Offenders to be committed to the Houſe of Correction, for any Time not exceeding ſix Calendar Months, and alſo to be once publickly whipped at ſuch Time and Place as ſuch Juſtices, at their ſaid Quarter Seſſions, ſhall direct.

VII. Provided

Appeal may be made to the next Quarter Seſſion by Perſons aggrieved.

VII. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved, by the Judgment of any Juſtice or Juſtices before whom he, ſhe, or they, ſhall have been convicted of any of the Offences aforeſaid, ſuch Perſon or Perſons may appeal; and the ſaid Juſtice or Juſtices is and are hereby required to make known to ſuch Perſon or Perſons, at the Time of ſuch Conviction, his and their Right under this Act to appeal to the next General Quarter Seſſions of the Peace to be held for the County, Liberty, Diviſion, or Place, where ſuch Conviction ſhall be made, the Perſon or Perſons, at the Time of ſuch Conviction, giving to ſuch Juſtice or Juſtices Notice in Writing, ſignifying his, her, or their Intention to appeal, and alſo entering into a Recognizance at the Time of ſuch Notice, with ſufficient Sureties conditioned to try ſuch Appeal, and to abide the Judgment of, and pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Seſſions; and the Juſtices at ſuch Seſſions are hereby authoriſed and required, upon due Proof made of ſuch Notice, and of ſuch Recognizance being entered into, to hear and determine the Matter of the ſaid Appeal in a ſummary Way, and award Coſts to the Party or Parties appealing or appealed againſt, if the ſaid Juſtices ſhall think proper; but if upon ſuch Hearing the Judgment of the Juſtice or Juſtices, before whom ſuch Appellant ſhall have been convicted as aforeſaid, ſhall be affirmed; then, and in ſuch Caſe, ſuch Appellant ſhall ſuffer ſuch Puniſhment, in conſequence of ſuch Conviction, as is herein-before directed to be inflicted on Perſons not returning the Tools or Materials as aforeſaid.

Form of Conviction;

VIII. And be it further enacted, That the Juſtice or Juſtices, before whom any Offender ſhall be convicted as aforeſaid, ſhall cauſe the ſaid Conviction to be made out in the Manner and Form following; (that is to ſay),

'BE it remembered, That on the Day of in the Year of our Lord A. B. is convicted before me *(us)*, of his Majeſty's Juſtices of the Peace in and for the County, Diviſion, Liberty, or Place *(as the Caſe may be)*, of having *(here ſpecify the Offence, and the Time and Place where the ſame was committed)*. Given under my Hand and Seal, or our Hands and Seals *(as the Caſe may be)*, the Day and Year aforeſaid.'

to be wrote on Parchment, and returned to the next Quarter Seſſion.

IX. And be it further enacted, That the Juſtice or Juſtices, before whom any Offender ſhall be convicted as aforeſaid, ſhall cauſe the ſaid Conviction to be fairly wrote over, upon Parchment; and alſo to be returned to the next General Quarter Seſſion of the Peace to be held in and for the County, Diviſion, Liberty, or Place, where ſuch Conviction was made, to be filed by the Clerk of the Peace, and remain and be kept among the Records of the ſaid Seſſions.

No Proceedings to be had without Information.

X. Provided always, That no Perſon or Perſons ſhall be proceeded againſt for any of the Offences againſt this Act, as aforeſaid, unleſs Information ſhall be made thereof, upon Oath, before one or more Juſtice or Juſtices of the Peace, for the County, Diviſion, Liberty, or Place, where ſuch Offence ſhall be committed, within three Calendar Months after ſuch Offence ſhall be committed; and no Order made, touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed for want of Form, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

CAP. XXVI.

An Act to allow the Exportation of a limited Quantity of Wheat-meal or Flour, Oats, Oatmeal, Grotts, Barley, Peaſe, Beans, Malt, and Biſcuit, to *Hudſon's Bay*, in *North America*, for the Benefit of the *Hudſon's Bay Company*, and their Servants reſiding there.

Preamble. Act 13 Geo. 3.

'WHEREAS by an Act, paſſed in the laſt Seſſion of Parliament, intituled, *An Act to regulate the Importation and Exportation of Corn*; it was (amongſt other Things) enacted, That whenever the Price of middling *Britiſh* Wheat, at any Port or Place within the Kingdom of *Great Britain*, from whence the ſame ſhould be intended to be exported, ſhould appear to be at or above the Price of forty-four Shillings *per* Quarter, ſuch Price being aſcertained in Manner in the ſaid Act before mentioned, no Perſon or Perſons whatſoever ſhould, directly or indirectly, export, tranſport, carry, or convey, or cauſe or procure ſo to be, out of or from any ſuch Port or Place, or load or lay on Board, or cauſe or procure to be laden or laid on Board, in any Ship or other Veſſel, or Boat, in order to be exported or carried out of any ſuch Port or Place, any Wheat, Wheat-meal or Flour, or Malt, Bread, Biſcuit, or Starch made of Wheat; and whenever the Price of middling *Britiſh* Peaſe or Beans, or of middling *Britiſh* Barley, Beer, or Bigg, or of middling *Britiſh* Oats, ſhould reſpectively appear, at ſuch Port or Place, to be at or above the ſeveral diſtinct Prices in the ſaid Act particularly mentioned no Perſon or Perſons whatſoever ſhould, directly or indirectly, export, tranſport, carry, or convey, or cauſe ſo to be, or load or lay on Board, in any Ship, or other Veſſel, or Boat, in order to be exported or carried out of any ſuch Port or Place, any Peaſe or Beans, ground or unground, or any Bread or Biſcuit, made of Peaſe or Beans reſpectively, or any Barley, Beer, or Bigg, reſpectively, or any Oats, or Oatmeal, or Malt, Bread, or Biſcuit, made of Oats, under the ſeveral Penalties and Forfeitures in the ſaid Act particularly mentioned and inflicted: And whereas it is neceſſary at all Times to export Wheat-meal or Flour, Oats, Oatmeal, Grotts, Barley, Peas, Beans, Malt, and Biſcuit, to *Hudſon's Bay*, in *North America*, for the Benefit of the *Hudſon's Bay Company*, and their Servants reſiding there;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty,

jeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, it ſhall and may be lawful to ſhip and export, from the Port of *London* only, Wheat-meal or Flour, not exceeding, in the Whole, two hundred Quarters in any one Year; and from the ſaid Port of *London* only, Oats, Oatmeal, Grotts, Barley, Peaſe, Beans, Malt, and Biſcuit, not exceeding together, in the Whole, two hundred and ſixty Quarters in any one Year, to *Hudſon's Bay*, in *North America*, for the Benefit of the *Hudſon's Bay Company*, and their Servants reſiding there; any Thing in the ſaid Act to the contrary notwithſtanding, ſo as the Exporter do, before the ſhipping of ſuch Articles aforeſaid to *Hudſon's Bay*, in *North America*, enter into ſuch or the like Bond or Bonds, as are, by the ſaid recited Act of the laſt Seſſion of Parliament, directed to be entered into by the Exporters from the Port of *London* to the Iſland of *Saint Helena*, of the particular Species and Quantity of Corn, Grain, or Flour, allowed by the ſaid Act to be exported to that Iſland.

Not exceeding 200 Quarters of Wheat-meal or Flour, in one Year, from the Port of London; and Oats, Oatmeal, Grotts, Barley, Peaſe, Beans, Malt, and Biſcuit, 260 Quarters, may be exported to Hudſon's Bay.

II. Provided always, and be it enacted by the Authority aforeſaid, That when the Exportation of the ſaid Commodities, or any of them, ſhall by the ſaid Act be permitted; then, and in ſuch Caſe, no ſuch Bond ſhall be required upon the Exportation to *Hudſon's Bay*, or ſuch of them as ſhall be ſo permitted.

On Exportation of the ſaid Commodities, no Bond ſhall be required upon Exportation.

III. Provided alſo, and be it enacted, That when any Bounty ſhall be allowed upon the Exportation of the ſaid Commodities, or any of them, the ſame Bounties ſhall be allowed upon the Exportation thereof to *Hudſon's Bay*, under the Regulations, Proviſions, and Reſtrictions, in the ſaid Act mentioned.

Bounty when to be allowed on Exportation to Hudſon's Bay.

IV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be in Force during ſuch Time as the ſaid recited Act, paſſed in the laſt Seſſion of Parliament, ſhall have Continuance.

Continuance of the Act.

CAP. XXVII.

An Act for fixing and regulating a Publick Market and Shambles for the Sale of Meat within the Town and Borough of *Swanſea*, in the County of *Glamorgan*.

CAP. XXVIII.

An Act to continue an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, for laying a Duty of two Pennies *Scots*, or one-ſixth Part of a Penny *Sterling*, upon every *Scots* Pint of Ale and Beer, which ſhall be brewed for Sale, brought into, tapped, or ſold, within the Town of *Kinghorn*, and Liberties thereof.

Preamble. Act 22 Geo. 2.

'WHEREAS by an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for laying a Duty of two Pennies* Scots, *or one-ſixth Part of a Penny* Sterling, *upon every* Scots *Pint of Ale and Beer which ſhall be brewed for Sale, brought into, tapped, or ſold, within the Town of* Kinghorn, *and Liberties thereof*, an Impoſition or Duty of two Pennies *Scots*, or one-ſixth Part of a Penny *Sterling* (over and above the Duty of Exciſe paid or payable to his Majeſty, his Heirs and Succeſſors), was granted and laid upon every *Scots* Pint of Ale and Beer, which ſhould be either brewed, brought in, tapped, or ſold, within the ſaid Town of *Kinghorn*, and Liberties thereof; and the ſaid Duty is directed to be applied to the Purpoſes, and levied in the Manner, mentioned in the ſaid Act, and which is declared to take Place, and to have Continuance, only from and after the firſt Day of *June*, one thouſand ſeven hundred and forty-nine, for and during the Term of thirty-one Years, and from thence to the End of the then next Seſſion of Parliament: And whereas the Purpoſes for which the ſaid Duty was granted cannot be completed within the Term granted by the ſaid Act (which has now but a few Years to run), and as a Prolongation of the ſaid Act would be of great Advantage to the Community of the ſaid Borough of *Kinghorn*, and to the Publick:' Therefore, your Majeſty's moſt dutiful and loyal Subjects, the Provoſt, and others the Magiſtrates and Town Council of the ſaid Borough of *Kinghorn*, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Impoſition, or Duty, granted and made payable by the Act before recited, upon Ale and Beer that ſhall be either brewed, brought in, tapped, or ſold, within the ſaid Town of *Kinghorn*, or Liberties thereof, ſhall, from and after the Expiration of the ſaid Act, be further continued, raiſed, levied, collected, paid, and made payable, to the Provoſt, Magiſtrates, and Town Council, of the Borough of *Kinghorn*, and their Succeſſors in Office for the Time being, and their Aſſigns, or to ſuch Collectors or Receivers as ſhall at any Time, during the Continuance of this preſent Act, be by them, or the major Part of them, appointed and impowered, for the Uſe and Behoof of the ſaid Borough, for the further Term of twenty-five Years, and from thence to the End of the then next Seſſion of Parliament.

further continued for 25 Years.

II. And be it further enacted by the Authority aforeſaid, That the aforeſaid Impoſition or Duty ſhall, during the ſaid additional Term of twenty-five Years, and from thence to the End of the then next Seſſion of Parliament, be raiſed, levied, and collected, from the ſame Perſons, and by the ſame Means and Methods, and under the ſame Penalties and Forfeitures, and be accounted for, paid, and applied, to and for the ſame Uſes and Purpoſes; and that the Provoſt, Magiſtrates, and Town Council, be and continue Truſtees for ſuch Application, with the ſame Powers, and ſubject to the ſame Rules and Directions, as are mentioned and preſcribed in the ſaid recited Act; and that the ſaid Act, and every Article, Rule, Clauſe, Matter, and Thing, therein contained, ſhall be of the ſame Force and Effect, to all Intents and Purpoſes,

Duty to be raiſed and collected from the ſame Perſons, &c. as by former Act.

Purpoſes, for raiſing, collecting, ſecuring, and levying, the ſaid Impoſition or Duty, and for applying the ſame for the Uſes and Purpoſes mentioned in the ſaid Act, ſo far as theſe are not already executed, for and during the additional Term of Years for which the ſame are hereby granted, as if the ſaid above-recited Act was particularly and at large repeated and re-enacted in the Body of this preſent Act, except as is hereinafter mentioned.

Every Brewer and Seller of Ale, &c. to give Notice to the Magiſtrates, and to agree to the Payment of the Duty.

Penalty on making Default.

III. And be it further enacted by the Authority aforeſaid, That from and after the Commencement of this preſent Act, and during the Continuance thereof, it ſhall not be lawful for any Brewer, or Seller of Beer or Ale, living or carrying on his or her Brewery without the ſaid Borough of *Kinghorn*, and Liberties thereof, to import or ſell any Beer or Ale into or in the ſaid Borough, and Liberties thereof, unleſs he, ſhe, or they, do previouſly give Notice to the Magiſtrates of the ſaid Borough, or their Collector of the ſaid Duty, at his Office, and agree to be ſubjected to, and charged with, the Payment of the ſaid Duty, for all the Beer and Ale which ſhall be brewed by ſuch Brewer or Seller of Beer or Ale, living or carrying on his or her Brewery without the ſaid Borough, and Liberties thereof; and that every ſuch Brewer, or Seller of Beer or Ale, who ſhall import or ſell any Ale or Beer into or in the ſaid Borough, and Liberties thereof, without having given ſuch previous Notice, and agreed as aforeſaid, being thereof duly convicted before any two or more of his Majeſty's Juſtices of the Peace, ſhall be charged with, and liable to, the Payment of the ſaid Duty to the Provoſt, Magiſtrates, and Town Council, of the ſaid Borough, or their Collector, for all Ale and Beer brewed by him or her for the Space of twelve Months immediately preceding his or her committing ſuch Offence, and in all Time thereafter during the Continuance of this Act.

All Rights by the former Act, and by the Law of Scotland, for levying the Rates, reſerved to the Provoſt, &c.

IV. And be it further enacted by the Authority aforeſaid, That beſides the Remedies and Execution granted and provided by the ſaid recited Act, for levying, recovering, and making effectual, the ſeveral Rates, Duties, and Impoſitions, hereby granted and continued, the ſaid Provoſt, Magiſtrates, and Town Council, and their Collectors, ſhall, from and after the Commencement of this preſent Act, and during the Continuance thereof, be intitled to uſe all ſuch other Methods, Remedies, and Execution, againſt the Perſon or Perſons neglecting or refuſing to pay the ſaid Rates, Duties, and Impoſitions, as is competent by the Law of *Scotland* to the Magiſtrates and Town Council of Royal Boroughs, and their Collectors, for recovering the ordinary Revenues of ſuch Boroughs.

Who are to be Overſeers of the Impoſition by this Act.

V. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this preſent Act, that the honourable *James Wemyſs* of *Wemyſs*, *Robert Ferguſon* of *Reath*, *James Saint Clair* of *Saint Clair*, *David Beatſon* of *Vicars Grange*, *Claud Boſwell* of *Balmutto*, *Alexander Aliſon* of *North Glaſſmont*, *James Townſend Oſwald* of *Dinnekeir*, *Robert Beatſon* of *Killerie*, *William Wemyſs* of *Cuttlehill*, *John Bruce* of *Grange Mayer*, Eſquires; the Knight of the Shire to ſerve in Parliament for the County of *Fife* for the Time being, and the Burgeſs to ſerve in Parliament for the Time being for the Diſtrict of Boroughs, whereof *Kinghorn* is one, or any three or more of them, ſhall be, and are hereby appointed Overſeers of the Impoſition or Duty hereby continued and granted, in Place and Stead of the Overſeers appointed by the above-recited Act, and ſhall have, and are hereby veſted with the ſame Powers, and under the ſame Regulations, as are in and by the ſaid recited Act granted and given to the ſaid former Overſeers; any Thing in the ſaid former Act contained to the contrary notwithſtanding.

Signed and certified Accounts of the Receipts and Diſburſements to be made up annually.

Notice to be given of the annual Meeting.

VI. Provided always, and be it enacted by the Authority aforeſaid, That the Provoſt, Bailies, and Council, of the ſaid Town of *Kinghorn*, and their Succeſſors for the Time being, ſhall, and they are hereby directed and required, to ſtate and make up, annually, to the twenty-fourth Day of *June*, in each Year, an Account of their Receipts and Diſburſements, under and by virtue of the before-recited Act, and of this preſent Act, and to leave and depoſit the Account, ſo annually ſtated and made up (ſigned and certified by the Provoſt or eldeſt Bailie for the Time being), at the Office of the Town Clerk of the ſaid Borough of *Kinghorn*, open for the Inſpection of every Perſon having an Intereſt in the ſame, three Weeks at leaſt before the firſt *Wedneſday* of *Auguſt* in every Year; and alſo to give edictal Notices, in the uſual Manner, at the Church Door of *Kinghorn*, on each of the two *Sundays* immediately preceding the firſt *Wedneſday* of *Auguſt* in every Year, for the annual Meeting, upon ſuch firſt *Wedneſday* of *Auguſt* reſpectively, of the Overſeers by this Act appointed, and with Notice of the Depoſitation at the Town Clerk's Office of the Account for the preceding Year, open for the Inſpection of the ſaid Overſeers, and of every other Perſon having an Intereſt in the ſame.

Publick Act.

VII. And be it further enacted by the Authority aforeſaid, That this preſent Act ſhall be deemed, and taken to be, a publick Act; and ſhall be judicially taken Notice of as ſuch in all Courts in *Great Britain*, and by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XXIX.

An Act for the better Relief and Employment of the Poor within the Pariſh of *Saint Leonard, Shoreditch*, in the County of *Middleſex*; and for building a Workhouſe, and for purchaſing a Piece of Land for a Burial Ground, for the Uſe of the ſaid Pariſh.

CAP. XXX.

An Act for providing a Workhouſe, and for better governing, regulating, and maintaining, the Poor, within the *Old Artillery Ground*, in the Liberty of the *Tower of London*; and for paving, cleanſing, lighting, and watching, the Streets, Lanes, and other open Paſſages and Places within the ſame; and for preventing Obſtructions and Annoyances therein.

CAP. XXXI.

An Act for repairing the Highways and Bridges in the County of *Fife*.

Preamble.

'WHEREAS the Powers granted by Law in *Scotland* relative to Highways and Bridges, and the Services and Work, and Monies, which are thereby authoriſed to be exacted and levied, have been found, by Experience, inſufficient to amend and keep in Repair the Roads and Bridges within the County of *Fife*, and that other and further Powers are neceſſary to be given to the Heritors and Juſtices of Peace of the ſaid County effectually to carry the Intention of the ſaid Laws into Execution: And as this cannot be done without the Aid of Parliament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, for the more eaſy and effectual Execution of the Powers herein-after granted, the ſaid County of *Fife* ſhall be divided into four different Diſtricts, conſiſting of the reſpective Preſbyteries of *Saint Andrews*, *Kirkaldy*, *Coupar*, and *Dumfermline*.

Diviſion of the Counties into four Diſtricts.

Truſtees.

II. And be it further enacted by the Authority aforeſaid, That every Proprietor or Heritor, and the eldeſt Sons or apparent Heirs of the Proprietors or Heritors, whoſe Property intitles them to be Commiſſioners of Supply, and the Provoſt, or other Chief Magiſtrate of every Royal Borough within the ſaid County for the Time being, ſhall be Truſtees or Commiſſioners for making, repairing, upholding, and keeping in Repair, the Highways, Roads, and Bridges, within the ſaid County, and for executing all other the Powers by this Act to them given and granted.

Penalty on acting if not qualified.

III. Provided always, That if any Perſon not qualified as aforeſaid ſhall preſume to act as a Truſtee, every ſuch Perſon ſhall, for every ſuch acting, forfeit the Sum of ten Pounds Sterling, beſides the Expence of Proſecution; to be recovered by Complaint in a ſummary Way, at the Suit of any Heritor within the ſaid County, before the Juſtices of Peace at their Quarter Seſſions, or before the Sheriff-depute of the ſaid County, or his Subſtitutes; which Penalty ſhall be paid to the Truſtees aforeſaid, to be by them applied for repairing the ſaid Roads; and in caſe any ſuch Complaint ſhall be brought, the Proof of Qualification ſhall lie upon the Defendant.

Proviſo.

IV. Provided alſo, That it ſhall be a ſufficient Qualification to the Provoſts, or other Chief Magiſtrates of the Royal Boroughs within the ſaid County, that they are inveſted for the Time being with the aforeſaid reſpective Offices.

Time and Place of Truſtees Meeting.

V. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees or Commiſſioners, or any five or more of them, ſhall hold their firſt Meeting at Twelve of the Clock Mid-day, in the Town-hall of the Preſbytery Town within which Preſbytery or Diſtrict their ſaid Lands reſpectively do lie, upon the ſecond *Tueſday* of *June*, one thouſand ſeven hundred and ſeventy-four, and upon the ſecond *Tueſday* of *April* yearly, and every Year thereafter; with Power to them, or the Majority of thoſe preſent at the ſaid fixed or other General Meetings aſſembled, to adjourn to ſuch other Times and Places as they ſhall think fit or convenient; with Power alſo, annually, to chuſe a Preſes and Clerk to the ſaid Meetings; and to make ſuch Orders, Regulations, and Appointments, as they ſhall judge proper for repairing, rebuilding, and upholding, the Highways, Roads, and Bridges, within the ſaid reſpective Diſtricts; and the ſaid Truſtees or Commiſſioners ſhall have Power to act in any Diſtrict within the ſaid County, whether reſiding therein or not; and the ſaid Truſtees or Commiſſioners, at all their Meetings, ſhall pay and defray their own Expences.

Truſtees, &c. to defray their own Expences.

Adjourning and calling of Meetings.

VI. Provided always, That where the Number preſent at ſuch fixed or other General Meetings ſhall not exceed three Truſtees, and that ſuch Truſtees ſhall think fit to adjourn the Meeting, then, and in that Caſe, fourteen Days previous Notice of the Day, and Purpoſe of the adjourned Meeting, (which ſhall be to the ſame Place) ſhall be given in Manner herein-after mentioned: And provided alſo, That any three Truſtees may, at any Time, call a General Meeting at the Town-hall of the Preſbytery Town within which the ſaid three Truſtees reſide, upon giving the like previous Notice thereof, and of the Purpoſe and Buſineſs of ſuch Meeting; and the Clerk, in ſuch Caſes, ſhall always cauſe Intimation to be made of the Day and Purpoſe of the Meeting, by affixing Notice thereof upon each of the Church Doors within the Diſtrict of which a Meeting of the Truſtees ſhall be ſo called, as aforeſaid.

Exact Liſts of Ploughgates to be made.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, at the ſaid fixed Meeting, on the ſaid ſecond *Tueſday* of *June*, one thouſand ſeven hundred and ſeventy-four, or at any other ſubſequent Meeting, ſhall have Power, and they are hereby required, to make up and aſcertain exact Liſts of the Number of Ploughgates of Lands, as well in Graſs as in Tillage, within each Pariſh of the ſaid reſpective Diſtricts, in ſuch Way and Manner as the ſame have hitherto been in uſe to be aſcertained within the ſaid County.

Perſons liable to do Services.

VIII. And be it further enacted by the Authority aforeſaid, That the Heritors, in the natural Poſſeſſion of their own Lands, and all Leſſees, Tenants, and Occupiers of Lands, ſhall be liable and obliged to aſſiſt at making, building, repairing, and upholding, the Highways, Roads, and Bridges, within the ſaid County; and ſhall, upon two Days previous Notice to be given, perſonally, or at their reſpective Places of Abode, from the Overſeer or Overſeers of the ſaid Highways and Bridges, or any Perſon authoriſed by him or them, furniſh, for the Number of ſix whole Days, (each Day to conſiſt of two ſufficient Yokings) one ſufficient Cart with two able Horſes, and one able Man, or, in their Option, one ſufficient Wain, with two able Horſes, two able Oxen, and one able Man, and that for each Ploughgate of Land, and ſo on, in proportion to the Extent of the Land poſſeſſed by them; and all Lands let for Paſture only ſhall be held as in the Poſſeſſion of the Heritor, and he ſhall be liable for each ſixty Acres, or, in his Option, for each forty Pounds Sterling of Rent paid by the Tenant or Leſſee for the ſame, to furniſh the Carriages cor-

Notice to be given.

reſponding to a Ploughgate of Land, or, in his Option, to pay the converted Value for the ſame, at the Rates herein-after ſpecified; and ſo in proportion for ſmaller or larger Parts or Diviſions of a Ploughgate of Land ſo ſet.

Statute work how to be performed.

IX. And be it further enacted by the Authority aforeſaid, That all Houſeholders, Cottagers, Labourers, (Servants hired by the Year being always excepted), and all Tradeſmen, not liable to furniſh Carriages, ſhall be obliged, upon two Days previous Notice to be given as aforeſaid, to perform the Statute-work conformable to Law on the ſaid High Roads and Bridges, by themſelves, or other able Men to be employed by them, for ſix full Days (each Day to conſiſt of two ſufficient Yokings); and in caſe of Failure, ſhall be ſubject and liable to the Penalties contained in the former Acts of Parliament.

Seed-time and Harveſt excepted.

X. Provided always, and it is hereby expreſsly provided and declared, That no Perſon ſhall be obliged to furniſh Carriages, or perform Statute-work, on the ſaid Highways and Bridges, during the Periods of Seed-time or Corn-harveſt in that Part of the County where he lives or reſides.

Statute-work may be paid for in Money.

'XI. And, for carrying into more effectual Execution the Laws now in Force relative to Highways within 'the ſaid County,' be it enacted by the Authority aforeſaid, That it ſhall be lawful to and for the ſaid Truſtees, at their reſpective annual Diſtrict Meetings aſſembled, if they ſhall find it neceſſary, to order and appoint a Converſion, in Money, to be paid by all Perſons liable in Statute Services, as aforeſaid, for all or any of the ſix Days Service or Statute-work above mentioned: Provided always, That the aforeſaid Converſion ſhall not exceed the ordinary Price or Rate of Labour in that Part of the Country where the Services are to be performed.

Exception of indigent Perſons.

XII. And it is further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees to exeem and free from Performance of all or any Part of the ſaid Statute-work, and Compoſition therefore, all ſuch Perſons as ſhall appear to them to be in indigent Circumſtances, or unable to perform the ſame.

Carts driving Lime or Coal, not for private Uſe, liable for ſix Days Work. Deduction to the Owners, if Landholders.

XIII. And be it further enacted by the Authority aforeſaid, That every Perſon who ſhall keep Carts or other Carriages for driving of Coal or Lime, or any other Things whatever, not for their own private Uſe, and on the publick County Roads, ſhall be ſubject and liable in ſix Days Work for each Cart ſo employed by him, her, or them: Provided always, That if the ſaid Perſons are liable for Services in reſpect of Lands poſſeſſed by them, they ſhall have Deduction and Allowance for ſuch of their Carts and Carriages, the Horſes whereof ſhall appear to the ſaid Truſtees to be neceſſary for labouring the ſaid Lands.

If Statute-work be not performed Value to be paid in 6 Days, or Warrants may be granted to diſtrain.

XIV. And be it enacted by the Authority aforeſaid, That if any Perſon ſhall neglect or refuſe to perform the Services and Statute-work when required, as aforeſaid, or to pay the converted Values therefore within ſix Days after the ſame ſhall be demanded by the Overſeer or Collector, in Manner before directed, the ſaid Failure or Refuſal being certified by an Application from the ſaid Collector or Overſeer to the Juſtices of the Peace, they, or any one of them, ſhall be authoriſed, and are hereby required, upon ſuch Applications, to grant ſummary Warrants for poinding or diſtraining the Effects of ſuch Defaulters for Payment of the converted Values as aforeſaid, and one half more in Name of Penalty.

Penalties for wrongous Diſtreſs, and not giving Liſts of Services, &c.

XV. Provided always, That in caſe the ſaid Collectors or Overſeers ſhall wrongouſly charge, poind, or diſtrain, any Perſon as a Defaulter, and be convicted thereof before the Juſtices of the Peace, the ſaid Juſtices ſhall award againſt the ſaid Collector or Overſeer, to the Perſon or Perſons ſo aggrieved, treble the Sum for which he or they ſhall be ſo poinded or diſtrained; and in caſe the ſaid Overſeers or Collectors ſhall fail to give due Notice to the Perſons liable for Services and Statute-work, or to exact the converted Values, they ſhall be liable, and by Sentence of the ſaid Juſtices, be ſubjected to pay double the Value of the ſaid Services or Statute-work, or double the Converſion Money ſo omitted to be called out and exacted by them.

The Diſtances that Perſons are liable to do Statute-work.

XVI. Provided always, and it is hereby provided and declared, That it ſhall not be lawful for the ſaid Truſtees to employ the Perſons, liable in the aforeſaid Services or Statute-work, at any greater Diſtance than two meaſured Miles from the Reſidence of the Perſons liable for the ſame, nor to apply the converted Values of ſuch Services at any greater Diſtance than three Miles from the Reſidence of the Perſon liable in Payment of the ſame.

Truſtees at Meetings may appoint Committees.

XVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, at their General Meetings of the ſaid ſeveral Diſtricts, to appoint Committees of their own Number, in the different Pariſhes, for overſeeing, directing, and carrying on the Reparation of ſuch of the ſaid Roads and Bridges as ſhall be committed to their Charge, and for calling out the Perſons liable in the Services and Statute-work to perform the ſame, or making effectual the converted Values, and applying the ſame towards the working, building, and repairing, the ſaid Roads and Bridges, in ſuch Manner as the ſaid Meeting ſhall order and appoint.

Owners of unincloſed Lands to give Ground ſufficient to make the Road 25 Feet wide.

XVIII. And be it enacted by the Authority aforeſaid, That in all Caſes where Roads are already incloſed on one Side, and the Ground on the other Side belongs to a different Proprietor, and that there ſhall not be left twelve Feet and an Half from the Incloſure to the Centre of the Road, the Proprietor on the other or unincloſed Side ſhall be bound and obliged to give off Ground ſufficient to make up twenty-five Feet broad; and the ſaid Juſtices of Peace, or any three of them, are hereby authoriſed and required, to ſet off and aſcertain the Extent and Value of the Ground ſo to be given off, to make up the Deficiency of the ſaid twelve Feet and an Half, and to give Decree againſt ſuch Perſon or Perſons as they ſhall judge liable for Payment of the Value thereof, to and in Favour of ſuch Perſon or Perſons as they ſhall judge entitled to receive the ſame, or any Part thereof.

Heritors obliged to ſcour the Ditches.

XIX. And be it further enacted by the Authority aforeſaid, That where any Ditches have or ſhall in Time coming be made along the Side of any of the Roads or Highways within the ſaid County, then the Proprietors thereof ſhall be bound to keep theſe Ditches properly ſcoured; and in caſe of their failing ſo to do, when required, the Overſeers of the ſaid Roads may, and are hereby authoriſed to order them to be cleanſed and ſcoured, at the Coſt and Expence of the Occupiers or Poſſeſſors of the Grounds through which theſe Ditches are made; and upon their refuſing Payment of the Expence thereby incurred, it ſhall and

may

may be lawful for the Juſtices of Peace, or any two of them, to levy ſuch Expence by Diſtreſs and Sale, in the ſame Manner as is directed for levying the Compoſition aforeſaid.

'XX. And, for preventing Annoyances on all and every of the ſaid Roads,' be it enacted, That no Perſon ſhall lay, or cauſe to be laid, any Timber or Stone, Lime, Dung, Soil, Compoſt, Aſhes, Rubbiſh, or other Matter, upon any of the aforeſaid Roads or Highways; and all and every Perſon or Perſons ſo offending ſhall not only forfeit the Materials ſo laid down, but alſo the Sum of five Shillings Sterling; to be levied and recovered in the ſame Manner as other Penalties are by this Act directed, the one Half thereof to be paid to the Informer, the other Half to be applied for making and repairing the aforeſaid Roads.

No Annoyances to be laid on the Roads.

XXI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall haul or draw, or cauſe to be hauled or drawn, upon any Part of the ſaid Roads, any Tree, Log, or Piece of Timber, or any Stone or other Thing whatſoever, otherwiſe than upon a Wheel Carriage; or ſhall ſuffer any Tree, Log, or Piece of Timber, or Stone, or other Matter whatſoever, which ſhall be conveyed upon a Wheel Carriage, to drag upon any Part of ſuch Roads; every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of ten Shillings Sterling; to be recovered and levied in Manner herein-after directed.

No Timber or Stones to be drawn but upon Wheel Carriages on Pain of 10s.

XXII. And be it enacted by the Authority aforeſaid, That the Collector of the Land Tax or Ceſs of each Royal Borough of the Diſtrict for the Time being ſhall be annually bound to collect the Converſion-money of the Statute-work of the Inhabitants and others reſiding within ſuch Royal Borough, and Suburbs thereof, in caſe they ſhall be deſired or required ſo to do by the Truſtees or Commiſſioners of the Diſtrict, at their firſt annual or any after adjourned Meeting; and ſhall alſo be bound to account for and pay in to ſuch Commiſſioners, or any Perſon impowered by them, the Monies he ſhall ſo collect and receive, after Deduction and Allowance of five Pounds *per Centum* of the Sums ſo collected for his own Trouble; and that under the Penalty of five Pounds Sterling to be paid by ſuch Collector to the Commiſſioners of the Diſtrict for every ſuch Offence, in refuſing or neglecting ſo to do; which Penalty ſhall be levied and recovered in Manner herein-after directed.

Converſion-money of Royal Boroughs to be levied by the Collectors of the Land Tax, and paid in to the Truſtees, after Deduction of five per Cent.

'XXIII. And whereas it has been found, by Experience, from the great Number of Roads and Bridges, 'and the daily Increaſe of Carriages within the ſaid County of *Fife*, that the Sum of ten Shillings, *Scots* 'Money, upon each hundred Pounds *Scots* of valued Rent, authoriſed to be levied by the ſixteenth Act of the 'ſecond Parliament of King *Charles* the Second, has been inſufficient for keeping the ſaid Roads and Bridges 'in Repair;' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Perſons in the ſaid Act mentioned, at their General Meeting at *Coupar* in the Month of *May*, in this preſent Year one thouſand ſeven hundred and ſeventy-four, and at every annual Meeting in the Month of *May* hereafter, to aſſeſs the whole County to the Extent of one Shilling and Eight-pence Sterling, or twenty Shillings *Scots*, upon every hundred Pounds *Scots* of valued Rent: And in caſe the ſaid General Meeting ſhall not aſſeſs the whole County to the Extent of the ſaid Sum of one Shilling and Eight-pence Sterling, then it ſhall be lawful to and in the Power of all or any of the Diſtrict or Diſtricts, at a General or any adjourned Meeting, to aſſeſs the ſaid Diſtrict or Diſtricts to what further Sum they ſhall judge neceſſary, the ſaid two Aſſeſſments not exceeding the ſaid Sum of one Shilling and Eight-pence Sterling in the Whole upon every one hundred Pounds *Scots* of valued Rent; and which additional Aſſeſſment ſhall be certified to the Collector of Supply in Writing, under the Hands of the Preſes and Clerk of the ſaid Meeting; and which reſpective Sums ſhall be levied by the ſaid Collector, along with the Ceſs or Land Tax of the ſaid County, and ſhall be applied towards the building, making, repairing, and upholding, the Highways and Bridges within the Diſtricts where levied: And the ſaid Collector ſhall keep an exact and ſeparate Account of the Sums levied out of each of the ſaid Diſtricts, which ſhall only be applicable to the Bridges and Roads within the ſaid ſeveral Diſtricts out of which the ſame ſhall be levied, and ſhall be iſſued only by the ſaid Collector, upon Orders from the General Meetings of the ſaid Diſtricts, or Committees appointed by them; and it ſhall not be lawful to apply any Part of the Sums raiſed in one Diſtrict towards the Reparation of Roads and Bridges in another Diſtrict, except in the Caſe herein-after mentioned.

20s. Scots to be laid upon each 100l. Scots of valued Rent.

How the Money is to be collected and applied.

Collectors to keep ſeparate Accounts.

XXIV. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, at their firſt General Meeting of the reſpective Diſtricts, on the ſecond *Tueſday* of *June*, in this preſent Year one thouſand ſeven hundred and ſeventy-four, and at their annual Meeting, to be held thereafter on the ſaid ſecond *Tueſday* of *April*, or at any adjourned Meeting of the ſaid reſpective Diſtricts, ſhall make out an exact and diſtinct Report of the particular Roads and Bridges, and of the Services, Statute-work, and Converſion-money thereof, and other Monies to be levied by virtue of the Powers given by this Act, out of the ſeveral Pariſhes within the ſaid reſpective Diſtricts, and of the particular Application thereof for that Year; and a Copy of the ſaid Report, ſigned by the Preſes and Clerk of the ſaid Meeting, ſhall be timeouſly tranſmitted to the Clerk of the Peace of the ſaid County, and ſhall be entered in the Book to be kept by him for that Purpoſe, as aforeſaid, and ſhall remain unalterable by any other or ſubſequent Meeting of the ſaid reſpective Diſtricts, but ſhall nevertheleſs be ſubject to the Review of the ſaid General Meeting of the ſaid County, to be held in the Month of *May* annually, to the Effect only that they may order and direct what Roads and Bridges ſhall be firſt made, built, or repaired, within the ſaid reſpective Diſtricts.

The Truſtees, at their annual Meetings, &c. to make out Reports of the Roads and Bridges, &c.

Report to be lodged with the Clerk of the Peace.

XXV. Provided always, and it is hereby enacted and declared, That in caſe the rebuilding or repairing of any one Bridge within the ſaid County ſhall exceed the Sum of fifty Pounds Sterling, the Diſtrict within which the ſaid Bridge is ſituated ſhall only be ſubject and liable to pay one Half of the ſaid Sum, and the other three Diſtricts ſhall be ſubject and liable to pay the other Half thereof, and that in proportion to the valued Rents of the ſaid ſeveral Diſtricts; and the rebuilding or repairing of the ſaid Bridge ſhall be done, made, and executed, by the Direction only of the ſaid General Meeting of the County, and the Sum appointed to be applied for that Purpoſe ſhall be iſſued by the ſaid Collector of the Ceſs or Land Tax, upon and by an Order in Writing of the ſaid General Meeting, extracted by their Clerk.

How the Expence of repairing Bridges are to be borne.

The Money to be iſſued by the Collector of the Land Tax.

XXVI. And

Penalties and Forfeitures how to be recovered and applied.

XXVI. And be it further enacted by the Authority aforeſaid, That all Forfeitures and Penalties by this Act inflicted, or authoriſed to be impoſed in relation to any Matter or Thing in this Act contained, the Manner of levying and recovering whereof is not otherwiſe particularly directed, ſhall, upon Proof of the Offence before any one or more Juſtice or Juſtices of the Peace for the County or Place where the ſame ſhall be committed, either by the Confeſſion of the Party, or other legal Evidence, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand or Hands of ſuch Juſtice or Juſtices of the Peace (which Warrant ſuch Juſtice and Juſtices is and are hereby authoriſed and required to grant for theſe Purpoſes, and alſo to adminiſter Oaths *gratis*), ſuch Sale being always made by publick Auction to the higheſt Offerer, at ſuch Place as ſhall be directed in the ſaid Warrant, within two Days after ſuch Diſtreſs ſhall have been made; and the Overplus Money ariſing from ſuch Sale (after ſuch Penalties are recovered, and the Charges of levying and recovering the ſame are deducted) ſhall be returned, on Demand, to the Owner or Owners of ſuch Goods and Chattels; and all Penalties and Forfeitures, if not otherwiſe directed to be applied by this Act, ſhall from Time to Time be paid to the ſaid Truſtees, or any five or more of them, or to their Collectors for the Time being, and ſhall be laid out and applied for the Purpoſes of the Act within the Diſtrict in which the Penalties or Forfeitures ſhall be incurred: And in caſe ſufficient Diſtreſs cannot be found, or ſuch Penalties or Forfeitures ſhall not be forthwith paid, it ſhall be lawful for any Juſtice or Juſtices of the Peace for the County or Place where the Offence ſhall be committed, and he and they is and are hereby authoriſed and required, by Warrant under his or their Hand or Hands, to cauſe ſuch Offender or Offenders to be committed to the Houſe of Correction, or common Gaol of the County or Place where the Offence ſhall be committed, there to remain for any Time not exceeding three Calendar Months, unleſs ſuch Penalties or Forfeitures, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

Perſons aggrieved may appeal to the Quarter Seſſions.

Five Juſtices to be a *Quorum*.

Judgment of the Quarter Seſſions to be final.

XXVII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall conſider himſelf or themſelves aggrieved by any Order, Procedure, Sentence, or Judgment, of the ſaid Truſtees or Juſtices of Peace, with reſpect to any of the Matters or Things by this Act referred to their Determination, it ſhall and may be lawful to and for ſuch Perſon or Perſons to appeal for Redreſs to the Juſtices of Peace for the ſaid County, in their then next General Quarter Seſſions aſſembled in *October*, at which five Juſtices ſhall be preſent and make a *Quorum*, who are hereby authoriſed and impowered to hear and determine the Matter in Diſpute, and whoſe Judgment therein ſhall be final and concluſive.

Proviſo.

XXVIII. Provided always, That it ſhall be no Objection to any Perſon acting as a Juſtice of Peace in any Matter or Thing relative to this Act, that he is thereby appointed a Truſtee.

Application of the Money to ariſe by virtue of this Act.

XXIX. And be it further enacted by the Authority aforeſaid, That the Sums to be raiſed and levied by virtue of this Act ſhall be applied by the ſaid Truſtees, in the firſt place, to defray and pay the Charges of obtaining and paſſing this Act; and afterwards, wholly and ſolely to the Uſes and Purpoſes before mentioned, and to no other Uſe or Purpoſe whatſoever.

Overſeers, by Warrant, may take Stone, Gravel, &c. from adjacent Lands, &c.

XXX. And be it enacted by the Authority aforeſaid, That the ſaid Overſeers, having firſt obtained Warrant under the Hands of two or more Juſtices of the Peace, ſhall, and they are hereby impowered to take out of any adjacent Lands (other than Gardens, Orchards, and planted Walks), any Stone, Sand, Gravel, or other Materials for making and repairing the ſaid High Roads, not being employed in Building, doing the leaſt Damage poſſible, and making ſuch Satisfaction to the Owner as to the ſame Juſtices ſhall ſeem reaſonable.

Limitation of Actions.

XXXI. And be it enacted by the Authority aforeſaid, That all Actions and Complaints for all and every the Penalties and Forfeitures impoſed by this Act, or for any Wrongs done or Injuries ſuffered in any Matter thereto relative, or in conſequence of any of the Powers by this Act given and granted, ſhall be commenced within the Space of twelve Calendar Months after the Penalty or Forfeiture is incurred, or Wrong done, or Injury ſuffered, and not afterwards.

Publick Act.

XXXII. And be it enacted by the Authority aforeſaid, That this Act ſhall be deemed, taken, and allowed, in all Courts of Juſtice as a Publick Act; and all Judges, Juſtices, and others, are hereby required judicially to take Notice thereof as ſuch, without the ſame being ſpecially pleaded.

CAP. XXXII.

An Act to enable the Governor and Company of the Bank of *Scotland* to increaſe the Capital Stock of the ſaid Company.

Preamble.

'WHEREAS by an Act of the Parliament of *Scotland*, made in the Year one thouſand ſix hundred and ninety-five, (intituled, *An Act for erecting a Bank in* Scotland;) a Joint Stock, amounting to the Sum of twelve hundred thouſand Pounds *Scots* Money, was allowed to be raiſed by the Company thereby eſtabliſhed for carrying on and managing a publick Bank, and certain Perſons, thereinmentioned, were authoriſed to appoint a Book for receiving the Subſcriptions of ſuch Perſons as were willing to become Adventurers in the ſaid Joint Stock: And by the ſaid Act it was declared, That one thouſand Pounds *Scots* ſhould be the loweſt, and twenty thouſand Pounds *Scots* the higheſt Sum, which any one Perſon ſhould be allowed to ſubſcribe; and, by the ſaid Act it was alſo declared, That all and every the Perſons, ſubſcribing and paying to the ſaid Stock as aforeſaid, ſhould be one Body Politick and Corporate, by the Name of *The Governor and Company of the Bank of* Scotland, under which Name they ſhould have perpetual Succeſſion, and ſhould have a Common Seal; and by the ſaid Act it was directed, That within three Months after the aforeſaid Subſcriptions ſhould be ended, the Perſons in the

'ſaid

'said Act named, or any two of them, ſhould appoint a certain Day, and make due Intimation of the 'ſame, that ſuch and ſo many of the Adventurers, and none other, as ſhould each of them have ſub-'ſcribed for one thouſand Pounds, or upwards, in the ſaid Book, of the Joint Stock, might elect and 'chuſe, by a Majority of Votes which were to be given, one Vote for every one thouſand Pound Share 'of the Stock, a fit Perſon of the Subſcribers who had ſubſcribed for himſelf at leaſt for eight thouſand 'Pounds to be Governor of the ſaid Bank; and another fit Perſon of the Subſcribers, who ſhould have 'ſubſcribed for himſelf at leaſt for ſix thouſand Pounds, to be Deputy Governor of the ſaid Bank; and 'alſo twenty-four other fit Perſons, who ſhould have ſubſcribed, each of them for himſelf, at leaſt 'for three thouſand Pounds in the ſaid Joint Stock, to be Directors of the ſaid Bank; and certain other 'Rules and Regulations were thereby preſcribed for the better managing and ordering the Affairs of the 'ſaid Bank; and, in purſuance of the aforeſaid Act, the ſaid Bank was ſoon after eſtabliſhed, and has ever 'ſince continued: And whereas the ſaid Bank has proved a national Advantage, and it would greatly tend 'to the Advancement of Commerce, and be otherwiſe highly beneficial and expedient, that the Capital 'Stock of the ſaid Bank ſhould be increaſed, ſo as ſuch new or increaſed Stock, together with the ori-'ginal Stock of the ſaid Bank, ſhall not exceed in the Whole the Sum of twenty-four hundred thou-'ſand Pounds *Scots* Money, or two hundred thouſand Pounds Sterling;' may it therefore pleaſe Your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That within one Month after the paſſing of this Act, or as ſoon after as may be, the Court of ordinary Directors of the ſaid Bank ſhall appoint a Book to be opened, and kept at the Office of the ſaid Bank of *Scotland*, for receiving Subſcriptions for an additional Capital or Joint Stock, to the Extent of twelve hundred thouſand Pounds *Scots*, or one hundred thouſand Pounds Sterling Money, and no more; in which Book, every Perſon or Perſons poſſeſſed of a Share or Shares of the preſent Capital Stock of the ſaid Bank of *Scotland*, ſhall be intitled to ſubſcribe for as much of the ſaid new or additional Stock, as he, ſhe, or they, ſhall be poſſeſſed of, of the old or original Stock, at the Time of his, her, or their ſuſcribing, and no more; or for a leſſer Number of Shares thereof, if ſuch Perſon or Perſons ſhall ſo think proper.

A Subſcription to be opened for raiſing an additional Capital of 100,000 l. Sterling by the preſent Proprietors.

'II. And, in order that no Perſon or Perſons poſſeſſed of Stock in the ſaid Bank of *Scotland* may be 'deprived of the Benefit hereby intended them,' be it enacted by the Authority aforeſaid, That it ſhall be in the Power of every Proprietor of the preſent Capital Stock of the ſaid Company, by a Writing under his, her, or their Hands, to authoriſe any other Perſon he, ſhe, or they, ſhall think proper, to ſubſcribe for him, her, or them; and the Subſcription of the Perſon ſo authoriſed ſhall be equally effectual, as if the Proprietor, who gives ſuch Authority, had ſubſcribed with his or her own Hand.

Proprietors may ſubſcribe by Proxy.

III. And be it further enacted, That the Privilege and Preference of ſubſcribing to the new or additional Stock hereby given to the Proprietors of the preſent Capital Stock of the ſaid Bank, ſhall be limited to ſix Months from the Time of opening the Subſcription Book above mentioned; and after the Expiration of the ſaid Term, in caſe any Share or Shares of the ſaid new or additional Stock ſhall not have been ſubſcribed for, the ſaid Subſcription Book ſhall be ſhut, and a General Meeting of the Proprietors called, upon ſuch Notice as a Court of ordinary Directors think fit; at which Meeting the Share or Shares not ſubſcribed for, ſhall be ſold to the higheſt Bidder, provided ſuch Bidder be a Proprietor of the preſent Capital Stock of the ſaid Bank, or be authoriſed and impowered to purchaſe for a Perſon who is a Proprietor of the ſaid Capital Stock, by a Writing under his, her, or their Hands: And provided alſo, That the Shares ſo purchaſed, when added to the Shares already held or ſubſcribed for by the Perſon or Perſons by whom, or for whoſe Uſe and Benefit the ſaid new Shares are purchaſed, do not, in the Whole, exceed forty Shares, each Share being always one thouſand Pounds *Scots*, of the ſaid Capital Stock.

Time limited for Subſcription.

How Shares unſubſcribed for are to be diſpoſed of.

IV. And be it further enacted, That in caſe any Premium or Gain be received upon or by the ſaid Sale or Sales, the ſame ſhall be applied for the Benefit of the Governor and Company of the Bank of *Scotland*; and that no Proprietor ſhall hold more than twenty Shares of the Old Stock, or more than Forty Shares of the Old and New together.

Gain on Sales to be applied for the Uſe of the Bank.

Proprietors Number of Shares aſcertained.

V. And be it further enacted, That if any Share or Shares of the New Stock ſhall not be ſold at the ſaid General Meeting of Proprietors, then, and in that Caſe, the Subſcription Book ſhall be immediately again opened, and it ſhall be in the Power of any Perſon, who is not already a Proprietor, to ſubſcribe to the Extent of forty Shares; but it ſhall only be in the Power of a Perſon, who is already a Proprietor, to ſubſcribe for ſuch a Number of Shares as, joined to thoſe he, ſhe, or they, already hold or ſtand bound for, do not exceed forty Shares as aforeſaid.

If the Shares are not all ſold, a Subſcription to be again opened.

VI. And be it further enacted, That each and every Proprietor of New Stock ſhall receive Dividends upon the Money he, ſhe, or they, ſhall have paid in upon his, her, or their Subſcription, in the ſame Proportion as the Proprietors of Old Stock receive Dividends upon their Shares; that is to ſay, if a Proprietor of New Stock has paid in one-tenth of his Subſcription, he ſhall receive one-tenth of the Sum which a Proprietor of the ſame Quantity of Old Stock receives as a Dividend, and ſo on.

How Proprietors of New Stock are to receive their Dividends.

VII. And be it further enacted, That no Subſcriber of New Stock ſhall be intitled to draw any Part of a Dividend, either upon his Old or New Stock, until he has paid his Proportion of any Call of Stock that has been ordered by a Majority of a General Meeting of Proprietors; and each Subſcriber of New Stock failing to pay his Proportion of ſuch Call, ſhall be charged with the legal Intereſt upon it until the ſame be paid, and ſhall have no Vote at Elections or General Meetings while the ſame remains unpaid.

No Proprietor of New Stock to draw a Dividend till his Call is paid in.

VIII. And it is hereby enacted, That a Certificate, under the Hand of the Accomptant of the ſaid Bank, certifying that a Call or Calls has not been paid by any of the Perſons who have ſubſcribed themſelves to the ſaid New Stock, or by any of the Perſons for whom any other Perſon, impowered as aforeſaid, has ſubſcribed to the ſaid Stock, ſhall, when produced with this Act to the Court of Seſſion, be a ſufficient

Court of Seſſion to iſſue Letters of Horning againſt Perſons failing to pay in their Calls.

sufficient Warrant to the said Court for issuing Letters of Horning against such Person or Persons for th Call or Calls unpaid by them, at the Instance or Suit of the Treasurer of the said Bank.

Qualification of Governor, &c.

IX. And be it further enacted, That after the additional Capital has been completed by Subscriptions or Purchases, as above directed, no Proprietor shall be elected Governor, unless he has, upon the Original and New Stock together, paid in the Sum of sixteen thousand Pounds *Scots*; nor Deputy Governor, unless he has, upon the Original and New Stock together, paid in twelve thousand Pounds *Scots*; nor Director, unless he has upon the Original and New Stock together, paid in six thousand Pounds *Scots*.

Qualification of Voters.

X. And be it further enacted, That after the said additional Capital has been completed by Subscriptions or Purchases, as above directed, no Proprietor shall be intitled to give his Vote in Election of a Governor, Deputy Governor, or Directors, or in any Question, in any General Meeting, who is not possessed of two thousand Pounds *Scots* of Old or New Stock, or Old and New Stock together, and who has not actually paid in the said two thousand Pounds: And that every Proprietor shall have a Vote for each two thousand Pounds which he has actually paid in: Provided always, That no Proprietor shall ever be intitled to more than twenty Votes.

After May 15, 1774, Six-tenths of the additional Capital subscribed for to be paid within three Years.

XI. And it is hereby provided and declared, That Six-tenths of the additional Capital to be subscribed for or purchased, in Manner above mentioned, shall be actually paid in by the Subscribers or Purchasers within the Space of three Years from and after the fifteenth Day of *May*, one thousand seven hundred and seventy-four, and that by such Proportions, and at such Times, within the said three Years, as shall be ordered by a Majority of a General Meeting or Meetings of Proprietors; and that the remaining Four-tenths shall be paid in at such Times, and by such Proportions, as shall be ordered by a Majority of a General Meeting or Meetings of Proprietors: Provided always, that nothing herein contained shall prevent a Majority of a General Meeting or Meetings of Proprietors to call for the Whole, or any Part of the additional Capital, at such Time or Times, within the said Period of three Years, from and after the said fifteenth Day of *May*, one thousand seven hundred and seventy-four, as to them shall seem proper.

Proprietors, after the Capital is completed, may pay the Whole of their Subscriptions before May 15, 1775.

XII. And be it enacted by the Authority aforesaid, That it shall be in the Power of every such Subscriber or Subscribers, Purchaser or Purchasers, after the said Capital has been completed, as above directed, to pay in the Whole, but not a Part of the Sum, he, she, or they, has or have subscribed or purchased, although the same shall not have been called for by a General Meeting, provided that such Payment be made by him, her, or them, between and the fifteenth Day of *May*, which will be in the Year of our Lord one thousand seven hundred and seventy-five; and, upon such Payment being so made, with the legal Interest of the same, from the Day of the yearly balancing of the Bank's Books, immediately preceding the Payment, he, she, or they, making such Payment, shall be intitled to a Share of the Profits accruing to the Bank, and be subject to a Share of the Loss that may arise to it, from and after the aforesaid yearly Balancing, immediately preceding such Payment, in Proportion to the Share or Shares so subscribed for and paid in by him, her, or them; and he, she, or they, shall thereupon be intitled to Votes in the Proportions before mentioned; and he shall be intitled to be elected Governor, Deputy Governor, or Director, if the Sums paid in by him be of the Extent above required to qualify him for these Offices.

Manner of chusing Governor, Dep. Governor, &c.

'XIII. And whereas the said Act of the *Scotch* Parliament, made in the Year one thousand six hundred and ninety-five, has not been sufficiently explicit in laying down a particular Mode of electing the 'Governor, Deputy Governor, and Directors, to be annually chosen; and it has been the Practice for the 'Proprietors to send signed Lists to the Directors of the Persons they intended to vote for, and for the Directors to report to a subsequent General Meeting the Persons chosen by the Majority: And whereas, 'instead of chusing twenty-four Directors, in Terms of the aforesaid Act, it has been the Practice, in 'consequence of a Resolution of a General Meeting of the Proprietors, held on the twelfth Day of *June*, 'one thousand six hundred and ninety-six, to chuse twelve ordinary Directors, and twelve extraordinary 'Directors, which last only give their Assistance on certain Occasions;' be it therefore enacted by the Authority aforesaid, That in Time to come, a General Meeting of the Proprietors shall be held annually, on the last *Tuesday* of *March*, for the Purpose of chusing a Governor, Deputy Governor, twelve ordinary, and twelve extraordinary Directors; and that every Proprietor, present at that General Meeting, shall give in to the Governor, or Deputy Governor, or such of the Directors for the preceding Year as are then present, a List, containing the Names of the Persons for whom he or she means to vote into these respective Offices.

How Intimation of annual Meetings is to be given for Election of Governor, &c.

XIV. And be it further enacted by the Authority aforesaid, That regular Intimation shall be made in the News-papers, called *The Edinburgh Evening Courant*, and *Caledonian Mercury*, of the Day upon which the Annual General Meeting for the Election of the Governor, Deputy Governor, and Directors, is to be held, at least thirty Days before such annual General Meeting.

Proprietors may send Lists of Persons they intend for Offices.

'XV. And, in order that those Proprietors who cannot attend personally may not be deprived of the 'Right to vote in such Election,' be it also hereby further enacted, That all such Proprietors shall be allowed to send Lists of the Persons whom they mean to vote into the said respective Offices, which List, if holograph, of the Proprietor or Proprietors by whom they are sent, or signed by such Proprietor or Proprietors before two or more credible Witnesses, and addressed to the Governor, Deputy Governor, and Directors of the Bank of *Scotland*, shall be equally effectual as if the Signers of them were personally present: And the Lists being so given in, the Governor, Deputy Governor, and Directors, of the preceding Year, or such of them as are present, shall immediately proceed to investigate the Lists in Presence of the Meeting; and shall report, to that Meeting, the Names of the Persons who appear to be elected, by the Majority of Votes, into the said respective Offices of Governor, Deputy Governor, and Directors, ordinary and extraordinary.

Persons claiming to vote at Elections to take

XVI. Provided always, That every Person claiming a Right to vote in such Election, or to vote in any General Meeting of the said Bank, shall be obliged to, and do take the following Oath; *videlicet*,

'I *A. B.*

'I *A. B.* do ſwear (or being one of the People called *Quakers*, do ſolemnly affirm), That the Shares of the Capital Stock of the Body Politick, called *The Governor and Company of the Bank of Scotland*, now ſtanding in my Name, belong to me, in my own Right, and not in Truſt for any Perſon or Perſons whatſoever. the following Oath.

'*So help me* GOD.'

Which Oath ſhall and may be adminiſtered by the Governor, or Deputy Governor, for the preceding Year, or (in the Abſence of the ſaid Governor, and Deputy Governor,) by any one of the Directors then preſent; and that no Perſon refuſing to take ſuch Oath ſhall be capable to vote at ſuch General Meetings of the ſaid Company: And provided always, That all and every the Proprietors, who cannot attend the General Meeting for the Election of Governor, Deputy Governor, and Directors, and ſhall, on that Account, ſend ſigned Liſts, in Manner above allowed, ſhall make Oath before one of his Majeſty's Juſtices of the Peace of *Great Britain* or *Ireland*, or the Chief Magiſtrate of any City or Borough within *Great Britain* or *Ireland*, where ſuch Perſon reſides for the Time, That the Shares of the Capital Stock of the Body Politick, called *The Governor and Company of the Bank of* Scotland, ſtanding then in his Name, doth belong to him in his own Right, and not in Truſt for any Perſon or Perſons whatſoever; which Affidavit, ſigned by ſuch Perſon, and certified under the Hand of the Juſtice of Peace or Chief Magiſtrate before whom it is made, ſhall be tranſmitted to the Governor, Deputy Governor, and Directors, of the ſaid Bank, along with his or her ſigned Liſt. Proprietors, who cannot attend, to make Oath.

XVII. And it is hereby provided and declared, That the ſaid Act of the *Scots* Parliament, in the Year one thouſand ſix hundred and ninety-five, ſhall remain in full Force as to every Particular, excepting in ſo far as the ſame is altered by this Act, and ſhall operate with regard to the New Stock, in the ſame Manner it does upon the Old Stock. The Act in 1695, to remain in Force, except ſo far as is altered by this Act.

XVIII. And, laſtly, be it enacted by the Authority aforeſaid, That this Act ſhall be deemed a Publick Act; and ſhall be judicially taken Notice of by all Judges, Juſtices, and others whatſoever, without ſpecially pleading the ſame. Publick Act.

CAP. XXXIII.

An Act for dividing and incloſing the open Fields, Meadows, ſtinted common Paſtures, and other common and waſte Lands and Grounds, in the Pariſh of *Tetney*, in the County of *Lincoln*; and for draining and improving Part of the ſaid Pariſh.

CAP. XXXIV.

An Act for granting further Time to the United Company of Merchants of *England*, trading to the *Eaſt Indies*, to expoſe to Sale the Singlo and Bohea Teas remaining in their Warehouſes unſold, on the Fifth Day of *April*, one thouſand ſeven hundred and ſeventy-four; and for allowing the Drawbacks on the Exportation of ſuch Teas.

'WHEREAS by ſeveral Acts of Parliament now in Force, for granting, continuing, and better ſecuring the Duties payable *ad valorem* upon unrated *Eaſt India* Goods, and for aſcertaining the Values thereof according to which ſuch Duties ſhall be paid, the Importer or Importers thereof are to give Security, by Bond, for Payment of the ſaid Duties, according to the real Values of the ſaid Goods, to be aſcertained according to the reſpective Acts of Parliament in that Behalf made (except Coffee), as ſoon as the ſaid Goods ſhall be ſold; and alſo for expoſing the ſaid Goods to Sale openly and fairly by Way of Auction, or by Inch of Candle, within the City of *London*, within the Time of three Years after the Importation thereof: And whereas the Quantity of Singlo and Bohea Teas imported by the United Company of Merchants of *England*, trading to the *Eaſt Indies*, and which remained in their Warehouſes unſold on the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-four, is greater than can be expected to be ſold by the ſaid Company, within the Term of three Years ſo limited for that Purpoſe, to be computed from the reſpective Times of the Importation of ſuch Teas, and it is neceſſary that ſome further Time ſhould be granted to the ſaid Company to put their ſaid Teas up to Sale:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for ſuch of the ſaid Singlo Teas as are at preſent imported, and which remained unſold on the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-four, the ſaid United Company may at any Time within the Space of five Years, to be computed from the Importation thereof, and for ſuch of the ſaid Bohea Teas as are at preſent imported, and which remained unſold on the ſaid fifth Day of *April*, one thouſand ſeven hundred and ſeventy-four, the ſaid United Company may, at any Time within the Space of four Years, to be computed from the Importation thereof, expoſe ſuch reſpective Teas to Sale; and, after ſuch Sale or Sales, there ſhall be allowed the like Diſcounts on Payments of the reſpective Duties on ſuch Teas, as if the ſame had been expoſed to Sale within the Term of three Years before mentioned, or any other Time heretofore limited by Law; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding. Preamble. The East India Company may expoſe to Sale Teas remaining on Hand on April 5, 1774.

II. And be it further enacted by the Authority aforeſaid, That for and during the ſaid reſpective Times of five Years and four Years, to be computed as aforeſaid, there ſhall be drawn back and allowed for all the ſaid Teas as ſhall be exported from this Kingdom as Merchandiſe to *Ireland*, or any of the *Britiſh* Colonies or Plantations in *America*, to the Exporter or Exporters thereof, ſuch and the ſame Drawbacks During the Times of five and four Years, allowing the Drawbacks to

or

Ireland and America.

or Allowances, and under ſuch Rules, Regulations, Securities, Penalties, and Forfeitures, as ſuch Exporter or Exporters would have been intitled to, in caſe ſuch Teas had been exported within the ſaid Term of three Years; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

The United Company to keep the Market ſupplied in Great Britain with Tea; or the Treaſury may order other Perſons to import the ſame.

III. Provided always, and be it further enacted by the Authority aforeſaid, That if the ſaid United Company of Merchants of *England*, trading to the *Eaſt Indies*, ſhall, at any Time, neglect to keep the Market ſupplied with a ſufficient Quantity of Tea at reaſonable Prices to anſwer the Conſumption thereof in *Great Britain*, it ſhall and may be lawful to and for the Commiſſioners of the Treaſury, or any two or more of them, or the Lord High Treaſurer for the Time being, to grant Licences to any other Perſon or Perſons, Body or Bodies Politick or Corporate, to import into *Great Britain*, from any Parts of *Europe*, in ſuch and the like Manner, and ſubject to ſuch Duties, and under ſuch Reſtrictions and Limitations, and upon ſuch Notices, and with ſuch Licences, as are, by any Act or Acts now in Force, preſcribed and directed with reſpect to Tea to be imported from any Parts of *Europe* by the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*; any Thing in this Act contained to the contrary thereof in any-wiſe notwithſtanding.

CAP. XXXV.

An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the Time being, to compound certain Debts due to his Majeſty, and affecting the Eſtates heretofore of *Charles Maſon* Eſquire, deceaſed, in the Counties of *Montgomery* and *Salop*; and, upon Payment of ſuch Compoſition, to diſcharge and exonerate the ſaid Eſtates therefrom.

Preamble.

'WHEREAS it appears by the general Certificate of his Majeſty's Impreſts, that *Charles Maſon* Eſquire, late Treaſurer of the Tranſport Service, on the Foot of his final Account of that Service to the nineteenth of *April*, one thouſand ſeven hundred and eight, was indebted to the Crown the Sum of three thouſand one hundred and twenty Pounds, twelve Shillings and Three-pence: And whereas by a Decree of the High Court of *Chancery*, made and pronounced on or about the ninth Day of *December*, in the twelfth Year of the Reign of Queen *Anne*, in the Year of our Lord one thouſand ſeven hundred and thirteen, in a Cauſe between Sir *Bybye Lake* Baronet, Son, Heir, and Executor, of *Thomas Lake* Eſquire, then deceaſed, Plaintiff, and *Charles Maſon* Eſquire, *Thomas Paine*, *Joſeph Newell*, and *George Newell*, Defendants; and alſo in a croſs Cauſe between the ſaid *Charles Maſon* Plaintiff, and Sir *Bybye Lake* Baronet, *Thomas Paine*, *Joſeph Newell*, *George Newell*, *Charles Turner*, *Sherrard*, the then Attorney General of the ſaid Queen, *William Poultney*, and *Arthur Lake*, Defendants; after ſtating therein (amongſt other Things) certain Mortgages and Securities, whereby all the Eſtates of the ſaid *Charles Maſon* were conveyed and made over to the ſaid *Thomas Lake*, and others, his Truſtees for ſecuring unto the ſaid *Thomas Lake* ſeveral large Sums of Money therein mentioned, and then due to the ſaid Sir *Bybye Lake*, as his Executor; and alſo ſtating that the ſaid *Joſeph* and *George Newell*, being indebted to her ſaid Majeſty, an Extent iſſued out of the Court of *Exchequer* againſt them, and that, by an Inquiſition taken thereon, the ſaid *Charles Maſon* was found to be indebted to the ſaid *Joſeph* and *George Newell* in the Sums of three thouſand five hundred Pounds, and four thouſand Pounds, being ſo much Money paid and expended by them for the Uſe of the ſaid *Charles Maſon*, and thoſe Debts were ſeized into her ſaid Majeſty's Hands; it was, amongſt other Things, ordered and decreed, That Maſter *Browning*, one of the Maſters of the ſaid Court of *Chancery*, ſhould take an Account of what was due to the ſaid Sir *Bybye Lake* for principal Money and Intereſt on the ſeveral Mortgages and Sums of Money therein mentioned, and what upon ſuch Account ſhould be found due, together with the Coſts of the ſaid Suits, from the Time of the ſaid Hearing of the ſaid Cauſes, was to be ſatisfied by a Sale of a competent Part of the ſaid *Charles Maſon*'s Eſtates in the ſaid Counties of *Montgomery* or *Salop*; but in caſe ſuch Sale could not be had within a Year, the ſaid Sir *Bybye Lake* was to be at Liberty to apply to the Court touching the Foreclоſure prayed by his Bill; and it was further ordered, that the ſaid Maſter ſhould take an Account of all Dealings and Tranſactions between the ſaid *Maſon* and the Defendants the *Newells*, and what, upon ſuch Account, ſhould appear to be due to the ſaid *Maſon*, including what he ſhould pay on the ſaid Mortgages to the ſaid *Lake*, the ſaid *Maſon* was to come in as a Creditor with the reſt of the Creditors of the ſaid *Newells*; but if, upon the ſaid Account, the ſaid *Maſon* ſhould appear to be indebted to the ſaid *Newells*, then what he the ſaid *Maſon* ſhould be ſo found indebted ſhould be raiſed, after Satisfaction of the Monies due to the ſaid *Lake*, by a Sale of a further Part of the ſaid Manors and Eſtates in the ſaid Counties of *Montgomery* and *Salop*; and the Money, when raiſed, was to be paid towards Satisfaction of the Debt due from the ſaid *Newells* to the Crown: And whereas the Right Honourable *Henry Arthur*, late Earl of *Powis*, deceaſed, Father of the preſent Earl, not long before his Deceaſe, preſented a Memorial to the Right Honourable the Lords Commiſſioners of his Majeſty's Treaſury, thereby ſtating, amongſt other Things, That he had then lately purchaſed great Part of the ſaid mortgaged Premiſes; but though the ſame, by reaſon of the great Amount of the ſaid prior Incumbrances, would not be ſufficient to anſwer any Part of the ſaid Debt to the Crown, yet ſo long as the ſaid Debt continued a Charge on the ſaid Eſtates, it would be ſuch an Objection to the Title as would prevent the Memorialiſt from ſettling or making Sale of any Part thereof, and therefore the ſaid Memorialiſt prayed to be permitted to compound the ſaid Claim of the Crown: And whereas the Lords Commiſſioners of his Majeſty's Treaſury referred the ſaid Memorial to the Solicitor of the Treaſury to conſider the ſame, and to report to their Lordſhips a State of the Caſe, with his Opinion thereon; and *Thomas Nuthall* Eſquire, the Solicitor of the Treaſury, by his Report, bearing Date the twenty-fourth Day of *November*, in the

'Year one thouſand ſeven hundred and ſeventy two, certified, amongſt other Things, to the Lords 'Commiſſioners of the Treaſury, That, by the Maſter's Report in the aforeſaid Cauſe, dated the twenty-'ſixth Day of *June*, one thouſand ſeven hundred and ſeventy, it appeared there was then due to *Bybye* '*Lake* Eſquire, the legal Repreſentative of the ſaid Sir *Bybye Lake* Baronet, on his ſaid Mortgages on the 'ſaid *Maſon*'s Eſtate in *Montgomery* and *Shropſhire*, for Principal, Intereſt, and Coſts, thirty-eight thouſand 'four hundred and twenty-one Pounds two Shillings and Four-pence; and which, by the ſaid Report, 'was appointed to be paid to the ſaid *Bybye Lake* on the fourth Day of *July* then next enſuing, and which 'it was repreſented to the ſaid Solicitor had not been paid; and the ſaid Solicitor further certified to the 'ſaid Lords Commiſſioners, That it alſo appeared, by an Account of the Receiver of the ſaid mortgaged 'Premiſes paſſed in the Court of Chancery for one Year, ending at *Lady-day* one thouſand ſeven hundred 'and ſixty-eight, that the yearly Value of the ſaid mortgaged Premiſes in *Montgomery* and *Shropſhire* is 'only one thouſand one hundred and four Pounds fifteen Shillings and Ten-pence; he therefore ſub-'mitted to the ſaid Lords Commiſſioners Conſideration, that, under the Circumſtances of the Caſe, and 'particularly in regard to the ſaid mortgaged Premiſes, if ſold, would not ſell for nearly the Sum reported 'due to the ſaid *Bybye Lake* on the twenty-ſixth Day of *June*, one thouſand ſeven hundred and ſeventy, the 'Claim the Crown has thereon, under the ſaid Decree in one thouſand ſeven hundred and thirteen, could 'never be ſatisfied; and therefore the ſaid Solicitor was of Opinion, that if their Lordſhips ſhould think 'fit, they might properly conſent to the ſaid Eſtates being diſcharged from the Debt due to the Crown; 'but as it appeared, from the Decree and Proceedings in the ſaid Cauſe in Chancery, that the Solicitor 'of the Taxes had had the ſole Management of the Crown's Intereſt in this Matter, he ſubmitted it to their 'Lordſhips, whether it would not be proper to direct the Matter to be laid before the Solicitor of the 'Tax Office, who, from the Papers in his Cuſtody, could exactly aſcertain what the Crown Debt really 'amounted to, and who would be better able to adviſe their Lordſhips whether any, and what, Compo-'ſition ought to be paid: And whereas the Lords Commiſſioners of the Treaſury referred the ſaid Report 'of the ſaid Solicitor of the Treaſury to *Henry Wilmot* Eſquire, the Solicitor of the Tax Office, who, by 'his Report, dated the ſecond Day of *July*, in the Year of our Lord one thouſand ſeven hundred and 'ſeventy-three, did certify to the ſaid Lords Commiſſioners of his Majeſty's Treaſury (amongſt other 'Things), That it appeared to him, by the Books at the Tax Office, that ſo long ago as the Year one 'thouſand ſeven hundred and ſeven, or one thouſand ſeven hundred and eight, *George Dixon*, the then 'Receiver for the County of *Somerſet*, failed, indebted to her late Majeſty Queen *Anne* in the Sum of 'twenty-two thouſand four hundred and twenty-two Pounds and ſix Shillings, which, by the ſaid Books, 'appeared to be ſtill due; and that the before-mentioned *Newells* were the Securities for the ſaid *Dixon*; 'and it alſo appeared to him, by the Anſwer of the Attorney General, as ſtated in the before-mentioned 'Decree of one thouſand ſeven hundred and thirteen, that an Extent iſſued againſt the ſaid *Newells*, 'and upon an Inquiſition taken thereon upon the thirteenth Day of *December*, in the ſixth Year of the 'Reign of Queen *Anne*, *Charles Maſon* was found to be indebted to the ſaid *Newells* in the ſeveral Sums 'of three thouſand five hundred Pounds, and four thouſand Pounds, being ſo much paid by them for the 'Uſe of the ſaid *Maſon*, which Debts were ſeized into her Majeſty's Hands; and the ſaid Solicitor of the 'Taxes did further certify to their Lordſhips, That the Facts ſtated in the Report of the ſaid Solicitor of 'the Treaſury, with regard to the Debt due to the aforeſaid Maſter *Lake* therein mentioned, and with 'regard to the annual Value of the ſaid mortgaged Premiſes, are truly ſtated; wherefore the ſaid Solicitor 'of the Taxes was of Opinion, That the Intereſt of the Mortgage to the ſaid Maſter *Lake* (whoſe Debt 'was prior to that of the Crown), greatly exceeded the whole Income of the mortgaged Eſtate, and, of 'conſequence, that the ſaid Maſter *Lake*'s Debt did annually increaſe; and that he was alſo of Opinion, 'That the Debt due to the ſaid Maſter *Lake* much exceeded the intrinſick Value of the mortgaged Eſtate; 'and the ſaid Solicitor of the Taxes did further inform their ſaid Lordſhips, That Lord *Clive*, having, for 'a ſmall Sum of Money, obtained a Conveyance of the Equity of Redemption of the ſaid mortgaged 'Premiſes from the Heir at Law of the ſaid *Charles Maſon*, redeemed Lord *Catherlough*, the Aſſignee of the 'ſaid Maſter *Lake* the Mortgagee, afterwards ſold to, or exchanged with, the Petitioner, the Earl of '*Powis*, the ſaid mortgaged Premiſes, or ſome conſiderable Part thereof; but that, as the Conveyance 'obtained by the ſaid Lord *Clive* from the Heir at Law of *Maſon*, could not bar the Crown, therefore it 'was of Conſequence to the Petitioner the Earl of *Powis* and to Lord *Clive* (if any Part of the mort-'gaged Eſtate remained in him), to get rid of the Debt due to the Crown, to eſtabliſh their reſpective 'Titles to the ſaid mortgaged Premiſes; and that, upon the Whole, as the Debt due to the ſaid Maſter '*Lake* appeared to him greatly to exceed the real Value of the ſaid mortgaged Eſtate, and as that Debt 'would always be prior to that of the Crown, and might be ſet up by the Earl of *Powis* and Lord *Clive* 'againſt the Crown Debt; and as the Rents of the ſaid Eſtate would not nearly pay the Intereſt of 'that Debt, which conſequently would annually increaſe; and as it would not, in the ſaid Solicitor's 'Opinion, be at all adviſable for the Crown to redeem the ſaid Mortgage; he thought it might be pro-'per for their Lordſhips to permit the Petitioner, the ſaid Earl of *Powis*, to apply to Parliament, to en-'able their Lordſhips to compound the Debt due to the Crown, and after ſuch Act ſhould be obtained, 'their Lordſhips might compound the ſaid Debt at ſuch Sum of Money, as, under all the Circumſtances of 'the Caſe, their Lordſhips ſhould think reaſonable; but he was of Opinion their Lordſhips could not 'compound the ſame without the Aid of Parliament: And whereas the ſaid *Henry Arthur*, Earl of *Powis*, 'is dead, leaving the Right Honourable *George Edward Henry Arthur*, now Earl of *Powis*, his only Son 'and Heir, who is an Infant, and the Right Honourable *Barbara* Counteſs Dowager of *Powis*, the Mo-'ther, and one of the Guardians, appointed by the Will of the ſaid *Henry Arthur* Earl of *Powis*, of the 'ſaid *George Edward Henry Arthur* Earl of *Powis*, the Infant, hath, ſince the Deceaſe of the ſaid late Earl, 'her Huſband, applied to the Lords Commiſſioners of his Majeſty's Treaſury in Behalf of her ſaid Son, to 'compound the ſaid Debt to the Crown, affecting the ſaid Eſtates late of the ſaid *Charles Maſon*, which

'the Lords Commiſſioners of his Majeſty's Treaſury are willing (as it is reaſonable) ſo to do, if enabled 'thereunto by an Act of Parliament:' Wherefore, your Majeſty's moſt dutiful and loyal Subject, the ſaid *Barbara* Counteſs Dowager of *Powis*, for and in Behalf of the ſaid *George Edward Henry Arthur* Earl of *Powis*, her ſaid Infant Son, doth moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer now being, or any three or more of them, or the Lord High Treaſurer for the Time being, or any three or more of the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer for the Time being, and he and they is and are hereby authoriſed and impowered to make an Agreement, and compound with the ſaid *George Edward Henry Arthur* Earl of *Powis*, his Guardian or Guardians, Heirs or Aſſigns, for the Payment of ſuch Sum of Money, by him the ſaid *George Edward Henry Arthur* Earl of *Powis*, his Guardian or Guardians, Heirs, Executors, Adminiſtrators, or Aſſigns, in lieu and full Satisfaction of the Debt, Sum or Sums of Money herein-before mentioned to be due from the ſaid *Charles Maſon*, deceaſed, to the Crown, as Treaſurer of the Tranſport Service, as aforeſaid, and from the ſaid *Charles Maſon*, to her ſaid late Majeſty Queen *Anne*, or from the ſaid *Charles Maſon* to the ſaid *Joſeph* and *George Newells*, Debtor to the ſaid Queen, as aforeſaid; and, by the aforeſaid Decree of the ninth Day of *December*, in the twelfth Year of the Reign of her ſaid late Majeſty Queen *Anne*, directed to be raiſed and paid, and which is now due and owing to his Majeſty; and alſo of all Sum and Sums of Money now due, or hereafter to grow or become due, to his Majeſty, his Heirs or Succeſſors, for or on Account, or by Reaſon or Means, of the ſaid Debt, Sum or Sums of Money, as to them the ſaid Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer, as aforeſaid, ſhall ſeem meet and reaſonable, and by his or their Warrant or Warrants to direct the ſaid *George Edward Henry Arthur* Earl of *Powis*, his Guardian or Guardians, his Executors, Adminiſtrators, or Aſſigns, to pay into the Receipt of his Majeſty's Exchequer ſuch Sum or Sums of Money as ſhall be ſo agreed for and compounded as aforeſaid, and, upon ſuch Payment, entirely to acquit, exonerate, and diſcharge the ſaid *George Edward Henry Arthur* Earl of *Powis*, his Heirs, Executors, Adminiſtrators, and Aſſigns, and the Lands, Tenements, and Hereditaments, heretofore the Eſtate of the ſaid *Charles Maſon*, deceaſed, in the Counties of *Salop* and *Montgomery*, or either of them, of and from all Claims and Demands for and on account of the ſaid Debts ſo due to the Crown, or to his Majeſty, as aforeſaid.

Lord High Treaſurer may compound with the Earl of Powis, &c. for a Debt due by Charles Maſon to the Crown.

II. And be it further enacted by the Authority aforeſaid, That immediately from and after Payment ſhall be made into the Receipt of his Majeſty's Exchequer of ſuch Sum or Sums of Money as ſhall be ſo agreed for and compounded as aforeſaid, the ſaid *George Edward Henry Arthur* Earl of *Powis*, his Heirs, Executors, Adminiſtrators, and Aſſigns reſpectively, and all and every the Manors, Meſſuages, Farms, Lands, Tenements, Tithes, and Hereditaments, which were the Eſtates of the aforeſaid *Charles Maſon*, deceaſed, in the ſaid Counties of *Salop* and *Montgomery*, and compriſed in the ſaid Mortgage, as aforeſaid, ſhall be freed, acquitted, releaſed, exempted, exonerated, and diſcharged of, from, and againſt, the Payment of the ſaid Debts herein-before mentioned to be due from the ſaid *Charles Maſon* to the Crown, and from the ſaid *Charles Maſon* to her ſaid late Majeſty Queen *Anne*, or from the ſaid *Charles Maſon* to the ſaid *Joſeph* and *George Newells*, Debtors to the ſaid Queen, as aforeſaid; and which, by the aforeſaid Decree of the ninth Day of *December*, in the twelfth Year of the Reign of her ſaid late Majeſty Queen *Anne*, was directed to be raiſed and paid, as aforeſaid; and alſo of, from, and againſt, all Sum and Sums of Money now due, and hereafter to grow or become due, to the Crown, or to his Majeſty, his Heirs or Succeſſors, for, or on account, or by occaſion or means, of the ſaid Debts, in any Manner howſoever; and alſo of, from, and againſt, all Inquiſitions, Extents, Executions, Claims, and Demands whatſoever, of his ſaid Majeſty, his Heirs or Succeſſors, for, on account, or in reſpect of, the ſame Debts, or any Part thereof, in any-wiſe howſoever.

After Payment of Money ſo compounded for, Earl of Powis, &c. releaſed of Charles Maſon's Debts to the Crown.

CAP. XXXVI.

An Act to explain and amend an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; ſo far as the ſame relates to the continuing and granting an additional Term of five Years to Acts made for amending Turnpike Roads.

Preamble. Act 28 Geo. 2.

'WHEREAS by an Act, made in the twenty-eighth Year of the Reign of his Majeſty King 'George the Second (intituled, *An Act to amend an Act, made in the twenty-ſixth Year of the Reign 'of his preſent Majeſty, intituled*, An Act for the Amendment and Preſervation of the Publick Highways 'and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating 'thereto), it was, amongſt other Things, enacted, for the Encouragement of Broad Wheels, that all 'Carriages having the Fellies of the Wheels of the Breadth of nine Inches, ſhould paſs through all 'Turnpike-gates without paying any Toll, for three Years: And whereas, in order to make Recompence 'to the Creditors upon the Tolls of ſuch Gates, for any Diminution of Toll that might ariſe by ſuch 'Exemption, it was further enacted, That every Act of Parliament, made in that Seſſion, or thereto-'fore, for repairing and amending Turnpike Roads, ſhould be continued for five Years, to be computed 'from the Expiration of every ſuch Act, ſubject to the Tolls, Duties, Penalties, Forfeitures, Remedies,

'Powers,

'Powers, Authorities, Clauſes, Rules, Directions, Payments, and Proviſions, by ſuch Acts reſpectively 'made and enacted: And whereas by one other Act, made in the ſeventh Year of the Reign of his pre-'ſent Majeſty (intituled, *An Act to explain, amend, and reduce into one Act of Parliament the general Laws 'now in being for regulating the Turnpike Roads of this Kingdom, and for other Purpoſes therein mentioned)*, 'the ſaid Act of the twenty-eighth Year of his late Majeſty, except ſo much thereof as continued the 'Acts then made for repairing and amending Turnpike Roads, ſubject to the Tolls and Duties by ſuch 'Acts reſpectively granted, was repealed: And whereas by one other Act, made in the thirteenth Year 'of the Reign of his preſent Majeſty (intituled, *An Act to explain, amend, and reduce into one Act of 'Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Bri-'tain *called* England; *and for other Purpoſes)*, the ſaid Act of the Seventh Year of his preſent Majeſty, 'except ſo much thereof as repealed the ſeveral Acts therein mentioned, was alſo repealed: And whereas 'Doubts have ariſen, whether the ſaid laſt-mentioned Act, made in the thirteenth Year of his preſent 'Majeſty, by repealing the ſaid Act of the ſeventh Year of his preſent Majeſty, in the Manner afore-'ſaid, hath not virtually repealed that Part of the Act of the twenty-eighth Year of his late Majeſty, 'which continued the ſaid Turnpike Acts for five Years; in order therefore to obviate all ſuch Doubts, 'and to enforce the ſaid Proviſion for continuing the ſaid Turnpike Acts, as contained in the ſaid Act of 'the twenty-eighth Year of his late Majeſty's Reign;' be it enacted by the King's moſt Excellent Ma-jeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Proviſion made by the ſaid Act of the twenty-eighth Year of the Reign of his late Majeſty, for continuing the ſeveral Acts, made for repairing and amending Turnpike Roads for five Years, ſhall be and continue in full Force, and be as effectual, to all Intents and Purpoſes, as the ſame could, might, or ought to have been, if the ſaid Acts of the ſeventh and thirteenth Years of his preſent Majeſty's Reign, or either of them, had not been made; any Thing in thoſe Acts, or in either of them, contained to the contrary notwithſtanding.

Proviſions of Act 28 Geo. 2. for repairing Turnpike Roads for five Years, continued.

II. And be it further enacted, That all and every Perſon and Perſons, who hath or have received, or ſhall hereafter receive, any Tolls, or other Duties, at any Turnpike or Toll-gate; or who hath acted, or ſhall hereafter act, in any other reſpect under the Authority of, and in Execution of any of the Powers of any Act or Acts of Parliament ſo continued, or intended to be continued, by the ſaid recited Act of the Twenty-eighth Year of his late Majeſty, ſhall be, and is and are hereby indemnified for what he, ſhe, or they have ſo received or done, or for what he or they ſhall receive, or do by virtue thereof.

Perſons who have or ſhall receive Tolls at any Turnpike by the aforeſaid Act indemnified, &c.

CAP. XXXVII.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts, and for Relief of Proteſtant Purchaſers. *Further Time given till* January 1, 1775.

CAP. XXXVIII.

An Act for paving, repairing, cleanſing, and lighting, the Streets and Lanes in the City of *Hereford*, and Suburbs thereof, and removing Nuiſances and Annoyances therein, and for creating a Fund towards the Expences thereof, by incloſing divers waſte Grounds within the Liberties of the ſaid City, and for the better Application of Charity-money for ſetting the poor People of the ſaid City to Work, and to enable Bodies Corporate to alienate their Houſes and Lands within the ſaid City.

CAP. XXXIX.

An Act for the impartial Adminiſtration of Juſtice in the Caſes of Perſons queſtioned for any Acts done by them in the Execution of the Law, or for the Suppreſſion of Riots and Tumults, in the Province of the *Maſſachuſet's Bay*, in *New England*.

'WHEREAS in his Majeſty's Province of *Maſſachuſet's Bay*, in *New England*, an Attempt hath 'lately been made to throw off the Authority of the Parliament of *Great Britain* over the ſaid 'Province, and an actual and avowed Reſiſtance, by open Force, to the Execution of certain Acts of 'Parliament, hath been ſuffered to take place, uncontrouled and unpuniſhed, in Defiance of his Ma-'jeſty's Authority, and to the utter Subverſion of all lawful Government: And whereas, in the preſent 'diſordered State of the ſaid Province, it is of the utmoſt Importance to the general Welfare thereof, 'and to the Re-eſtabliſhment of lawful Authority throughout the ſame, that neither the Magiſtrates 'acting in Support of the Laws, nor any of his Majeſty's Subjects aiding and aſſiſting them therein, or 'in the Suppreſſion of Riots and Tumults, raiſed in Oppoſition to the Execution of the Laws and Sta-'tutes of this Realm, ſhould be diſcouraged from the proper Diſcharge of their Duty, by an Appr hen-'ſion, that in caſe of their being queſtioned for any Acts done therein, they may be liable to be brought 'to Trial for the ſame before Perſons who do not acknowledge the Validity of the Laws, in the Exe-'cution whereof, or the Authority of the Magiſtrate in the Support of whom, ſuch Acts had been 'done: In order therefore to remove every ſuch Diſcouragement from the Minds of his Majeſty's Sub-'jects, and to induce them, upon all proper Occaſions, to exert themſelves in Support of the publick 'Peace of the Province, and of the Authority of the King and Parliament of *Great Britain* over the 'ſame;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Inquiſition or Indictment ſhall be found, or if any Appeal ſhall be ſued or preferred againſt any Perſon, for Murther, or other capital Offence, in the Province of the *Maſſachuſet's Bay*,

Preamble.

How Indictments againſt Magiſtrates, and

others, for capital Offences, in the Execution of their Duty, may be tried.

Bay, and it ſhall appear, by Information given upon Oath to the Governor, or, in his Abſence, to the Lieutenant-governor of the ſaid Province, that the Fact was committed by the Perſon againſt whom ſuch Inquiſition or Indictment ſhall be found, or againſt whom ſuch Appeal ſhall be ſued or preferred, as aforeſaid, either in the Execution of his Duty as a Magiſtrate, for the Suppreſſion of Riots, or in the Support of the Laws of Revenue, or in acting in his Duty as an Officer of Revenue, or in acting under the Direction and Order of any Magiſtrate, for the Suppreſſion of Riots, or for the carrying into Effect the Laws of Revenue, or in aiding and aſſiſting in any of the Caſes aforeſaid; and if it ſhall alſo appear, to the Satisfaction of the ſaid Governor, or Lieutenant-governor reſpectively, that an indifferent Trial cannot be had within the ſaid Province, in that Caſe it ſhall and may be lawful for the Governor, or Lieutenant-governor, to direct, with the Advice and Conſent of the Council, that the Inquiſition, Indictment, or Appeal, ſhall be tried in ſome other of his Majeſty's Colonies, or in *Great Britain*; and for that Purpoſe, to order the Perſon againſt whom ſuch Inquiſition or Indictment ſhall be found, or againſt whom ſuch Appeal ſhall be ſued or preferred, as aforeſaid, to be ſent, under ſufficient Cuſtody, to the Place appointed for his Trial, or to admit ſuch Perſon to Bail, taking a Recognizance (which the ſaid Governor, or, in his Abſence, the Lieutenant-governor, is hereby authoriſed to take), from ſuch Perſon, with ſufficient Sureties, to be approved of by the ſaid Governor, or, in his Abſence, the Lieutenant-governor, in ſuch Sums of Money, as the ſaid Governor, or, in his Abſence, the Lieutenant-governor, ſhall deem reaſonable, for the perſonal Appearance of ſuch Perſon, if the Trial ſhall be appointed to be had in any other Colony, before the Governor, or Lieutenant-governor, or Commander in Chief of ſuch Colony; and if the Trial ſhall be appointed to be had in *Great Britain*, then before his Majeſty's Court of *King's Bench*, at a Time to be mentioned in ſuch Recognizances; and the Governor, or Lieutenant-governor, or Commander in Chief of the Colony where ſuch Trial ſhall be appointed to be had, or Court of *King's Bench*, where the Trial is appointed to be had in *Great Britain*, upon the Appearance of ſuch Perſon, according to ſuch Recognizance, or in Cuſtody, ſhall either commit ſuch Perſon, or admit him to Bail, until ſuch Trial; and which the ſaid Governor, or Lieutenant-governor, or Commander in Chief, and Court of *King's Bench*, are hereby authoriſed and impowered to do.

Governor to bind in Recognizances to his Majeſty all Witneſſes the Proſecutor ſhall deſire to attend the Trial, &c. And ſhall appoint a reaſonable Sum for the Expences of every Witneſs, which the Collectors of the Cuſtoms are to pay.

'II. And, to prevent a Failure of Juſtice, from the Want of Evidence on the Trial of any ſuch In-'quiſition, Indictment, or Appeal,' be it further enacted, That the Governor, or, in his Abſence, the Lieutenant-governor, ſhall, and he is hereby authoriſed and required, to bind in Recognizances to his Majeſty all ſuch Witneſſes as the Proſecutor or Perſon againſt whom ſuch Inquiſition or Indictment ſhall be found, or Appeal ſued or preferred, ſhall deſire to attend the Trial of the ſaid Inquiſition, Indictment, or Appeal, for their perſonal Appearance, at the Time and Place of ſuch Trial, to give Evidence: And the ſaid Governor, or, in his Abſence, the Lieutenant-governor, ſhall thereupon appoint a reaſonable Sum to be allowed for the Expences of every ſuch Witneſs, and ſhall thereupon give to each Witneſs a Certificate, in Writing, under his Hand and Seal, that ſuch Witneſs has entered into a Recognizance to give Evidence, and ſpecifying the Sum allowed for his Expences; and the Collector and Collectors of the Cuſtoms, or one of them, within the ſaid Province, upon the Delivery of ſuch Certificate, are and is hereby authoriſed and required, forthwith to pay to ſuch Witneſs the Sum ſpecified therein for his Expences.

Witneſſes to be free from all Arreſts during their Journey to any Colony, &c.

III. And be it further enacted by the Authority aforeſaid, That all Proſecutors and Witneſſes, who ſhall be under Recognizances to appear in any of his Majeſty's Colonies in *America*, or in *Great Britain*, in purſuance of this Act, ſhall be free from all Arreſts and Reſtraints, in any Action or Suit to be commenced againſt them during their going to ſuch Colony, or coming to *Great Britain*, and their neceſſary Stay and Abiding there, on occaſion of ſuch Proſecution, and returning again to the ſaid Province of the *Maſſachuſet's Bay*.

Perſons brought before Juſtices, &c. accuſed of any capital Crime in the Execution of their Duty, to be admitted to Bail.

IV. And be it further enacted by the Authority aforeſaid, That all and every his Majeſty's Juſtices of the Peace, and other Juſtices and Coroners, before whom any Perſon ſhall be brought, charged with Murther, or other capital Crime, where it ſhall appear by Proof, on Oath, to ſuch Juſtices or Coroners, that the Fact was committed by ſuch Perſon, either in the Execution of his Duty as a Magiſtrate, for the Suppreſſion of Riots, or in the Support of the Laws of Revenue, or in acting in his Duty as an Officer of Revenue, or in acting under the Direction and Order of any Magiſtrate, for the Suppreſſion of Riots, or for the carrying into Effect the Laws of Revenue, or in aiding and aſſiſting in any of the Caſes aforeſaid, are hereby authoriſed and required to admit every ſuch Perſon ſo brought before him or them, as aforeſaid, to Bail; any Law, Cuſtom, or Uſage, to the contrary thereof in any-wiſe notwithſtanding.

Where Perſons are found to have committed Crimes, and deſire to be tried in another Colony, Juſtices to poſtpone their Trial, &c.

V. And be it further enacted by the Authority aforeſaid, That where it ſhall be made appear to the Judges or Juſtices of any Court, within the ſaid Province of *Maſſachuſet's Bay*, by any Perſon, againſt whom any Inquiſition or Indictment ſhall be found, or Appeal ſued or preferred for Murther, or other capital Crime, that the Fact was committed by ſuch Perſon, either in the Execution of his Duty as a Magiſtrate, for the Suppreſſion of Riots, or in the Support of the Laws of Revenue, or in acting in his Duty as an Officer of Revenue, or in acting under the Direction and Order of any Magiſtrate, for the Suppreſſion of Riots, or for the carrying into Effect the Laws of Revenue, or in aiding and aſſiſting in any of the Caſes aforeſaid, and that he intends to make Application to the Governor, or Lieutenant-governor of the ſaid Province, that ſuch Inquiſition, Indictment, or Appeal, may be tried in ſome other of his Majeſty's Colonies, or in *Great Britain*, the ſaid Judges or Juſtices are hereby authoriſed and required to adjourn or poſtpone the Trial of ſuch Inquiſition, Indictment, or Appeal, for a reaſonable Time, and admit the Perſon to Bail, in order that he may make Application to the Governor, or Lieutenant-governor, for the Purpoſe aforeſaid.

If the Governor directs the Trial to be in any other Colony, he is to tranſmit the

VI. And be it further enacted, That the Governor, or, in his Abſence, the Lieutenant-governor, if he ſhall direct the Trial to be had in any other of his Majeſty's Colonies, ſhall tranſmit the Inquiſition, Indictment, or Appeal, together with the Recognizances of the Witneſſes, and other Recognizances, under the Seal of the Province, to the Governor, or Lieutenant-governor, or Commander in Chief of

ſuch

ſuch other Colony, who ſhall immediately iſſue a Commiſſion of *Oyer* and *Terminer*, and deliver, or cauſe to be delivered, the ſaid Inquiſition, Indictment, or Appeal, with the ſaid Recognizances, to the Chief Juſtice, and ſuch other Perſons as have uſually been Commiſſioners of *Oyer* and *Terminer*, Juſtices of Aſſize, or General Gaol Delivery there; who ſhall have Power to proceed upon the ſaid Inquiſition, Indictment, or Appeal, as if the ſame had been returned, found, or preferred before them; and the Trial ſhall thereupon proceed in like Manner, to all Intents and Purpoſes, as if the Offence had been committed in ſuch Place: And in caſe the Governor, or, in his Abſence, the Lieutenant-governor, ſhall direct the Trial to be had in *Great Britain*, he ſhall then tranſmit the Inquiſition, Indictment, or Appeal, together with the Recognizances of the Witneſſes, and other Recognizances, under the Seal of the Province, to one of his Majeſty's principal Secretaries of State, who ſhall deliver, or cauſe to be delivered, the ſame, to the Maſter of the Crown Office, to be filed of Record in the Court of *King's Bench*, and the Inquiſition, Indictment, or Appeal, ſhall be tried and proceeded upon, in the next Term, or at ſuch other Time as the Court ſhall appoint, at the Bar of the Court of *King's Bench*, in like Manner, to all Intents and Purpoſes, as if the Offence had been committed in the County of *Middleſex*, or in any other County of that Part of *Great Britain* called *England* where the Court of *King's Bench* ſhall ſit, or elſe before ſuch Commiſſioners, and in ſuch County, in that Part of *Great Britain* called *England*, as ſhall be aſſigned by the King's Majeſty's Commiſſion, in like Manner and Form, to all Intents and Purpoſes, as if ſuch Offence had been committed in the ſame County where ſuch Inquiſition, Indictment, or Appeal, ſhall be ſo tried.

Inquiſition, &c. to the Commander in Chief, who is immediately to deliver ſuch Inquiſition, &c. to the Chief Juſtice, &c. who ſhall be impowered to proceed upon ſuch Inquiſition, &c. If the Governor directs the Trial to be in Great Britain, he is to tranſmit the Indictment, &c. to one of the Secretaries of State, &c.

VII. And be it enacted by the Authority aforeſaid, That in caſe, on account of any Error or Defect in any Indictment, which, in virtue or under the Authority of this Act, ſhall be tranſmitted to any other Colony, or to *Great Britain*, the ſame ſhall be quaſhed, or Judgment thereon arreſted, or ſuch Indictment adjudged bad upon Demurrer, it ſhall and may be lawful to prefer a new Indictment or Indictments againſt the Perſon or Perſons accuſed in the ſaid Colony, to which ſuch Indictment, ſo quaſhed or adjudged bad, ſhall have been tranſmitted, or before the Grand Jury of any County in *Great Britain*, in caſe ſuch former Indictment ſhall have been tranſmitted to *Great Britain*, in the ſame Manner as could be done in caſe the Party accuſed ſhould return to the Place where the Offence was committed; and the Grand Jury and Petty Jury of ſuch other Colony or County in *Great Britain* ſhall have Power to find and proceed upon ſuch Indictment or Indictments, in the ſame Manner as if the Offence, by ſuch Indictment or Indictments charged, had been committed within the Limits of the Colony or County for which ſuch Juries ſhall reſpectively be impanelled to ſerve.

If any Indictment tranſmitted be accounted bad, another Indictment may be preferred.

Grand Jury impowered to proceed on ſuch Indictment, &c.

VIII. And be it further enacted by the Authority aforeſaid, That this Act, and every Clauſe, Proviſion, Regulation, Matter, and Thing, herein contained, ſhall commence and take Effect upon the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-four; and be, and continue in Force, for and during the Term of three Years.

Commencement and Continuance of the Act.

CAP. XL.

An Act for diveſting out of the Crown the Plantation and Eſtate of *Ulyſſes Fitzmaurice* Eſquire, deceaſed, and for veſting the ſame in Truſtees, to be ſold for Payment of his Debts, and for other Purpoſes therein mentioned.

Preamble.

'WHEREAS *Ulyſſes Fitzmaurice* Eſquire, late Lieutenant-governor of the Iſland of *Saint Vincent*, deceaſed, was, in his Lifetime, and at the Time of his Deceaſe, which happened in the Iſland of *Grenada*, on or about the twenty-firſt Day of *Auguſt*, in the Year of our Lord one thouſand ſeven hundred and ſeventy-two, ſeiſed, to him and his Heirs, of a Coffee Plantation, and Eſtate called *Bowood*, ſituate in the Pariſh of *Saint Andrew*, in the Iſland of *Dominica*, containing four hundred Acres, or thereabouts, partly Wood Land, and partly planted with Coffee, and of divers Negroes and other Slaves, and a ſmall Leaſehold Eſtate in the County of *Kerry*, in the Kingdom of *Ireland*; and was alſo poſſeſſed of and intitled to, a perſonal Eſtate, which (including the Value of the ſaid Slaves) hath been eſtimated at the Sum of three thouſand four hundred and fifty-ſix Pounds eight Shillings and one Penny Halfpenny Sterling, or thereabouts, but will not, as it is apprehended, produce near that Sum: And whereas the ſaid *Ulyſſes Fitzmaurice* was the natural or reputed Son of the late Right Honourable *William Fitzmaurice* Earl of *Kerry*, in the Kingdom of *Ireland*, deceaſed, and left ſeveral poor Relations on his Mother's Side, and a Brother of the Half-blood, the natural or reputed Son alſo of the ſaid Earl of *Kerry*, *videlicet*, *Aboan Fitzmaurice* of *Plumtree-ſtreet*, in the Pariſh of *Saint Giles in the Fields*, in the County of *Middleſex*, Gentleman, for all or ſeveral of whom he intended to have made ſome Proviſion, particularly for the ſaid *Aboan Fitzmaurice*, and alſo for *James*, *Robert*, and *John Fitzmaurice*, having given Inſtructions for a Will, whereby Legacies were intended them of five hundred Pounds Sterling each, but died before the ſame was proceeded in, ſo far as to give Effect to his ſaid Intention: And whereas the ſaid *Ulyſſes Fitzmaurice* dying a Bachelor, and without Heirs, the ſaid Coffee Plantation, and all other the real Eſtates of the ſaid *Ulyſſes Fitzmaurice*, upon his Death eſcheated, and his perſonal Eſtate devolved or came to his Majeſty, in Right of his Royal Prerogative: And whereas Letters of Adminiſtration of all and ſingular the Goods, Chattels, Rights, and Credits, of the ſaid *Ulyſſes Fitzmaurice*, at the Time of his Death, have lately been granted, by the Prerogative Court of the Archbiſhop of *Canterbury*, unto the Right Honourable *Iſaac Barré*, one of his Majeſty's moſt Honourable Privy Council, the Honourable *Thomas Fitzmaurice*, and *David Roberts* Eſquire, a Creditor of the ſaid Deceaſed, for the Uſe and Benefit of his Majeſty; and the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, have given Security for duly adminiſtering the Eſtate and Effects of the ſaid *Ulyſſes Fitzmaurice*, and for paying unto the Procurator General of his Majeſty, for his Majeſty's Uſe, the Sum of ten Pounds of every hundred Pounds Value of

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'the clear Produce and Surplus of the ſaid Eſtate and Effects (after Payment of the ſeveral Debts affecting 'ſuch perſonal Eſtate, and the Expences attending the Adminiſtration), as uſual in the like Caſes: And 'whereas the Whole of the perſonal Eſtate and Effects of the ſaid *Ulyſſes Fitzmaurice* will be exhauſted in 'Payment of his juſt Debts and Funeral Expences, and the ſame will not be near ſufficient for that 'Purpoſe, whereby the Creditors of the ſaid *Ulyſſes Fitzmaurice* may be prevented from receiving their full 'Debts, and the poor Relations of the ſaid *Ulyſſes Fitzmaurice* on his Mother's Side, and alſo the ſaid *Aboan*, '*James*, *Robert*, and *John Fitzmaurice*, will not receive any Benefit from his Eſtate and Effects, as was 'the Intention of the ſaid *Ulyſſes Fitzmaurice*, in caſe he had lived to have carried the ſame into Execution, 'unleſs the ſaid Plantation and Eſtate were to be ſold, and the Money ariſing by Sale thereof applied for 'thoſe reſpective Purpoſes, which cannot well be done without the Aid and Authority of Parliament;' may it therefore pleaſe your Majeſty (at the humble Petition of the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, and which ſaid *David Roberts* is a Creditor of the ſaid *Ulyſſes Fitzmaurice*) that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the

Eſtates veſted in Truſtees;

Authority of the ſame, That all the ſaid Coffee Plantation and Eſtate called *Bowood*, late of him the ſaid *Ulyſſes Fitzmaurice*, ſituate, lying, and being in the ſaid Pariſh of *Saint Andrew*, in the ſaid Iſland of *Dominica*, containing by Eſtimation four hundred Acres, or thereabouts, (be the ſame more or leſs), with all and ſingular the Meſſuages or Tenements, Erections and Buildings thereon; and all Woods, Underwoods, and Trees whatſoever growing, ſtanding, or being in or upon the ſaid Premiſes, or any Part thereof, and alſo all the Ground and Soil of the ſame Woods and Underwoods; and all Waters, Fiſhings, Fiſhing-places, Ways, void Grounds, Rights, Privileges, Profits, Commodities, Emoluments, Advantages, Hereditaments, and Appurtenances, of what Nature, Kind, Condition, or Property ſoever, or by whatſoever other Name or Names the ſame, or any of them, are, is, ſhall, or may be called or known, to the ſaid Plantation, Lot, Pieces or Parcels of Ground, Hereditaments, and Premiſes belonging, or in anywiſe appertaining, or to or with the ſame, or any Part or Parcel thereof, now, or at any Time heretofore granted, demiſed, let, ſet, uſed, occupied, or enjoyed, or accepted, reputed, taken, deemed, or known, as Part, Parcel, or Member thereof (other than and except the Quit and other Rents and Royalties reſerved and made payable to his Majeſty, his Heirs and Succeſſors, in and by the Grant or Grants of the ſaid Plantation, Lot, Parcel of Ground, and Premiſes), and the Reverſion and Reverſions, Remainder and Remainders, yearly and other Rents, Iſſues, Profits, and Produce, of all and ſingular the ſaid Premiſes, and alſo all and every the Negro and other Slaves of the ſaid *Ulyſſes Fitzmaurice*, and the ſaid Leaſehold Eſtate in the County of *Kerry*, ſhall, from and after the ſaid twenty-firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-two, be ſettled upon, and veſted in, and the ſame are hereby, from thenceforth, ſettled upon, and veſted in, the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, their Heirs, Executors, Adminiſtrators, and Aſſigns, according to the Nature of ſuch Eſtates and Premiſes, freed, and abſolutely acquitted, exonerated, and diſcharged of, from, and againſt all Eſtate, Right, Title, Intereſt, or Claim, of his Majeſty, his Heirs and Succeſſors (except as before excepted); but nevertheleſs upon the Truſts, and to and for the Ends, Intents, and Purpoſes, and ſubject to the Proviſoes and Declarations herein-after mentioned, expreſſed, and declared, of and concerning the ſame; (that is to ſay) Upon Truſt, that they the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, or the Survivors or Survivor of them, or the Heirs, Executors, or Adminiſtrators, of ſuch Survivor, ſhall and do, with all convenient Speed, either by public Auction or private Contract, abſolutely ſell, convey, and diſpoſe of, all and ſingular the ſaid Plantation, Eſtate, and Premiſes, hereby veſted in them, or any Part or Parts thereof, either together or in Parcels, unto any Perſon or Perſons who ſhall be willing to become the Purchaſer or Purchaſers thereof, or of any Part thereof, and his, her, or their Heirs, Executors, or Adminiſtrators, or to ſuch other Perſon or Perſons, and for ſuch Uſes, as any ſuch Purchaſer or Purchaſers ſhall direct, for the moſt Money, and beſt Price or Prices, that, at the Time of ſuch Sale or Sales, can be reaſonably had or gotten for the ſame; and do and ſhall pay, apply, and diſpoſe of, the Money ariſing and to be produced by ſuch Sale or Sales, as aforeſaid, and the Rents, Iſſues, Profits, and Produce, of the ſaid Eſtates and Premiſes, in the mean time, from the Deceaſe of the ſaid *Ulyſſes Fitzmaurice*, and until ſuch Sale or Sales can be had, and alſo the Surplus (if any) of the perſonal Eſtate and Effects of the ſaid *Ulyſſes Fitzmaurice*, which ſhall come to the Hands of the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, by virtue of the Letters of Adminiſtration herein-before mentioned, and which ſhall remain after Payment of all the juſt Debts and Funeral Expences of the ſaid *Ulyſſes Fitzmaurice*, and the Charges incident to and attending the ſaid Adminiſtration, and of the ſaid Sum of ten Pounds of every hundred Pounds Value of the clear Produce and Surplus of the ſaid Eſtate and Effects for the Uſe of his Majeſty, as aforeſaid, in Manner following; (that is to ſay) In the firſt place, in paying and defraying the Charges and Expences incident to and attending the obtaining and paſſing this preſent Act, and completing ſuch Sales and Conveyances as aforeſaid, and alſo the Charges and Expences of getting in, ſelling, ordering, and managing, of the ſaid Eſtates, and the Rents, Iſſues, Profits, and Produce thereof; and after Payment of the ſame, and ſubject thereto, then upon Truſt, that they the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, and the Survivors and Survivor of them, and the Heirs, Executors, or Adminiſtrators, of ſuch Survivor, ſhall and do pay, ſatisfy, and diſcharge, all and every the Debts of the ſaid *Ulyſſes Fitzmaurice* which were owing by him at the Time of his Death (and which his perſonal Eſtate ſhall not prove ſufficient to pay and ſatisfy), rateably and proportionably alike, as far as the ſaid Monies will extend to pay; and ſhall and do, in the next place, pay to the ſaid *Aboan Fitzmaurice*, *James Fitzmaurice*, *Robert Fitzmaurice*, and *John Fitzmaurice*, their Executors, Adminiſtrators, or Aſſigns reſpectively, the Sum of five hundred Pounds each of lawful Money of *Great Britain*, in caſe there ſhall be a Surplus to that Amount, or a rateable Proportion of the ſame; and, after Payment thereof, in caſe a further Surplus ſhall ſtill remain, then ſhall and do pay, diſtribute, and divide the ſame, unto and among all and every ſuch other of the poor Relations, or next of Kin,

but nevertheleſs upon Truſt;

with Power to ſell the ſaid Eſtates.

Application of Monies.

Kin, of the ſaid *Ulyſſes Fitzmaurice*, on his Mother's Side, in equal Degree, who ſhall, within twelve Calendar Months next after Notice ſhall be given for that Purpoſe in the *London Gazette*, and one or more of the publick News-papers printed and circulating in *Ireland*, appear and make out their ſaid Kindred to the ſaid *Ulyſſes Fitzmaurice*, in the ſame Shares, Proportions, Manner, and Form, as they would have been intitled to the Surpluſage of the perſonal Eſtate of the ſaid *Ulyſſes Fitzmaurice*, in caſe he had been a legitimate Child, and had died inteſtate, leaving them his next of Kin.

Saving Clauſe in favour of John Fitzmaurice, an Infant.

II. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That in making ſuch laſt-mentioned Diſtribution and Diviſion, the ſaid Truſtees ſhall pay and diſtribute unto *John Fitzmaurice*, now an Infant, the Son of *Caliph Fitzmaurice* deceaſed, a Brother of the ſaid *Ulyſſes Fitzmaurice* of the Half-blood, and the natural or reputed Son alſo of the ſaid Earl of *Kerry*, the ſame Share and Proportion of ſuch laſt mentioned Surplus as the ſaid *John Fitzmaurice* would be intitled to have and receive by virtue of this Act, in caſe he had been one of the poor Relations, or next of Kin, in equal Degree, of the ſaid *Ulyſſes Fitzmaurice*, on his Mother's Side; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

How the Surplus is to be divided, in caſe it affords a larger Sum than that of 500 l. to each of the diſtant Relations.

III. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That in caſe ſuch laſt-mentioned Surplus ſhall be more than ſufficient to pay unto the ſaid poor Relations, or next of Kin, of the ſaid *Ulyſſes Fitzmaurice* and the ſaid *John Fitzmaurice* the Infant, the Sum of five hundred Pounds each; that then, and in ſuch Caſe, the Surplus which ſhall remain, after paying unto each of them the Sum of five hundred Pounds, ſhall be equally paid, diſtributed, and divided, unto and among the ſaid *Aboan Fitzmaurice*, *James Fitzmaurice*, *Robert Fitzmaurice*, and *John Fitzmaurice*, their Executors, Adminiſtrators, or Aſſigns; and alſo all and every ſuch other of the poor Relations or next of Kin of the ſaid *Ulyſſes Fitzmaurice*, on his Mother's Side, in equal Degree, who ſhall appear and make out their Kindred in Manner as aforeſaid, and the ſaid *John Fitzmaurice* the Infant, equally between them, Part and Share alike; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

A Negro Woman and Boy to be ſettled according to the Inſtructions of the Will.

IV. Provided always, That it ſhall and may be lawful to and for the ſaid Truſtees to give and aſſure unto *Gilbert Hillock* Eſquire, in Truſt for his Son *Gilbert Douglas Hillock*, a Minor, the Negro Boy late belonging to the ſaid *Ulyſſes Fitzmaurice*, called *Romeo*; and alſo to give and aſſure unto the Negro Woman, late belonging to the ſaid *Ulyſſes Fitzmaurice*, called *Penelope*, her Freedom, according to the Intention of the ſaid *Ulyſſes Fitzmaurice*, as expreſſed in the Inſtructions by him given for making his Will, as herein-before is mentioned; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

After Payment of Purchaſe-money the Eſtates to be free from all Claims and Truſts.

V. And, for promoting and facilitating the Sale of the ſaid Eſtates and Premiſes for the Purpoſes of this Act, it is hereby further enacted and declared by the Authority aforeſaid, That all and every Perſon and Perſons to whom the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, or the Survivors or Survivor of them, or the Heirs of ſuch Survivor, ſhall, by virtue of this Act, make any Sale or Conveyance of all or any Part of the ſaid Plantation, Eſtate, Hereditaments, and Premiſes, hereby veſted in them, to be ſold as aforeſaid, and the Heirs, Executors, Adminiſtrators, and Aſſigns, of ſuch Purchaſer or Purchaſers reſpectively, ſhall and may, upon Payment of their reſpective Purchaſe-monies to the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, or the Survivors or Survivor of them, or the Heirs of ſuch Survivor, have, hold, and enjoy, the Lands, Hereditaments, and Premiſes, by them reſpectively to be purchaſed, freed, and abſolutely diſcharged, of and from all Eſtate, Right, Title, Claim, and Intereſt of his Majeſty, his Heirs and Succeſſors (except as herein before is excepted); and alſo of and from all and every the Truſts herein-before provided, expreſſed, and declared, of and concerning the Money to ariſe by ſuch Sale or Sales; and that the Receipt or Receipts of the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, or the Survivors or Survivor of them, or the Heirs of ſuch Survivor, under their or his Hands or Hand reſpectively, ſhall, from Time to Time, be a good and effectual Diſcharge to the Purchaſer or Purchaſers of the ſame Premiſes, or any Part thereof, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, for ſo much of the ſaid Purchaſe-money as in ſuch Receipt ſhall be expreſſed to be received; and after ſuch Receipt and Receipts ſhall be given as aforeſaid, ſuch Purchaſer and Purchaſers ſhall be, and he, ſhe, and they reſpectively, is and are hereby abſolutely acquitted and diſcharged of and from the ſame, and ſhall not be anſwerable or accountable for any Loſs, Miſapplication, or Non-application of the ſaid Purchaſe-money, or any Part thereof.

Money ariſing by the Sale of the Premiſes to be depoſited in the Bank.

VI. And it is hereby further enacted and declared by the Authority aforeſaid, That after any Sale or Conveyance of the Premiſes mentioned to be ſold as aforeſaid, and until the Money ariſing by ſuch Sale or Sales ſhall be paid, diſtributed, and divided, purſuant to this Act, they the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, and the Survivors and Survivor of them, and the Heirs, Executors, or Adminiſtrators of ſuch Survivor, ſhall, as ſoon as ſuch Monies, or any Part thereof, ſhall come to their or any of their Hands, or be received by them, depoſit the ſame in the *Bank of England*, in the Names of all the ſaid Truſtees, which ſhall there remain, and ſhall not be removed or taken from thence without all their Conſents, and that for the Purpoſe only of paying, dividing, and diſtributing, the ſame, purſuant to this Act.

Truſtees not to be anſwerable for the Acts of each other.

VII. And it is hereby further enacted and declared by the Authority aforeſaid, That the ſaid *Iſaac Barré*, *Thomas Fitzmaurice*, and *David Roberts*, ſhall not, nor ſhall either of them, nor the Heirs, Executors, or Adminiſtrators, of them, or either of them, be anſwerable or accountable for any Deficiency, Damage, or Loſs of Money, to be received by virtue of or under the Truſts hereby in them repoſed, or for any Agent, Attorney, or other Perſon, to be retained or employed by them in the Sale of the ſaid Eſtate and Premiſes, or in depoſiting any ſuch Sum or Sums of Money as aforeſaid, or any otherwiſe relating to the Truſts hereby in them repoſed, without his or their own wilful Neglect or Default; and that neither of them ſhall be anſwerable or accountable for the Acts, Receipts, Neglects, or Defaults, of the other or others of them, but each for his own Act, Receipt, Neglect, or Default only; and alſo that the ſaid Truſtees, and each of them, their and each of their reſpective Heirs, Executors, and Adminiſtrators, ſhall

and may, by and out of the ſaid Truſt-monies and Premiſes, retain to and reimburſe themſelves all Coſts, Charges, and Expences, that they reſpectively ſhall and may ſuſtain, expend, or be put unto, in and about the Execution of the Truſts hereby in them repoſed, and the Execution and Management thereof, or any-ways touching or concerning the ſame.

Saving of Rights to Bodies Politick, &c.

VIII. Saving always to all and every Perſon and Perſons, Bodies Politick and Corporate, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators (other than and except his Majeſty, his Heirs and Succeſſors), all ſuch Eſtate, Right, Title, Intereſt, Benefit, Property, Claim, and Demand whatſoever, of, in, to, or out of the ſaid Eſtates and Premiſes hereby veſted as aforeſaid, every or any Part thereof, as they, every or any of them, had before the paſſing this Act, or could or might have had and enjoyed in caſe this Act had not been made.

Publick Act.

IX. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be, a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

CAP. XLI.

An Act for further continuing ſo much of two Acts, made in the ſixth and thirteenth Years of the Reign of his preſent Majeſty, as relates to the opening and eſtabliſhing certain free Ports in the Iſland of *Jamaica*.

Preamble. Act 6 Geo. 3. and Act 13 Geo. 3.

'WHEREAS an Act of Parliament was made in the ſixth Year of the Reign of his preſent Majeſty, (intituled, *An Act for opening and eſtabliſhing certain Ports in the Iſlands of* Jamaica *and* Dominica, *for the more free Importation and Exportation of certain Goods and Merchandiſes; for granting certain Duties to defray the Expences of opening, maintaining, ſecuring, and improving, ſuch Ports; for aſcertaining the Duties to be paid upon the Importation of Goods from the ſaid Iſland of* Dominica *into this Kingdom; and for ſecuring the Duties upon Goods imported from the ſaid Iſland into any other* Britiſh *Colony;)* which was to continue in Force until the firſt Day of *September*, one thouſand ſeven hundred and ſeventy-three, and from thence to the End of the then next Seſſion of Parliament; and which, by another Act, made in the thirteenth Year of his preſent Majeſty's Reign, was amended, and ſuch Parts thereof as relate to the ſaid Iſland of *Jamaica* were continued until the firſt Day of *November*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament: And whereas the further Continuance of the ſaid Acts, ſo far as the ſame relate to the Iſland of *Jamaica*, will be highly beneficial to the Trade and Manufactures of this Kingdom;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Acts, and every Thing therein contained, ſo far as the ſame relate to the ſaid Iſland of *Jamaica*, ſhall be, and the ſame are hereby further continued, until the firſt Day of *November*, one thouſand ſeven hundred and eighty, and from thence to the End of the then next Seſſion of Parliament.

continued, ſo far as they relate to Jamaica, until Nov. 1, 1780.

CAP. XLII.

An Act to prohibit the Importation of light Silver Coin, of this Realm, from Foreign Countries, into *Great Britain* or *Ireland*; and to reſtrain the Tender thereof beyond a certain Sum.

Preamble.

'WHEREAS conſiderable Quantities of old Silver Coin of this Realm, or Coin purporting to be ſuch, greatly below the Standard of the Mint in Weight, have been lately imported into this Kingdom, and it is expedient that ſome Proviſion ſhould now be made to prevent a Practice which may be carried on at this Time, to the very great Detriment of the Publick;' be it therefore enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-four, all Silver Coin of this Realm, or any Money purporting to be the Silver Coin of this Realm, which is not of the eſtabliſhed Standard of the Mint in Weight and Fineneſs, ſhall be prohibited to be imported or brought into the Kingdoms of *Great Britain* or *Ireland* from Foreign Countries; and if any Silver Coin being, or purporting to be, the Coin of this Realm, exceeding in Amount the Sum of five Pounds, ſhall be found, by any Officer of his Majeſty's Cuſtoms, on board any Ship or Veſſel, in any Port, Harbour, Haven, or Creek, or in any Boat, Barge, or other Veſſel, upon the Water, within the ſaid Kingdoms, or in the Cuſtody of any Perſon coming directly from the Waterſide, or upon the Information of one or more Perſon or Perſons in any Houſe, Shop, Cellar, Warehouſe, Room, or other Place, on a Search there made in ſuch Manner as in and by an Act made in the fourteenth Year of the Reign of the late King *Charles* the Second, intituled, *An Act for preventing Frauds, and regulating Abuſes, in his Majeſty's Cuſtoms*, is mentioned and directed, if ſuch Search is made in *Great Britain*, or according to the Manner directed by any Act of Parliament made in *Ireland*, relative to the ſearching for uncuſtomed and prohibited Goods in that Kingdom, if ſuch Search is made there, it ſhall and may be lawful for ſuch Officer to ſtop and put ſuch Coin in his Majeſty's Cuſtomhouſe Warehouſe, in the Port next to the Place where ſuch Stop ſhall be made: And if it ſhall appear, upon Examination there, to the Collector, or other principal Officer of the Cuſtoms, of the ſaid Port or Place, that ſuch Siver Coin is of the eſtabliſhed Standard of the Mint in Weight and Fineneſs, the ſame ſhall,

After June 1, 1774, all Coin of this Kingdom, or purporting ſo to be, not of the eſtabliſhed Standard, prohibited to be brought into this Kingdom; and all ſuch Coin found in Ships, &c. on Search, in Terms of Act 14 Car. 2. to be ſeized, and committed to the Cuſtomhouſe Warehouſe. If ſuch Silver Coin be the eſta-

ſhall, upon Demand, be forthwith delivered to the Owner or Proprietor thereof, without Fee or Reward; and ſuch Officer or Officers, or any Perſon or Perſons acting in his or their Aid or Aſſiſtance, ſhall not be liable to any Action, Suit, or Proſecution, for ſearching, ſtopping, or detaining the ſame; but if ſuch Coin, or any Part thereof, ſhall be leſs in Weight than the eſtabliſhed Standard of the Mint, that is to ſay, at and after the Rate of ſixty-two Shillings to every Pound Troy, whether the ſame be in Crowns, Half-crowns, Shillings, Sixpences, or Pieces of a lower Denomination, or of leſs Fineneſs than eleven Ounces two Penny-weights of fine Silver, and eighteen Penny-weights of Alloy in the Pound Troy, the ſame, or ſuch Part thereof as ſhall be deficient either in Weight or Fineneſs, as aforeſaid, ſhall be forfeited, and ſhall and may be ſeized by any Officer of the Cuſtoms, and proſecuted in any Court of Record in *Weſtminſter* or *Dublin*, or in the Court of Exchequer at *Edinburgh*; or if ſuch Coin ſhall not amount in Value to the Sum of twenty Pounds, in that Caſe the ſame ſhall and may be proſecuted in a ſummary Way, before any two of his Majeſty's Juſtices of the Peace for the County, City, or Place, where ſuch Seizure ſhall be made, at the Election of the Commiſſioners of his Majeſty's Cuſtoms in *Great Britain*, or the Commiſſioners of Revenue in *Ireland*, or any three or more of them reſpectively, in ſuch and the like Manner, and by the ſame Rules and Regulations, as any Forfeiture incurred by any Law of the Revenue may be ſued for and recovered, in the Kingdom of *Great Britain* or *Ireland* reſpectively: And after Condemnation, the ſame ſhall be melted down, cut, or otherwiſe defaced, in ſuch Manner as the ſaid Commiſſioners of his Majeſty's Cuſtoms and Revenue reſpectively ſhall direct; and one Moiety of the Produce ariſing by the Sale thereof, after being ſo melted down, cut, or defaced (firſt deducting the Charges of Proſecution and Sale), ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Officer of the Cuſtoms as ſhall ſue and proſecute for the ſame.

bliſhed Standard Weight and Fineneſs, it is to be reſtored to the Proprietor; but if deficient in Weight or Fineneſs to be forfeited;

and proſecuted at Weſtminſter, Dublin, or Edinburgh;

After Condemnation, to be melted down; and one Moiety go to his Majeſty, and the other to the Proſecutor.

II. And be it further enacted by the Authority aforeſaid, That no Tender in the Payment of Money made in the Silver Coin of this Realm of any Sum exceeding the Sum of twenty-five Pounds, at any one Time, ſhall be reputed in Law, or allowed to be a legal Tender within *Great Britain* or *Ireland*, for more than according to its Value by Weight, after the Rate of five Shillings and Two-pence for each Ounce of Silver; and no Perſon to whom ſuch Tender ſhall be made ſhall be any-ways bound thereby, or obliged to receive the ſame in Payment, in any other Manner than as aforeſaid; any Law, Statute, or Uſage, to the contrary notwithſtanding.

No Tender exceeding 25l. ſhall be allowed legal for more than its Value.

III. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue in Force until the firſt Day of *May*, one thouſand ſeven hundred and ſeventy-ſix, and from thence to the End of the then next Seſſion of Parliament.

Continuance of the Act.

CAP. XLIII.

An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery; and for erecting Offices for the Regiſter and Accountant General of the ſaid Court, for the better preſerving the Records, Decrees, Orders, and Books of Account, kept in ſuch Offices.

Preamble.

'WHEREAS the Preſervation of the Records of the High Court of Chancery, and alſo of the Books in which the Decrees and Orders of the ſaid Court are entered, and of the Reports made by the Maſters of the ſaid Court, in purſuance of ſuch Decrees and Orders; and alſo of the Books of Account of the Caſh and Effects belonging to the Suitors of the ſaid Court, is of the utmoſt Conſequence to the ſaid Suitors, and to the Publick in general: And whereas the Six Clerks of the ſaid Court are ſeiſed, to them and their Succeſſors, of the Office called *The Six Clerks Office*, and the ſeveral Buildings belonging thereto, ſituate on the Weſt Side of *Chancery Lane*, within the Liberty of the Rolls, in the County of *Middleſex*; and the Buſineſs of the ſaid Court, under their Management, is tranſacted in their ſaid Office, and the Records in their Cuſtody, conſiſting of Bills, Anſwers, Depoſitions, and other Pleadings and Inrolments of Decrees, Orders, Reports, and other Proceedings, are depoſited therein; and the ſaid Office is a very ancient Building, and become very ruinous: And whereas the ſaid Books, wherein the ſaid Decrees and Orders are entered, and the Reports made in purſuance of ſuch Decrees and Orders, and the Books of Account of the ſaid Caſh and Effects, are depoſited and kept in the Office of the Regiſter of the ſaid Court, and various Books of Account of the Caſh and Effects belonging to the Suitors of the ſaid Court are alſo kept in the Office of the Accountant General of the ſaid Court: And whereas the Rooms now uſed as Offices for the ſaid Regiſter and Accountant General are, from their Situation and Condition, in great Hazard of being deſtroyed by Fire: And whereas a very conſiderable Sum of Money, belonging to the Suitors of the ſaid Court, is now, and has been for many Years, lying dead and unemployed in the Bank of *England*, being Money accumulated under the Act of Parliament of the twelfth Year of his late Majeſty King *George* the Firſt, intituled, *An Act for the Relief of the Suitors of the High Court of Chancery:* And whereas by four ſeveral Acts of Parliament, paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Second, and in the fourth, fifth, and ninth Years of the Reign of his preſent Majeſty, ſeveral Sums of Money, Part of the Money lying dead and unemployed, have been placed out on Government or Parliamentary Securities, and ſpecifick Parts of the Intereſt ariſing therefrom have been appropriated for augmenting the Income of Officers belonging to the ſaid Court; and by the ſaid Act, paſſed in the ninth Year of the Reign of his preſent Majeſty, it is, amongſt other Things, enacted, That the Surplus Intereſt which had ariſen, or which ſhould or might ariſe, from the Securities purchaſed, and to be purchaſed, in purſuance of the ſaid ſeveral Acts of Parliament, together with the Intereſt which ſhould be produced from the Securities to be purchaſed with ſuch Surplus Intereſt, ſhould, by any Order or Orders of the ſaid Court, to be made

'for that Purpoſe, from Time to Time, be placed out on Government Securities; and that the Intereſt 'or annual Produce ariſing from the ſaid Securities ſhould, from Time to Time, be received by the Gover- 'nor and Company of the Bank of *England*, and ſo much thereof as ſhould ariſe from Securities to be 'purchaſed with the Surplus Intereſt produced, and to be produced, from Securities purchaſed in purſu- 'ance of the ſaid Acts of the twelfth Year of the Reign of his late Majeſty King *George* the Second, and 'of the fourth Year of the Reign of his preſent Majeſty, and of the ſaid Act of the ninth Year of the 'Reign of his preſent Majeſty, ſhould be placed to the Credit of an Account to be raiſed in the Books 'kept at the Bank, of Securities purchaſed with the Surplus Money placed to the Account of Intereſt 'ariſing from Monies placed out in purſuance of an Act of Parliament, paſſed in the twelfth Year of his 'late Majeſty King *George* the Second, and ſo much thereof as ſhould ariſe from Securities to be pur- 'chaſed with the Surplus Intereſt produced, and to be produced, from Securities purchaſed in purſuance 'of the ſaid Act of the fifth Year of the Reign of his preſent Majeſty, ſhould be placed to the Credit of 'an Account to be raiſed in the ſaid Books kept in the Bank, of Securities purchaſed with the Surplus 'Money placed to the Account of Intereſt ariſing from Monies placed out in purſuance of an Act of Par- 'liament, paſſed in the fifth Year of the Reign of his preſent Majeſty: And whereas there are now 'ſtanding in the Name of the ſaid Accountant General, under the Title of Securities purchaſed with the 'Surplus Money placed to the Account of Intereſt ariſing from Monies placed out in purſuance of the ſaid 'Act of the twelfth Year of his late Majeſty, five thouſand four hundred and fifty Pounds, three *per Cen-* 'tum Conſolidated Bank Annuities, and in Caſh, fourteen Pounds three Shillings and Four-pence; and 'there are alſo ſtanding, in the Name of the ſaid Accountant General, under the Title of Securities pur- 'chaſed, with the Surplus Money placed to the Account of Intereſt ariſing from Monies placed out in 'purſuance of the ſaid Act of the fifth Year of the Reign of his preſent Majeſty, four thouſand ſeven 'hundred and fifty Pounds, three *per Centum* Bank Conſolidated Annuities, and in Caſh three Shillings 'and Ten-pence; which Annuities and Caſh are unappropriated, and it will be no Injury to the Suitors 'of the ſaid Court if the ſame, and alſo the Surplus Intereſt which ſhall hereafter ariſe from the ſaid 'Annuities, and from the Securities purchaſed purſuant to the ſeveral Acts before mentioned, ſhall be 'employed towards raiſing a Fund for rebuilding and erecting the ſaid ſeveral Offices, and in purchaſing 'ſuch Ground as may be neceſſary for ſuch Purpoſes; and if a Sum of Money, not exceeding fifty thou- 'ſand Pounds, Part of the Money lying dead and unemployed as aforeſaid, ſhall be placed out at Intereſt 'on Government or Parliamentary Securities, and the Intereſt thereof, or ſo much as ſhall be neceſſary, 'applied for the ſame Purpoſe;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That out of the Caſh belonging to the Suitors of the ſaid Court of Chancery, which now lies, or ſhall hereafter lie dead and unemployed in the Bank of *England*, a Sum not exceeding fifty thouſand Pounds ſhall and may, by virtue of any Order or Orders of the ſaid Court to be made for that Purpoſe, from Time to Time be placed out in one entire Sum, or in Parcels, on ſuch Government or Parliamentary Securities, as in and by ſuch Orders ſhall be directed, to the Intent that the Intereſt and annual Produce ariſing from the Money ſo to be placed out may be applied for the Purpoſes herein-after mentioned; and that the ſaid Court of Chancery may, by Order or Orders of the ſaid Court, from Time to Time, change the Security or Securities on which the ſaid Monies ſhall be ſo placed out, as the ſaid Court ſhall think expedient.

£90 000l. out of the Caſh belonging to Suitors in Chancery, now lying in the Bank, may be placed on Government Securities.

II. And be it further enacted, That out of the Securities purchaſed with the Surplus Money placed to the Account of Intereſt ariſing from Monies placed out in purſuance of the ſaid Act of the twelfth Year of his late Majeſty King *George* the Second, and out of the Intereſt produced, and to be produced, from ſuch Securities; and alſo out of the Securities purchaſed with the Surplus Money placed to the Account of Intereſt ariſing from Monies placed out in purſuance of the ſaid Act of the fifth Year of the Reign of his preſent Majeſty; and out of the Intereſt produced, and to be produced, from ſuch Securities, and out of the Surplus Intereſt which ſhall ariſe or be produced from Securities purchaſed in purſuance of the ſaid ſeveral Acts of the twelfth Year of the Reign of his late Majeſty, and of the fourth, fifth, and ninth Years of the Reign of his preſent Majeſty; and out of the Intereſt which ſhall ariſe or be produced from Securities to be purchaſed in purſuance of this Act, ſuch Sum or Sums of Money as the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, ſhall, in his and their Diſcretion, deem neceſſary, be paid, by virtue of any Order or Orders of the ſaid Court, and be applied under the Direction of the ſaid Court; in the firſt place, in paying and defraying the Charges and Expences attending the paſſing and obtaining this Act, and then in rebuilding the ſaid Office, called *The Six Clerks Office*, with the Offices belonging thereto, and in purchaſing Ground and Houſes for that Purpoſe, if any ſhall be deemed neceſſary by the ſaid Court, and in providing a proper Place for tranſacting the Buſineſs of the ſaid *Six Clerks Office*, during the Time ſuch Office ſhall be rebuilding; and the Sum of ten thouſand Pounds in erecting proper and convenient Offices for the ſaid Regiſter and Accountant General of the ſaid Court, ſeparate and detached from each other, and in purchaſing ſuch Ground and Houſes as ſhall be neceſſary for thoſe Purpoſes, and for preſerving the ancient Books of Entries of Decrees and Orders of the ſaid Court; and that the Ground and Houſes, to be purchaſed for the Purpoſe of rebuilding the ſaid Six Clerks Office, if any ſuch ſhall be deemed neceſſary, be conveyed to, and veſted in, the ſaid Six Clerks; to hold to them, and their Succeſſors for ever, in Truſt, for the Purpoſes in this Act mentioned; and that the Ground and Houſes to be purchaſed for the Purpoſe of erecting the ſaid Offices for the ſaid Regiſter and Accountant Generals, be conveyed to and veſted in *Thomas Anguiſh* Eſquire, Accountant General of the ſaid Court, to hold to him and his Succeſſors, for ever, and which are hereby veſted in the ſaid *Thomas Anguiſh*, and his Succeſſors, in the ſaid Office for the Time being, for ever, in Truſt, to and for the Purpoſes in this Act mentioned,

Out of Sums granted by former Acts, the Charge of rebuilding The Six Clerks Office, &c. is to be paid;

and the Premiſes to be veſted in the ſaid Six Clerks.

mentioned, concerning the Offices of the ſaid Regiſter and Accountant General, and for no other Uſe or Purpoſe whatſoever.

After the Chancellor, &c. ſhall deem the Purpoſes of the Act ſatisfied,

III. Provided always, That from ſuch Time as the Lord High Chancellor of *Great Britain*, Lord Keeper, or Lords Commiſſioners for the Cuſtody of the Great Seal for the Time being, ſhall deem the Purpoſes of this Act to be fully ſatisfied, and ſhall in Teſtimony thereof, by an Order of the ſaid Court, declare the ſame, and direct the Accountant General of the ſaid Court not to iſſue any Draft, and the Governor and Company of the Bank of *England* not to iſſue any further Sum or Sums of Money for any of the Purpoſes aforeſaid, the Appropriation herein-before made of the Surplus Money placed to the Account of Intereſt ariſing from Monies placed out in purſuance of the ſaid Act of the twelfth Year of his late Majeſty King *George* the Second, and of the Surplus Money placed to the Account of Intereſt ariſing from Monies placed out in purſuance of the ſaid Act of the fifth Year of his preſent Majeſty, and alſo of the Intereſt of Securities to be purchaſed purſuant to this Act, ſhall, from thenceforth, ceaſe and be at an End.

the Appropriation mentioned ſhall ceaſe.

Intereſt ariſing from Securities to be received by the Governor of the Bank.

IV. And be it further enacted, That the Intereſt and annual Produce ariſing from the Securities to be purchaſed in purſuance of this Act ſhall, from Time to Time, be received by the Governor and Company of the Bank of *England*, and placed to the Credit of an Account to be raiſed in the Books kept there for the Suitors of the ſaid Court, of Intereſt ariſing from Money placed out in purſuance of this Act; and that the Surplus Intereſt which ſhall ariſe from ſuch Securities, after ſo much thereof as ſhall be neceſſary for the Purpoſes aforeſaid ſhall have been raiſed thereout, or out of the ſeveral other Funds hereby provided for raiſing the ſame; and alſo the Intereſt which ſhall be produced from the Securities to be purchaſed with ſuch Surplus Intereſt, as herein-after mentioned, ſhall or may, by any Order or Orders of the ſaid Court of Chancery, to be made for that Purpoſe, from Time to Time, be placed out on Government or Parliamentary Securities; and the Intereſt or annual Produce ariſing from ſuch Securities ſhall, from Time to Time, be received by the Governor and Company of the Bank of *England*, and ſhall be placed to the Credit of an Account to be raiſed in the Books kept at the Bank for the Suitors of the ſaid Court, of the Securities purchaſed with the Surplus Money placed to the Account of Intereſt ariſing from Monies placed out in purſuance of this Act.

If any Part of the Money, ſo placed out, ſhall be wanted, the Court may direct the ſame to be called in for the Uſe of the Suitors.

V. Provided always, and be it further enacted and declared, That if, at any Time hereafter, the Whole, or any Part of the ſaid Sum of fifty thouſand Pounds, hereby directed to be placed out as aforeſaid, ſhall be wanted to anſwer any of the Demands of the Suitors of the ſaid Court of Chancery; then, and in ſuch Caſe, the ſaid Court may and ſhall direct the ſame, or any Part thereof, to be called in, or the Securities in which the ſame ſhall be placed to be diſpoſed of, in order that the Suitors of the ſaid Court may, at all Times, be paid their reſpective Demands out of the common and general Caſh belonging to ſuch Suitors.

CAP. XLIV.

An Act to amend an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures; and for the better Payment of their Wages.*

Preamble. Act 22 Geo. 2.

'WHEREAS by an Act of Parliament made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures; and for the better Payment of their Wages*; certain Puniſhments, therein mentioned, are to be inflicted upon all Perſons who ſhall reel falſe or ſhort Yarn: And whereas it hath been found by Experience, that the Puniſhments directed to be inflicted by the ſaid Act for reeling falſe or ſhort Yarn are too ſevere, on which Account Offenders go frequently unpuniſhed, and many honeſt induſtrious Perſons are deterred from ſpinning;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, ſo much of the ſaid recited Act as ſubjects any Perſon or Perſons to any Puniſhment whatſoever for reeling falſe or ſhort Yarn, ſhall be, and the ſame is hereby repealed.

repealed, concerning the reeling ſhort Yarn.

'II. And, in order to prevent Perſons reeling falſe or ſhort Yarn for the future,' be it further enacted, That, from and after the paſſing of this Act, if any Perſon or Perſons ſhall reel falſe or ſhort Yarn, and ſhall be thereof lawfully convicted by the Oath of the Owner of ſuch Yarn; or in caſe ſuch Owner is one of the People called *Quakers*, then upon the ſolemn Affirmation of ſuch Owner, or of any other credible Witneſs or Witneſſes, or by the Confeſſion of the Perſon or Perſons charged with ſuch Offence, before any one or more Juſtice or Juſtices of the Peace, of the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Offence ſhall be committed, or where the Perſon or Perſons ſo charged ſhall reſide or inhabit (which Oath ſuch Juſtice or Juſtices is and are hereby impowered and required to adminiſter),

Penalties inflicted by this Act, for reeling ſhort Yarn,

for the First Offence, not exceeding 20 s. for the Second, 5 l. and, for the Third, Imprisonment for one Month, and to be publickly whipped.

niſter), ſhall, for the firſt Offence, forfeit and pay any Sum not exceeding twenty Shillings, nor leſs than five Shillings, and for the ſecond Offence, any Sum not exceeding five Pounds, nor leſs than forty Shillings; and for the third, and every other Offence, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices of the Peace to commit the Perſon or Perſons ſo convicted to the Houſe of Correction, or other publick Priſon of ſuch County, Riding, Diviſion, City, Liberty, Town, or Place, there to be kept to hard Labour for the Space of one Calendar Month, and alſo to order the Perſon or Perſons ſo convicted to be once publickly whipped at the neareſt Market Town to where the Offence was committed, and upon a Market Day; all which Penalties and Forfeitures ſhall go to the Party aggrieved.

III. And be it further enacted, That the Juſtice or Juſtices, before whom any Offender ſhall be convicted as aforeſaid, ſhall cauſe the ſaid Conviction to be made out in the Manner and Form following; that is to ſay:

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord *A. B.* is convicted before me, or us, of his Majeſty's Juſtices of the Peace, for [*ſpecifying the Offence, and the Time and Place when and where the ſame was committed, and alſo ſpecifying that it was the firſt, ſecond, or third, Offence againſt this Act, as the Caſe ſhall be.*]

'*Given under my Hand and Seal, or our Hands and Seals, the Day and Year aforeſaid.*'

Conviction to be wrote on Parchment, and returned to the next General Quarter Seſſion.

Which Conviction the ſaid Juſtice or Juſtices ſhall cauſe to be fairly wrote on Parchment, and returned to the next General Quarter Seſſion of the Peace for the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Conviction was made, to be filed by the Clerk of the Peace, and remain and be kept among the Records of ſuch County, Riding, Diviſion, City, Liberty, Town, or Place.

Convictions may be delivered to Perſons, on paying 1 s. each Copy.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Clerk of the Peace where any ſuch Conviction ſhall be filed, as aforeſaid, and he is hereby required, upon Application made to him by any Perſon or Perſons for that Purpoſe, to cauſe a Copy or Copies of any Conviction or Convictions, filed by him under the Directions of this Act, to be forthwith delivered to ſuch Perſon or Perſons, upon Payment of one Shilling for every ſuch Copy.

Perſons may appeal to the Quarter Seſſions; entering into Recognizance.

V. Provided nevertheleſs, That if any Perſon or Perſons, who ſhall be convicted as aforeſaid, ſhall be deſirous of appealing to the next General or Quarter Seſſions of the Peace to be holden for the County, Riding, City, or Place, wherein the Cauſe of Complaint ſhall ariſe, ſuch Perſon may, at the Time of ſuch Conviction, enter into a ſufficient Recognizance conditioned to try ſuch Appeal, abide the Order of, and pay ſuch Coſts as ſhall be adjudged by the Juſtices at ſuch Seſſions; and the ſaid Juſtices, at ſuch Seſſions, ſhall and are hereby authoriſed and required to take Cognizance of ſuch Appeal, and may affirm ſuch Conviction, and award ſuch Coſts, as they the ſaid Juſtices ſhall think proper: And in caſe the ſame are not paid, according to the Order of the ſaid Juſtices, ſuch Coſts may be recovered by Diſtreſs and Sale of the Goods and Chattels of the Perſon who ought to pay the ſame, by Warrant under the Hand and Seal of any Juſtice of the Peace for the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Perſon ſhall be or reſide; and if no Goods and Chattels belonging to ſuch Perſon can be found, ſufficient to pay the Coſts, and the Charges of making ſuch Diſtreſs, the ſaid Juſtices may cauſe the Perſon to be committed to the common Gaol of ſuch County, Riding, Diviſion, City, Liberty, Town, or Place, there to remain, without Bail or Mainprize, for the Space of three Calendar Months; and the Determination of the ſaid Seſſions ſhall be final, binding, and concluſive, to all Intents and Purpoſes: And no Order made concerning any of the Matters aforeſaid, or any other Proceedings to be had touching the Conviction or Convictions of any Offender againſt this Act, ſhall be quaſhed or vacated for want of Form, or be removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

If Coſts be not paid, according to Order of the Juſtices, they may be levied by Diſtreſs, &c. and where there are no Goods, the Perſons to be committed.

Proceedings not to be quaſhed for want of Form.

CAP. XLV.

An Act for the better regulating the Government of the Province of the *Maſſachuſet's Bay*, in *New England*.

Preamble, reciting Letters Patent of 3 Gul. & Mariæ.

'WHEREAS by Letters Patent under the Great Seal of *England*, made in the third Year of the Reign of their late Majeſties King *William* and Queen *Mary*, for uniting, erecting, and incorporating, the ſeveral Colonies, Territories, and Tracts of Land therein mentioned, into one real Province, by the Name of *Their Majeſties Province of the* Maſſachuſet's Bay, *in* New England; whereby it was, amongſt other Things, ordained and eſtabliſhed, That the Governor of the ſaid Province ſhould, from thenceforth, be appointed and commiſſionated by their Majeſties, their Heirs and Succeſſors: It was, however, granted and ordained, That, from the Expiration of the Term for and during which the eight and twenty Perſons named in the ſaid Letters Patent were appointed to be the firſt Counſellors or Aſſiſtants to the Governor of the ſaid Province for the Time being, the aforeſaid Number of eight and twenty Counſellors or Aſſiſtants ſhould yearly, once in every Year, for ever thereafter, be, by the General Court or Aſſembly, newly choſen: And whereas the ſaid Method of electing ſuch Counſellors or Aſſiſtants, to be veſted with the ſeveral Powers, Authorities, and Privileges, therein mentioned, although conformable to the Practice theretofore uſed in ſuch of the Colonies thereby united, in which the Appointment of the reſpective Governors had been veſted in the General Courts or Aſſemblies of the ſaid Colonies, hath, by repeated Experience, been found to be extremely ill adapted to the Plan of Government eſtabliſhed in the Province of the *Maſſachuſet's Bay*, by the ſaid Letters Patent hereinbefore mentioned, and hath been ſo far from contributing to the Attainment of the good Ends and Purpoſes

'poſes thereby intended, and to the promoting of the internal Welfare, Peace, and good Government, 'of the ſaid Province, or to the Maintenance of the juſt Subordination to, and Conformity with, the 'Laws of *Great Britain*, that the Manner of exerciſing the Powers, Authorities, and Privileges afore-'ſaid, by the Perſons ſo annually elected, hath, for ſome Time paſt, been ſuch as had the moſt manifeſt 'Tendency to obſtruct, and, in great Meaſure, defeat, the Execution of the Laws; to weaken the At-'tachment of his Majeſty's well-diſpoſed Subjects in the ſaid Province to his Majeſty's Government, and 'to encourage the ill-diſpoſed among them to proceed even to Acts of direct Reſiſtance to, and Defiance 'of, his Majeſty's Authority: And it hath accordingly happened, that an open Reſiſtance to the Execu-'tion of the Laws hath actually taken place in the Town of *Boſton*, and the Neighbourhood thereof, 'within the ſaid Province: And whereas it is, under theſe Circumſtances, become abſolutely neceſſary, 'in order to the Preſervation of the Peace and good Order of the ſaid Province, the Protection of his Ma-'jeſty's well-diſpoſed Subjects therein reſident, the Continuance of the mutual Benefits ariſing from the 'Commerce and Correſpondence between this Kingdom and the ſaid Province, and the maintaining of the 'juſt Dependance of the ſaid Province upon the Crown and Parliament of *Great Britain*, that the ſaid 'Method of annually electing the Counſellors or Aſſiſtants of the ſaid Province ſhould no longer be ſuf-'fered to continue, but that the Appointment of the ſaid Counſellors or Aſſiſtants ſhould henceforth be 'put upon the like Footing as is eſtabliſhed in ſuch other of his Majeſty's Colonies or Plantations in '*America*, the Governors whereof are appointed by his Majeſty's Commiſſion, under the Great Seal of '*Great Britain*:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-four, ſo much of the Charter, granted by their Majeſties King *William* and Queen *Mary* to the Inhabitants of the ſaid Province of the *Maſſachuſet's Bay*, in *New England*, and all and every Clauſe, Matter, and Thing, therein contained, which relates to the Time and Manner of electing the Aſſiſtants or Counſellors for the ſaid Province, be revoked, and is hereby revoked and made void and of none Effect; and that the Offices of all Counſellors and Aſſiſtants, elected and appointed in purſuance thereof, ſhall from thenceforth ceaſe and determine: And that, from and after the ſaid firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-four, the Council, or Court of Aſſiſtants of the ſaid Province for the Time being, ſhall be compoſed of ſuch of the Inhabitants or Proprietors of Lands within the ſame as ſhall be thereunto nominated and appointed by his Majeſty, his Heirs and Succeſſors, from Time to Time, by Warrant under his or their Signet or Sign Manual, and with the Advice of the Privy Council, agreeable to the Practice now uſed in reſpect to the Appointment of Counſellors in ſuch of his Majeſty's other Colonies in *America*, the Governors whereof are appointed by Commiſſion under the Great Seal of *Great Britain*: Provided that the Number of the ſaid Aſſiſtants or Counſellors ſhall not, at any one Time, exceed Thirty-ſix, nor be leſs than Twelve.

After Aug. 1, 1774, the ſaid Letters Patent to be void.

Council how to be compoſed.

II. And it is hereby further enacted, That the ſaid Aſſiſtants or Counſellors, ſo to be appointed as aforeſaid, ſhall hold their Offices reſpectively, for and during the Pleaſure of his Majeſty, his Heirs or Succeſſors; and ſhall have and enjoy all the Powers, Privileges, and Immunities, at preſent held, exerciſed, and enjoyed, by the Aſſiſtants or Counſellors of the ſaid Province, conſtituted and elected, from Time to Time, under the ſaid Charter (except as herein-after excepted); and ſhall alſo, upon their Admiſſion into the ſaid Council, and before they enter upon the Execution of their Offices reſpectively, take the Oaths, and make, repeat, and ſubſcribe, the Declarations required, as well by the ſaid Charter as by any Law or Laws of the ſaid Province now in Force, to be taken by the Aſſiſtants or Counſellors who have been ſo elected and conſtituted as aforeſaid.

Powers of the ſaid Counſellors.

III. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-four, it ſhall and may be lawful for his Majeſty's Governor for the Time being of the ſaid Province, or, in his Abſence, for the Lieutenant-governor, to nominate and appoint, under the Seal of the Province, from Time to Time, and alſo to remove, without the Conſent of the Council, all Judges of the inferior Courts of Common Pleas, Commiſſioners of *Oyer* and *Terminer*, the Attorney General, Provoſts, Marſhals, Juſtices of the Peace, and other Officers to the Council or Courts of Juſtice belonging; and that all Judges of the inferior Courts of Common Pleas, Commiſſioners of *Oyer* and *Terminer*, the Attorney General, Provoſts, Marſhals, Juſtices, and other Officers ſo appointed by the Governor, or, in his Abſence, by the Lieutenant-governor alone, ſhall and may have, hold, and exerciſe, their ſaid Offices, Powers, and Authorities, as fully and completely, to all Intents and Purpoſes, as any Judges of the inferior Courts of Common Pleas, Commiſſioners of *Oyer* and *Terminer*, Attorney General, Provoſts, Marſhals, or other Officers, have or might have done heretofore under the ſaid Letters Patent, in the third Year of the Reign of their late Majeſties King *William* and Queen *Mary*; any Law, Statute, or Uſage, to the contrary notwithſtanding.

The Governor to appoint and remove Judges, Commiſſioners of Oyer and Terminer, &c.

IV. Provided always, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to annul or make void the Commiſſion granted before the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-four, to any Judges of the inferior Courts of Common Pleas, Commiſſioners of *Oyer* and *Terminer*, the Attorney General, Provoſts, Marſhals, Juſtices of the Peace, or other Officers; but that they may hold and exerciſe the ſame, as if this Act had never been made, until the ſame ſhall be determined by Death, Removal by the Governor, or other Avoidance, as the Caſe may happen.

Nothing herein contained to annul the Commiſſion granted before July 1774.

V. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-four, it ſhall and may be lawful for his Majeſty's Governor, or, in his Abſence, for the Lieutenant-governor for the Time being of the ſaid Province, from Time to Time, to nominate and appoint the Sheriffs without the Conſent of the Council, and to remove ſuch Sheriffs with ſuch Conſent, and not otherwiſe.

Governor to appoint Sheriffs without the Conſent of Council.

VI. And

On a Vacancy of the Office of Chief Juſtice, &c. the Governor may appoint the Succeſſors.

VI. And be it further enacted by the Authority aforeſaid, That, upon every Vacancy of the Offices of Chief Juſtice and Judges of the Superior Court of the ſaid Province, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-four, the Governor for the Time being, or, in his Abſence, the Lieutenant-governor, without the Conſent of the Council, ſhall have full Power and Authority to nominate and appoint the Perſons to ſucceed to the ſaid Offices, who ſhall hold their Commiſſions during the Pleaſure of his Majeſty, his Heirs and Succeſſors; and that neither the Chief Juſtice and Judges appointed before the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-four, nor thoſe who ſhall hereafter be appointed purſuant to this Act, ſhall be removed, unleſs by the Order of his Majeſty, his Heirs or Succeſſors, under his or their Sign Manual.

No Meeting to be called without the Conſent of the Governor.

'VII. And whereas, by ſeveral Acts of the General Court, which have been from Time to Time enacted 'and paſſed within the ſaid Province, the Freeholders and Inhabitants of the ſeveral Townſhips, Diſtricts, 'and Precincts, qualified, as is therein expreſſed, are authoriſed to aſſemble together, annually, or occa- 'ſionally, upon Notice given, in ſuch Manner as the ſaid Acts direct, for the Choice of Select Men, 'Conſtables, and other Officers, and for the making and agreeing upon ſuch neceſſary Rules, Orders, 'and Bye-laws, for the directing, managing, and ordering, the prudential Affairs of ſuch Townſhips, 'Diſtricts, and Precincts, and for other Purpoſes: And whereas a great Abuſe has been made of the 'Power of calling ſuch Meetings, and the Inhabitants have, contrary to the Deſign of their Inſtitution, 'been miſled to treat upon Matters of the moſt general Concern, and to paſs many dangerous and un- 'warrantable Reſolves:' For Remedy whereof, be it enacted, That from and after the ſaid firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-four, no Meeting ſhall be called by the Select Men, or at the Requeſt of any Number of Freeholders of any Townſhip, Diſtrict, or Precinct, without the Leave of the Governor, or, in his Abſence, of the Lieutenant-governor, in Writing, expreſſing the ſpecial Buſineſs of the ſaid Meeting, firſt had and obtained, except the annual Meeting in the Months of *March* or *May*, for the Choice of Select Men, Conſtables, and other Officers, or except for the Choice of Perſons to fill up the Offices aforeſaid, on the Death or Removal of any of the Perſons firſt elected to ſuch Offices, and alſo, except any Meeting for the Election of a Repreſentative or Repreſentatives in the General Court; and that no other Matter ſhall be treated of at ſuch Meetings, except the Election of their aforeſaid Officers or Repreſentatives, nor at any other Meeting, except the Buſineſs expreſſed in the Leave given by the Governor, or, in his Abſence, by the Lieutenant-governor.

Jurors to be ſummoned by the Sheriffs only.

'VIII. And whereas the Method at preſent uſed in the Province of *Maſſachuſet's Bay*, in *America*, of 'electing Perſons to ſerve on Grand Juries, and other Juries, by the Freeholders and Inhabitants of the 'ſeveral Towns, affords Occaſion for many evil Practices, and tends to pervert the free and impartial Ad- 'miniſtration of Juſtice:' For Remedy whereof, be it further enacted by the Authority aforeſaid, That, from and after the reſpective Times appointed for the holding of the General Seſſions of the Peace in the ſeveral Counties within the ſaid Province, next after the Month of *September*, one thouſand ſeven hundred and ſeventy-four, the Jurors to ſerve at the Superior Courts of Judicature, Courts of Aſſize, General Gaol Delivery, General Seſſions of the Peace, and inferior Court of Common Pleas, in the ſeveral Counties within the ſaid Province, ſhall not be elected, nominated, or appointed, by the Freeholders and Inhabitants of the ſeveral Towns within the ſaid reſpective Counties, nor ſummoned or returned by the Conſtables of the ſaid Towns; but that, from thenceforth, the Jurors to ſerve at the Superior Courts of Judicature, Courts of Aſſize, General Gaol Delivery, General Seſſions of the Peace, and inferior Court of Common Pleas, within the ſaid Province, ſhall be ſummoned and returned by the Sheriffs of the reſpective Counties within the ſaid Province; and all Writs of *Venire Facias*, or other Proceſs or Warrants to be iſſued for the Return of Jurors to ſerve at the ſaid Courts, ſhall be directed to the Sheriffs of the ſaid Counties reſpectively, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

When a Sheriff ſhall be a Party, Writs for Trial to be executed by the Coroner.

IX. Provided always, and be it further enacted by the Authority aforeſaid, That wherever the Sheriff of any County ſhall happen to be a Party, or intereſted or related to any Party or Perſon intereſted in any Proſecution or Suit depending in any of the ſaid Courts; that then, in ſuch Caſe, the Writ of *Venire Facias*, or other Proceſs or Warrant for the Summoning and Return of a Jury, for the Trial of ſuch Proſecution or Suit, ſhall be directed to, and executed by, the Coroner of ſuch County; and in caſe ſuch Coroner ſhall be alſo a Party, or intereſted in, or related to, any Party or Perſon intereſted in ſuch Proſecution or Suit, then the *Venire Facias*, or other Proceſs or Warrant, for the Summoning and Return of a Jury for the Trial of ſuch Proſecution or Suit ſhall be directed to, and executed by, a proper and indifferent Perſon, to be appointed for that Purpoſe by the Court wherein ſuch Proſecution or Suit ſhall be depending.

Conſtables to deliver in Liſts to the Juſtices of the Names of Perſons within the reſpective Towns;

'X. And that all Sheriffs may be the better informed of Perſons qualified to ſerve on Juries at the 'Superior Courts of Judicature, Courts of Aſſize, General Gaol Delivery, General Seſſions of the Peace, 'and inferior Court of Common Pleas, within the ſaid Province,' be it further enacted by the Authority aforeſaid, That the Conſtables of the reſpective Towns, within the ſeveral Counties of the ſaid Province, ſhall, at the General Seſſions of the Peace to be holden for each County, next after the Month of *September* in every Year, upon the firſt Day of the ſaid Seſſions, return and deliver to the Juſtices of the Peace, in open Court, a true Liſt, in Writing, of the Names and Places of Abode of all Perſons within the reſpective Towns for which they ſerve, or the Diſtricts thereof, qualified to ſerve upon Juries, with their Titles and Additions, between the Age of one and twenty Years and the Age of Seventy Years; which ſaid Juſtices, or any Two of them, at the ſaid Seſſions in the reſpective Counties, ſhall cauſe to be delivered a Duplicate of the aforeſaid Liſts, by the Clerk of the Peace of every County, to the Sheriffs, or their Deputies, within Ten Days after ſuch Seſſions; and cauſe each of the ſaid Liſts to be fairly entered into a Book, by the Clerk of the Peace, to be by him provided, and kept for that Purpoſe amongſt the Records of the ſaid Court; and no Sheriff ſhall impanel or return any Perſon or Perſons to

which are to be entered in Books by the Clerks.

ſerve upon any Grand Jury, or Petit Jury, whatſoever, in any of the ſaid Courts that ſhall not be named or mentioned in ſuch Liſt: And, to prevent a Failure of Juſtice, through the Neglect of Conſtables to make ſuch Returns of Perſons qualified to ſerve on Juries, as in and by this Act is directed, the Clerks of the Peace of the ſaid ſeveral Counties are hereby required and commanded, twenty Days at leaſt next before the Month of *September*, yearly, and every Year, to iſſue forth Precepts or Warrants, under their reſpective Hands and Seals, to the reſpective Conſtables of the ſeveral Towns within the ſaid reſpective Counties, requiring them, and every of them, to make ſuch Return of Perſons qualified to ſerve upon Juries as hereby reſpectively directed; and every Conſtable failing at any Time to make and deliver ſuch Return to the Juſtices in open Court, as aforeſaid, ſhall forfeit and incur the Penalty of five Pounds Sterling to his Majeſty, and his Succeſſors; to be recovered by Bill, Plaint, or Information, to be proſecuted in any of the Courts aforeſaid; and, in order that the Conſtables may be the better enabled to make complete Liſts of all Perſons qualified to ſerve on Juries, the Conſtables of the ſeveral Towns ſhall have free Liberty, at all ſeaſonable Times, upon Requeſt by them made to any Officer or Officers, who ſhall have in his or their Cuſtody any Book or Account of Rates or Taxes on the Freeholders or Inhabitants within ſuch reſpective Towns, to inſpect the ſame, and take from thence the Names of ſuch Perſons qualified to ſerve on Juries, dwelling within the reſpective Towns for which ſuch Liſts are to be given in and returned purſuant to this Act; and ſhall, in the Month of *September*, yearly, and every Year, upon Two or more *Sundays*, fix upon the Door of the Church, Chapel, and every other publick Place of religious Worſhip within their reſpective Precincts, a true and exact Liſt of all ſuch Perſons intended to be returned to the ſaid General Seſſions of the Peace, as qualified to ſerve on Juries, purſuant to the Directions of this Act; and leave at the ſame Time a Duplicate of ſuch Liſt with the Town Clerk of the ſaid Place, to be peruſed by the Freeholders and Inhabitants thereof, to the End that Notice may be given of Perſons duly qualified who are omitted, or of Perſons inſerted by Miſtake who ought to be omitted out of ſuch Liſts; and it ſhall and may be lawful to and for the Juſtices, at the General Seſſions of the Peace to which the ſaid Liſts ſhall be ſo returned, upon due Proof made before them of any Perſon or Perſons duly qualified to ſerve on Juries being omitted in ſuch Liſts, or of any Perſon or Perſons being inſerted therein who ought to have been omitted, to order his or their Name or Names to be inſerted or ſtruck out, as the Caſe may require: And in caſe any Conſtable ſhall wilfully omit, out of ſuch Liſt, any Perſon or Perſons, whoſe Name or Names ought to be inſerted, or ſhall wilfully inſert any Perſon or Perſons who ought to be omitted, every Conſtable ſo offending, ſhall, for every Perſon ſo omitted or inſerted in ſuch Liſt, contrary to the true Intent and Meaning of this Act, be fined by the ſaid Juſtices, in the ſaid General Seſſions of the Peace, in the Sum of forty Shillings Sterling.

Penalty of 5l. if Conſtables fail to deliver Liſts.

Penalty of 40s. if the Conſtables wilfully deliver in wrong Liſts.

XI. Provided always, and be it enacted by the Authority aforeſaid, That in caſe Default ſhall at any Time hereafter be made, by any Conſtable or Conſtables, to return Liſts of Perſons qualified to ſerve on Juries within any of the ſaid Towns to the ſaid Court of General Seſſions of the Peace; then, and in ſuch Caſe, it ſhall and may be lawful for the Sheriff of the County, in which ſuch Default ſhall be made, to ſummon and return to the ſeveral Courts aforeſaid, or any of them, ſuch and ſo many Perſons dwelling in ſuch Towns, or the Diſtricts thereof, qualified to ſerve on Juries, as he ſhall think fit to ſerve on Juries at ſuch reſpective Courts; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

In Default of Liſts by the Conſtable, Sheriff to ſummon Perſons qualified.

XII. And be it further enacted by the Authority aforeſaid, That every Summons of any Perſon to ſerve upon any of the Juries at the ſaid Courts, or any of them, ſhall be made by the Sheriff, or other Perſon, ten Days at the leaſt before the holding of every ſuch Court; and in caſe any Jurors, ſo to be ſummoned, be abſent from the uſual Place of his Habitation at the Time of ſuch Summons, Notice of ſuch Summons ſhall be given, by leaving a Note, in Writing, under the Hand of ſuch Sheriff, or Perſon, containing the Contents thereof, at the Dwelling-houſe of ſuch Juror, with ſome Perſon inhabiting in the ſame.

Every Summons to be iſſued ten Days before the holding of the Court, &c.

XIII. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe a ſufficient Number of Perſons qualified to ſerve on Juries ſhall not appear at the ſaid Courts, or any of them, to perform the Service of Grand or Petit Jurors; that then, and in ſuch Caſe, it ſhall be lawful for the ſaid Court to iſſue a Writ or Precept to the Sheriff, requiring him to ſummon a ſufficient Number of other Perſons qualified to ſerve on Juries, immediately to appear at ſuch Court, to fill up and compleat the Number of Jurors to ſerve at ſuch Court; and ſuch Perſons are hereby required to appear and ſerve as Jurors at the ſaid Courts accordingly.

In caſe a ſufficient Number of Jurors ſhall not attend, the Court to iſſue a Precept for ſuch Jurors.

XIV. And be it further enacted by the Authority aforeſaid, That no Perſon who ſhall ſerve as a Juror, at any of the ſaid Courts, ſhall be liable to ſerve again as a Juror at the ſame Court, or any other of the Courts aforeſaid, for the Space of three Years then next following, except upon Special Juries.

No Juror to ſerve twice in three Years.

'XV. And, in order that Sheriffs may be informed of the Perſons who have ſerved as Jurors,' it is hereby further enacted by the Authority aforeſaid, That every Sheriff ſhall prepare and keep a Book, or Regiſter, wherein the Names of all ſuch Perſons who have ſerved as Jurors, with their Additions and Places of Abode, and the Times when, and the Courts in which they ſerved, ſhall be alphabetically entered and regiſtered; which Books or Regiſter ſhall, from Time to Time, be delivered over to the ſucceeding Sheriff of the ſaid County, within ten Days after he ſhall enter upon his Office; and every Juror, who ſhall attend and ſerve at any of the Courts aforeſaid, may, at the Expiration of the Time of holding every ſuch Court, upon Application to the Sheriff, or his Deputy, have a Certificate immediately, *gratis*, from the Sheriff, or his Deputy, teſtifying ſuch his Attendance and Service; which ſaid Certificate the ſaid Sheriff, or his Deputy, is required to give to every ſuch Juror.

How Sheriffs are to be informed of thoſe who have ſerved as Jurors.

XVI. And be it further enacted by the Authority aforeſaid, That if, by reaſon of Challenges, or otherwiſe, there ſhall not be a ſufficient Number of Jurors for the Trial of any Proſecution for any Miſdemeanour, or any Action depending in any of the ſaid Courts; then, and in ſuch Caſe, the Jury ſhall be filled up *de Talibus Circumſtantibus*, to be returned by the Sheriff, unleſs he be a Party, or intereſted or related

How a ſufficient Number of Jurors is to be conſtituted.

lated to any Party or Perſon intereſted in ſuch Proſecution or Action; and, in any of which Caſes, to be returned by the Coroner, unleſs he be a Party, or intereſted or related to any Party or Perſon intereſted in ſuch Proſecution or Action; and, in any of theſe Caſes, to be returned by a proper and indifferent Perſon, to be appointed by the Court for that Purpoſe.

Penalty ſhould Perſons not appear to ſerve on Grand or Petit Juries.

XVII. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon ſummoned to ſerve upon the Grand or Petit Jury, at any of the Courts aforeſaid, or upon the Jury in any Proſecution, Action, or Suit, depending in any of the ſaid Courts, ſhall not appear and ſerve at the ſaid Courts, according to the ſaid Summons (not having any reaſonable Excuſe to be allowed by the Judges or Juſtices at ſuch Court), he ſhall be fined by the Judges or Juſtices of ſuch Court in any Sum not exceeding the Sum of ten Pounds, nor leſs than twenty Shillings Sterling.

Number of Jurors how to be aſcertained.

XVIII. And be it further enacted by the Authority aforeſaid, That every Sheriff, or other Officer, to whom the *Venire Facias*, or other Proceſs or Warrant, for the Trial of Cauſes, or ſummoning of Juries, ſhall be directed, ſhall, upon his Return of every ſuch Writ, or other Proceſs or Warrant (unleſs in Caſes where a Special Jury ſhall be ſtruck by Order or Rule of Court, purſuant to this Act), annex a Pannel to the ſaid Writ, or Proceſs, or Warrant, containing the Chriſtian and Surnames, Additions, and Places of Abode, of a competent Number of Jurors, named in ſuch Liſts, which Number of Jurors ſhall not be leſs than twenty-four, nor more than forty-eight, without Direction of the Judges or Juſtices of ſuch Court of Seſſion, or one of them, who are hereby reſpectively impowered and required, if he or they ſee Cauſe, by Order, under his or their reſpective Hand or Hands, to direct a greater Number; and then ſuch Number as ſhall be ſo directed ſhall be the Number to be returned to ſerve on ſuch Jury.

Names of the Jury how to be drawn.

XIX. And be it further enacted by the Authority aforeſaid, That for the Trials of all Actions or Suits depending in any of the ſaid Courts, the Name of each and every Perſon who ſhall be ſummoned and returned as aforeſaid, with his Addition, and the Place of his Abode, ſhall be written in ſeveral and diſtinct Pieces of Parchment, or Paper, being all as near as may be of equal Size and Bigneſs, and ſhall be delivered unto the Officer to be appointed by the Court for that Purpoſe, by the Sheriff, Under Sheriff, or ſome Agent of his; and ſhall, by Direction and Care of ſuch Officer, be rolled up all as near as may be, in the ſame Manner, and put together in a Box or Glaſs, to be provided for that Purpoſe; and when any Cauſe ſhall be brought on to be tried, ſome indifferent Perſon, by Direction of the Court, may and ſhall, in open Court, draw out twelve of the ſaid Parchments or Papers, one after another; and if any of the Perſons, whoſe Names ſhall be ſo drawn, ſhall not appear, or ſhall be challenged, and ſuch Challenge allowed, then ſuch Perſon ſhall proceed to draw other Parchments or Papers from the ſaid Box, till twelve indifferent Perſons ſhall be drawn; which twelve indifferent Perſons being ſworn, ſhall be the Jury to try the ſaid Cauſe: And the Names of the Perſons ſo drawn and ſworn ſhall be kept apart by themſelves in ſome other Box or Glaſs, to be kept for that Purpoſe, till ſuch Jury ſhall have given in their Verdict, and the ſame is recorded, or until ſuch Jury ſhall, by Conſent of the Parties, or Leave of the Court, be diſcharged; and then the ſame Names ſhall be rolled up again, and returned to the former Box or Glaſs, there to be kept, with the other Names remaining at that Time undrawn, and ſo *toties quoties*, as long as any Cauſe remains then to be tried.

When the Superior Court of Aſſize and Common Pleas may appoint a Jury.

XX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Superior Court of Aſſize, and Court of Common Pleas, upon Motion made on Behalf of his Majeſty, his Heirs or Succeſſors, or on the Motion of any Proſecutor or Defendant, in any Indictment or Information for any Miſdemeanor depending, or to be brought or proſecuted in the ſaid Court, or on the Motion of any Plaintiff or Plaintiffs, Defendant or Defendants, in any Action, Cauſe, or Suit whatſoever, depending, or to be brought and carried on in the ſaid Court, and the ſaid Court is hereby authoriſed and required, upon Motion as aforeſaid, in any of the Caſes before mentioned, to order and appoint a Jury to be ſtruck for the Trial of any Iſſue joined in any of the ſaid Caſes, and triable by a Jury of twelve Men, by ſuch Officer of the ſaid Court as the Court ſhall appoint; and for that Purpoſe the Sheriff, or his Deputy, ſhall attend ſuch Officer with the Duplicate of the Liſts of Perſons qualified to ſerve on Juries; and ſuch Officer ſhall thereupon take down, in Writing, from the ſaid Duplicate, the Names of forty-eight Perſons qualified to ſerve on Juries, with their Additions, and Places of Abode, a Copy whereof ſhall forthwith be delivered to the Proſecutors or Plaintiffs, their Attornies or Agents, and another Copy thereof to the Defendants, their Attornies or Agents, in ſuch Proſecutions and Cauſes; and the ſaid Officer of the Court aforeſaid ſhall, at a Time to be fixed by him for that Purpoſe, ſtrike out the Names of twelve of the ſaid Perſons, at the Nomination of the Proſecutors or Plaintiffs, their Attornies or Agents, and alſo the Names of twelve others of the ſaid Perſons, at the Nomination of the ſaid Defendants in ſuch Proſecutions and Suits, and the twenty-four remaining Perſons ſhall be ſtruck and ſummoned, and returned to the ſaid Court as Jurors, for the Trial of ſuch Iſſues.

Proviſo.

XXI. Provided always, That in caſe the Proſecutors or Plaintiffs, or Defendants, their Attornies or Agents, ſhall neglect or refuſe to attend the Officer at the Time fixed for ſtriking the Names of twenty-four Perſons as aforeſaid, or nominate the Perſons to be ſtruck out; then, and in ſuch Caſe, the ſaid Officer ſhall, and he is hereby required to ſtrike out the Names of ſuch Number of the ſaid Perſons as ſuch Proſecutors or Plaintiffs, or Defendants, might have nominated to be ſtruck out.

Perſons applying for Special Juries to defray Fees and Expences.

XXII. And be it further enacted, That the Perſon or Party who ſhall apply for ſuch Special Jury as aforeſaid, ſhall not only bear and pay the Fees for ſtriking ſuch Jury, but ſhall alſo pay and diſcharge all the Expences occaſioned by the Trial of the Cauſe by ſuch Special Jury, and ſhall not have any further or other Allowance for the ſame, upon Taxation of Coſts, than ſuch Perſon or Party would be intitled unto in caſe the Cauſe had been tried by a common Jury, unleſs the Judge, before whom the Cauſe is tried, ſhall, immediately after the Trial, certify, in open Court, under his Hand, upon the Back of the Record, that the ſame was a Cauſe proper to be tried by a Special Jury.

XXIII. And

XXIII. And be it further enacted by the Authority aforeſaid, That in all Actions brought in any of the ſaid Courts, where it ſhall appear to the Court in which ſuch Actions are depending, that it will be proper and neceſſary that the Jurors who are to try the Iſſues in any ſuch Actions, ſhould have the View of the Meſſuages, Lands, or Place in queſtion, in order to their better underſtanding the Evidence that will be given upon the Trial of ſuch Iſſues; in every ſuch Caſe the reſpective Courts in which ſuch Actions ſhall be depending may order the Jury to the Place in queſtion, who then and there ſhall have the Matters in queſtion ſhewn them by two Perſons to be appointed by the Court; and the ſpecial Coſts of all ſuch Views as allowed by the Court, ſhall, before the Trial, be paid by the Party who moved for the View (the adverſe Party not conſenting thereto); and ſhall, at the Taxation of the Bill of Coſts, have the ſame allowed him, upon his recovering Judgment in ſuch Trial; and upon all Views with the Conſent of Parties, ordered by the Court, the Coſts thereof, as allowed by the Court, ſhall, before Trial, be equally paid by the ſaid Parties; and in the Taxation of the Bill of Coſts, the Party recovering Judgment ſhall have the Sum by him paid allowed to him; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Coſts how to be defrayed in Actions brought.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Action ſhall be brought againſt any Sheriff, for what he ſhall do in Execution, or by virtue of this Act, he may plead the General Iſſue, and give the Special Matter in Evidence; and if a Verdict ſhall be found for him, he ſhall recover Treble Coſts.

Sheriffs may plead the General Iſſue.

CAP. XLVI.

An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the Time being, to pay, out of the Revenue of the Crown, certain Rewards for apprehending Highwaymen, and other Offenders in the County Palatine of *Durham*.

Preamble. Acts 4 Gul. & Mariæ, 6 & 7 Gul. 5 Annæ, and 3 Geo. I.

'WHEREAS by ſeveral Acts, made in the fourth Year of King *William* and Queen *Mary*, and in the ſixth and ſeventh Years of King *William*, and in the fifth Year of Queen *Anne*, and in the third Year of King *George* the Firſt, certain Rewards were directed to be paid upon the Convictions of Highwaymen, Clippers, Coiners, or Houſebreakers within *England* and *Wales*, in the Manner by thoſe Acts directed: And whereas thoſe Acts do not extend to the County Palatine of *Durham*, and the Judges who have gone the Northern Circuit, have, for that Reaſon, always refuſed to give Certificates of the Convictions of ſuch Offenders, in the ſaid County Palatine, without which Certificates the Apprehenders and Convictors of ſuch Offenders, are not by the ſaid Acts intitled to ſuch Rewards: And whereas it is but juſt and reaſonable that the Inhabitants of the ſaid County Palatine, who contribute equally with others to the Support of Government in the Payment of publick Taxes, and other Duties, ſhould, equally with the Inhabitants of other Counties and Cities, enjoy that additional Security to their Lives and Property which ariſes from a proper Encouragement being given to the Apprehenders and Convictors of the Perſons guilty of the Offences in the ſaid Acts reſpectively mentioned: And whereas, for want of ſuch Encouragement, the ſaid County Palatine has already, in many Inſtances, and will, in many other, become a Place of Reſort and Refuge for the moſt deſperate and determined Villains:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, all and every Perſon and Perſons who ſhall apprehend and take any Perſon or Perſons guilty of any of the Offences in the ſaid recited Acts reſpectively mentioned within the ſaid County Palatine of *Durham*, and proſecute him, her, or them, ſo apprehended and taken, until he, ſhe, or they, ſhall be convicted of ſuch Offence or Offences, ſhall be intitled to have and receive, and ſhall have and receive, from the Sheriff of the ſaid County Palatine of *Durham*, within one Month after ſuch Conviction, the ſame Reward or Rewards as is or are made payable by the ſaid recited Acts to the Perſon or Perſons who ſhall apprehend, take, and proſecute, ſuch Offender or Offenders in any other County within *England* or *Wales*, he or they tendering a Certificate to the Sheriff of the ſaid County Palatine of *Durham*, under the Hand or Hands of the Judges or Juſtices before whom ſuch Offender or Offenders ſhall be convicted, which Certificate ſuch Judges or Juſtices are hereby authoriſed and required to grant, certifying the Conviction of ſuch Offender or Offenders, and in what Pariſh the Offence or Offences was or were committed; and alſo that ſuch Offender or Offenders was or were apprehended and taken by the Perſon or Perſons claiming ſuch Reward or Rewards.

Perſons apprehending Offenders, guilty of the Offences in the Acts above mentioned, within the County Palatine of Durham, to receive the Rewards made payable by the ſaid Acts.

II. And be it further enacted, That in caſe any Diſpute ſhall happen to ariſe between the Perſons who ſhall ſo have apprehended and taken any ſuch Offender or Offenders touching their Right and Title to any ſuch Reward or Rewards, then the ſaid Judges or Juſtices ſo reſpectively certifying, as aforeſaid, ſhall, in and by their ſaid Certificate, direct and appoint ſuch Reward or Rewards to be paid to and amongſt the Parties claiming the ſame, in ſuch Share and Proportions as to the ſaid Judges or Juſtices ſhall ſeem juſt and reaſonable.

Diſputes ariſing between Parties apprehending Offenders, to be determined by the Judges.

III. And be it further enacted, That in caſe it ſhall happen that any ſuch Sheriff of the ſaid County Palatine of *Durham* ſhall die, or be removed before the Expiration of one Month after ſuch Conviction and Demand made of ſuch Reward or Rewards (the ſame not having been paid as aforeſaid), then the next ſucceeding Sheriff of the ſaid County Palatine of *Durham* ſhall pay the ſame within one Month after ſuch Certificate ſhall be brought, and Demand of Payment made, as aforeſaid; and if Default of Payment of ſuch Sum or Sums of Money ſhall happen to be made by any ſuch Sheriff of the ſaid County Palatine of *Durham*, ſuch Sheriff ſo making Default, ſhall forfeit and pay to the Perſon or Perſons to whom

In caſe any Sheriff ſhall die before a Month after Conviction his Succeſſor to pay the Reward.

and in caſe of Default, to forfeit double the Sum, with Treble Coſts of Suit.

whom ſuch Money is due, as aforeſaid, double the Sum or Sums of Money he ought to have paid; to be recovered by him or them, or his or their Executors or Adminiſtrators, in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint, or Information, wherein but one Imparlance, and no Eſſoin, Protection, or Wager of Law, ſhall be allowed, together with Treble Coſts of Suit by him or them expended in the Recovery of the ſame.

Sheriff to be reimburſed by the Commiſſioners of the Treaſury.

IV. And be it further enacted, That the Sheriff of the ſaid County Palatine of *Durham* who ſhall have paid any ſuch Reward or Rewards in purſuance of this Act, ſhall and may immediately apply for Repayment of the ſame to the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the Time being; and the ſaid Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the Time being, are and is hereby authoriſed and required, upon inſpecting a due Certificate of the Conviction of ſuch Offender or Offenders within the ſaid County Palatine of *Durham*, for which ſuch Reward or Rewards ſhall have been ordered to be paid, as aforeſaid, together with the Receipts or Acquittances of the Parties intitled to receive the ſame, forthwith to repay to the Sheriff of the ſaid County Palatine of *Durham*, out of the Revenue of the Crown, without Fee or Reward whatſoever, all ſuch Monies ſo diſburſed and paid, as aforeſaid, by ſuch Sheriff, other than and except the Double of the Sum or Sums of Money, and Treble Coſts of Suit, to which ſuch Sheriff will be liable in Default of Payment of the Reward or Rewards within the Time before limited for ſuch Payment.

Expences of the Act how to be paid.

V. And be it further enacted, That all the Charges and Expences of obtaining this Act ſhall be paid by the Treaſurer of the ſaid County Palatine of *Durham*, out of the firſt Monies that ſhall come into his Hands from the Rates of the ſaid County; and the Sum ſo paid by the Treaſurer of the ſaid County, in purſuance of this Act, ſhall be allowed to the ſaid Treaſurer by the Juſtices of the ſaid County before whom the Accounts of ſuch Treaſurer ſhall be paſſed.

Publick Act.

VI. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

CAP. XLVII.

An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors. *Further Time given for theſe Purpoſes, to 25th* December, 1775.

CAP. XLVIII.

An Act for regulating Inſurances upon Lives, and for prohibiting all ſuch Inſurances, except in Caſes where the Perſons inſuring ſhall have an Intereſt in the Life or Death of the Perſons inſured.

Preamble.

'WHEREAS it hath been found by Experience, that the making Inſurances on Lives, or other Events, wherein the Aſſured ſhall have no Intereſt, hath introduced a miſchievous Kind of Gaming:' For Remedy whereof, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, no Inſurance ſhall be made by any Perſon or Perſons, Bodies Politick or Corporate, on the Life or Lives of any Perſon or Perſons, or on any other Event or Events whatſoever, wherein the Perſon or Perſons for whoſe Uſe, Benefit, or on whoſe Account ſuch Policy or Policies ſhall be made, ſhall have no Intereſt, or by way of Gaming or Wagering; and that every Aſſurance made, contrary to the true Intent and Meaning hereof, ſhall be null and void, to all Intents and Purpoſes whatſoever.

No Inſurance to be made on the Lives of Perſons having no Intereſt, &c.

No Policies on Lives without inſerting the Perſons Names, &c.

II. And be it further enacted, That it ſhall not be lawful to make any Policy or Policies on the Life or Lives of any Perſon or Perſons, or other Event or Events, without inſerting in ſuch Policy or Policies the Perſon or Perſons Name or Names intereſted therein, or for whoſe Uſe, Benefit, or on whoſe Account, ſuch Policy is ſo made or underwrote.

How much may be recovered where the Inſured hath Intereſt in Lives.

III. And be it further enacted, That in all Caſes where the Inſured hath Intereſt in ſuch Life or Lives, Event or Events, no greater Sum ſhall be recovered or received from the Inſurer or Inſurers than the Amount or Value of the Intereſt of the Inſured in ſuch Life or Lives, or other Event or Events.

Not to extend to Inſurances on Ships, Goods, &c.

IV. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to Inſurances *bona fide* made by any Perſon or Perſons, on Ships, Goods, or Merchandiſes; but every ſuch Inſurance ſhall be as valid and effectual in the Law, as if this Act had not been made.

CAP.

CAP. XLIX.

An Act for regulating Madhouſes.

Preamble.

'WHEREAS many great and dangerous Abuſes frequently ariſe from the preſent State of Houſes kept for the Reception of Lunaticks, for want of Regulations with reſpect to the Perſons keeping ſuch Houſes, the Admiſſion of Patients into them, and the Viſitation by proper Perſons of the ſaid Houſes and Patients: And whereas the Law, as it now ſtands, is inſufficient for preventing or diſcovering ſuch Abuſes;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twentieth Day of *November*, one thouſand ſeven hundred and ſeventy-four, if any Perſon or Perſons, in that Part of *Great Britain* called *England*, the Dominion of *Wales*, or Town of *Berwick upon Tweed*, ſhall, upon any Pretence whatſoever, conceal, harbour, entertain, or confine, in any Houſe or Place, kept for the Reception of Lunaticks, more than one Lunatick, at any one Time, without having ſuch Licence for that Purpoſe, as is herein-after directed (except ſuch Lunaticks as are committed by the Lord High Chancellor of *Great Britain*, or Lord Keeper, or Commiſſioners for the Cuſtody of the Great Seal for the Time being), every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of five hundred Pounds.

After Nov. 20, 1774, if any Perſon conceal more than one Lunatick without Licence, he ſhall forfeit 500l.

'II. And, in order that proper Perſons may be appointed for viſiting ſuch Houſes as ſhall be licenſed and kept for the Reception of Lunaticks, within the Cities of *London* and *Weſtminſter*, and within ſeven Miles of the ſame, and within the County of *Middleſex*,' be it further enacted by the Authority aforeſaid, That the Preſident and Fellows of the Royal College of Phyſicians in *London* for the Time being, at a General Meeting of the ſaid College, to be held upon the laſt Day of *September*, or if that Day falls upon *Sunday*, then upon the firſt Day of *October*, in every Year, ſhall elect five Fellows of the ſaid College for granting ſuch Licences as aforeſaid, within the ſaid Cities of *London* and *Weſtminſter*, and within ſeven Miles of the ſame, and within the ſaid County of *Middleſex*, according to the Directions of this Act; and the ſaid five Fellows, ſo elected, ſhall be, and are hereby declared to be, Commiſſioners for granting ſuch Licences within the Limits aforeſaid, for the Year then next enſuing; provided that two, at leaſt, of the ſaid Fellows, to be ſo elected, ſhall be Perſons who have not acted as Commiſſioners for the preceding Year; and that no Perſon whatſoever ſhall be capable of being elected, or of acting as a Commiſſioner, for more than three Years ſucceſſively.

Royal College of Phyſicians in London, on the laſt Day of Sept. yearly, mayel & five Fellows for granting Licences, &c.

who are declared to be Commiſſioners for that Purpoſe.

III. And be it further enacted, That in caſe, at any Time of Election, there ſhall not be found a ſufficient Number of Fellows qualified or willing to act as Commiſſioners, the ſaid Preſident and Fellows are hereby required, upon every ſuch Deficiency, to elect one or more from among the Licentiates to ſupply the ſame.

If a ſufficient Number of Fellows be not qualified, &c. a Licentiate may act, &c.

IV. And be it further enacted by the Authority aforeſaid, That as often as any of the Commiſſioners, to be elected as aforeſaid, ſhall die, or refuſe to act, the ſaid Preſident is hereby required to call a Meeting of the ſaid Fellows, within fourteen Days next after ſuch Death or Refuſal ſhall be known to the ſaid Preſident, in order to elect a Commiſſioner in the Room of every Commiſſioner who ſhall ſo die, or refuſe to act; and every Commiſſioner, ſo to be elected, ſhall be, and is hereby veſted with the ſame Power and Authority, in all Reſpects whatſoever, as the Commiſſioner in whoſe Place he ſhall be choſen was veſted with.

In caſe of Death, &c. Preſident to call a Meeting for the Election of another Commiſſioner.

V. And be it further enacted, That every Perſon who ſhall be elected a Commiſſioner to act within the Cities of *London* and *Weſtminſter*, and within ſeven Miles of the ſame, and within the County of *Middleſex*, as aforeſaid, ſhall, within ten Days after ſuch Election, take the following Oath; (that is to ſay)

Every Commiſſioner to take the following Oath.

'I *A. B.* do ſwear, That I will faithfully and impartially execute all the Truſts committed unto me, by virtue of an Act of Parliament, made in the fourteenth Year of the Reign of King *George* the Third, intituled, *An Act for regulating Madhouſes*; and that I will not, directly or indirectly, give Notice, or cauſe Notice to be given to the Keeper, or Perſon having the Care of any Houſe or Place licenſed for the Reception of Lunaticks, of the Time of Viſitation of ſuch Houſe or Place.

'*So help me* GOD.'

Which Oath it ſhall and may be lawful for the Preſident of the College of Phyſicians for the Time being to adminiſter to every ſuch Commiſſioner, ſo to be elected as aforeſaid, upon the Day he ſhall be ſo elected, or within ten Days afterwards: And in caſe any Perſon who ſhall be elected a Commiſſioner as aforeſaid, and who ſhall be ſummoned by the Preſident of the ſaid College to attend the ſaid Preſident to take the ſaid Oath, at ſuch Time as ſhall be mentioned in ſuch Summons, ſhall refuſe or neglect to attend, or attending, ſhall refuſe to take the ſaid Oath, he ſhall forfeit and pay the Sum of five Pounds, to be applied to the Uſe of the ſaid College.

Commiſſioners not attending, or refuſing to take the Oath, forfeit 5l.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, ſo to be elected as aforeſaid, or any three or more of them, ſhall meet in the Hall, or ſome other convenient Place in the ſaid College, as often as they ſhall think fit, ſo as ſuch Meetings do not interfere with the Meetings of the Board of Cenſors, nor with any other General Meeting of the College of Phyſicians; and that at all Meetings of the ſaid Commiſſioners to be holden for the Purpoſes of this Act, the Commiſſioner who is of the longeſt ſtanding in the College ſhall be the Chairman.

Commiſſioners Meetings to be in the College Hall, &c.

VII. And be it further enacted, That the Treaſurer of the ſaid College for the Time being ſhall be the Treaſurer for the Purpoſes of this Act; and that the ſaid Commiſſioners, or any three or more of them, ſhall,

Treaſurer of the College to be Treaſurer for the

Purpoſes of this Act.

Secretary to be appointed,

who ſhall take the Oath.

ſhall, at ſome Meeting, to be holden within fourteen Days next after they ſhall be elected as aforeſaid, chuſe and appoint a proper Perſon to be their Secretary for the Year then enſuing; and ſuch Secretary ſhall be paid ſuch Salary or Gratuity, for his Trouble and Attendance in the Execution of his Office, by the ſaid Treaſurer, as the ſaid Commiſſioners, or any three or more of them, ſhall order and direct; and every ſuch Secretary ſhall, at the next Meeting of the ſaid Commiſſioners after he ſhall be ſo appointed, take the following Oath:

'I *A. B.* do ſwear, That I will faithfully execute all ſuch Truſts as ſhall be committed to my Charge, as Secretary to the Commiſſioners for executing an Act of Parliament, made in the fourteenth Year of the Reign of King *George* the Third, intituled, *An Act for regulating Madhouſes*; and that I will keep ſecret all ſuch Matters as ſhall come to my Knowledge, in the Execution of my Office, (except when required to divulge the ſame by legal Authority.)

'*So help me* GOD.'

Time of the Commiſſioners annual Meeting for granting Licences.

VIII. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, ſhall meet annually on the third *Wedneſday* in the Month of *October*, or within ten Days afterwards, in order to grant Licences to Perſons for keeping Houſes for the Reception of Lunaticks for one Year, from the twentieth Day of *November* then next enſuing, within the ſaid Cities of *London* and *Weſtminſter*, and within ſeven Miles of the ſame, and within the ſaid County of *Middleſex*; but Notice of the Place, and of the Day and Hour of every Meeting for granting ſuch Licences, ſhall always be publiſhed three ſeveral Times in the *London Gazette*, before the Day of Meeting for granting any ſuch Licences (which Licences they are hereby required to grant to all Perſons who ſhall deſire the ſame); and all Licences to be granted by the ſaid Commiſſioners ſhall be duly ſtamped with a five Shillings Stamp, and ſhall be under the Hands and Seals of three or more of the ſaid Commiſſioners, for each of which Licences there ſhall be paid to the ſaid Secretary, by the Perſon applying to take out the ſame, the Sums following; (that is to ſay) For each and every Houſe wherein there ſhall be kept any Number of Lunaticks, not exceeding ten, the Sum of ten Pounds; and for each and every Houſe wherein there ſhall be kept above ten, the Sum of fifteen Pounds, and no more, over and above what ſhall have been paid for the ſaid Stamp; which Money ſhall be paid over by the ſaid Secretary to the ſaid Treaſurer; and the further Sum of ſix Shillings and Eight-pence, and no more, ſhall be paid on every ſuch Licence to the ſaid Secretary for his Fee.

Licences to be ſtamped with a 5 s. Stamp.

Sums to be paid by Perſons taking out Licences.

No Licence to authoriſe any Perſon to keep more than one Houſe; and to be in Force only one Year.

IX. Provided always, That no one Licence ſhall authoriſe any Perſon or Perſons to keep more Houſes than one for the Reception of Lunaticks; nor ſhall any Licence, to be granted by virtue of this Act, continue in Force for any longer Time than for one Year.

No Commiſſioner, while in Office, to keep any Houſe for Lunaticks, &c. on Penalty of 50 l.

X. And be it further enacted by the Authority aforeſaid, That no Commiſſioner, to be appointed as aforeſaid, ſhall, directly or indirectly, during the Time he ſhall be a Commiſſioner, be intereſted in keeping any Houſe for the Reception of Lunaticks, upon Pain of forfeiting, for ſuch Offence, the Sum of fifty Pounds.

Preſident to ſummon Commiſſioners Attendance for the Firſt Meeting.

XI. And be it further enacted, That the Preſident of the ſaid College of Phyſicians for the Time being ſhall, and is hereby required to cauſe Summons to be ſent to the ſaid ſeveral Commiſſioners, requiring them to attend at the firſt Meeting after they ſhall be appointed Commiſſioners, as aforeſaid; all which Summons ſhall be ſent by the Beadle, or ſuch other Perſon belonging to the ſaid College, as the ſaid Preſident ſhall think proper; and ſhall be left at the reſpective Houſes, or uſual Places of Abode, of each Commiſſioner.

Two Commiſſioners may call a Meeting.

XII. Provided nevertheleſs, That in caſe any two Commiſſioners ſhall, at any Time or Times, think proper to call a Meeting of the ſaid Commiſſioners, ſuch two Commiſſioners may themſelves cauſe the like Notice to be given, and to be ſent, in Manner aforeſaid, to the other Commiſſioners, requiring their Attendance at ſuch Time and Place as ſhall be expreſſed in ſuch Notice.

Chairman to have the caſting Vote.

XIII. Provided always, That at all Meetings of the ſaid Commiſſioners in the Execution of this Act, in caſe of an Equality of Votes, the Chairman ſhall have the caſting Vote.

Commiſſioners to viſit and inſpect licenſed Houſes.

XIV. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, either by themſelves or with their Secretary, as they ſhall think fit, ſhall, and they are hereby required, once at leaſt in every Year, and whenever required by the Lord High Chancellor, or Lord Keeper, or Commiſſioners for the Cuſtody of the Great Seal, or by the Lord Chief Juſtice of the Court of King's Bench, or by the Lord Chief Juſtice of the Court of Common Pleas for the Time being, to viſit and inſpect all ſuch Houſes as ſhall have been licenſed by them, as aforeſaid, between the Hours of Eight and Five in the Day-time; and may, in like Manner, at any other Time or Times, within the Hours aforeſaid, viſit and inſpect all ſuch Houſes as often as they, or any three or more of them, ſhall think neceſſary, and ſhall have, at all ſuch Times, Liberty and Power to continue in ſuch Houſe, and to examine the Perſons confined as Lunaticks therein, for ſuch Time as they ſhall think proper.

At ſuch Viſitation the Commiſſioners are to make Minutes of the State of Houſes.

XV. And be it further enacted, That the ſaid Commiſſioners, or their Secretary, ſhall, at every ſuch Viſitation, make Minutes, in Writing, of the State and Condition of all ſuch Houſes which they ſhall ſo viſit, as to the Care of the Patients therein, and all ſuch other Particulars as they ſhall think deſerve their Notice, together with their Obſervations thereupon; all which Minutes ſhall, within one Week next after ſuch Viſitation, be by the ſaid Secretary entered, by way of Report, in a Regiſter to be kept by him in the ſaid College of Phyſicians for that Purpoſe, and the ſame ſhall be read to, and ſigned by, the ſaid Commiſſioners, or any three or more of them, at their next Meeting; but no Minute which tends to impeach the Character of any Houſe ſhall be ſo entered, unleſs ſuch Minute ſhall have been previouſly ſigned by three or more of the ſaid Commiſſioners, who ſhall have been preſent at ſuch Viſitation; and in caſe the Commiſſioners,

miſſioners, upon their Viſitation, ſhall diſcover any Thing that, in their Opinion, ſhall deſerve Cenſure or Animadverſion, they ſhall, in that Caſe, report the ſame; and ſuch Part of their Report, and no more, ſhall be hung up in the Cenſors' Room of the College, to be peruſed and inſpected by any Perſon who ſhall apply for that Purpoſe.

Keepers within London or Weſtminſter, &c. refuſing Admittance, to forfeit their Licence.

XVI. And be it further enacted, That in caſe the Keeper of any Houſe or Place for the Reception of Lunaticks, within the Cities of *London* or *Weſtminſter*, or within ſeven Miles Diſtance thereof, or within the County of *Middleſex*, ſhall refuſe all or any of the ſaid Commiſſioners, at the Time of their Viſitation, Admittance into ſuch Houſe or Place as aforeſaid, with or without their Secretary, the Maſter or Keeper of ſuch Houſe or Place ſhall, for ſuch Offence, forfeit his Licence.

Commiſſioners to keep an exact Account of their Proceedings.

XVII. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, ſhall, from Time to Time, cauſe an exact Account to be kept of all their Proceedings; and all ſuch Accounts ſhall be entered in the ſame Regiſter as the Minutes taken at their Viſitations are directed to be entered as aforeſaid; and the ſaid Regiſter ſhall be lodged in the College of Phyſicians in a ſtrong Cheſt or Box, which ſaid Cheſt or Box ſhall be under the Care of the Beadle or Houſe-keeper belonging to the ſaid College, and ſhall be carefully locked up, from Time to Time, by the Secretary to the ſaid Commiſſioners, and the Key thereof kept by ſuch Secretary; which ſaid Regiſter ſhall be deemed to belong to the ſaid Commiſſioners, and the Key of the ſaid Cheſt or Box ſhall be delivered over to every ſucceeding Secretary, whenever the former Secretary ſhall go out of Office, and be kept by ſuch ſucceeding Secretary in Manner aforeſaid, for the Uſe of the ſaid Commiſſioners.

Preſident of the College to inſpect the Regiſter in Preſence of the Secretary.

XVIII. Provided always, That the Preſident of the ſaid College ſhall have Liberty to inſpect the ſaid Regiſter, from Time to Time, as often as he ſhall think proper, provided ſuch Inſpection be made at the College, and in the Preſence of the Secretary to the ſaid Commiſſioners.

On Application to the Commiſſioners, for Information concerning confined Perſons, the Secretary is to make Search.

XIX. And be it further enacted, That if any Perſon ſhall apply to one of the Commiſſioners, in order to be informed whether any particular Perſon or Perſons have been confined in any of the ſaid licenſed Houſes, and the ſaid Commiſſioners ſhall think it reaſonable to permit ſuch Inquiry to be made, and ſhall ſign an Order, directed to the Secretary for that Purpoſe; he, the ſaid Secretary, is hereby required, upon the Receipt of ſuch Order, to make Search upon his Papers: And if it ſhall appear, upon ſuch Search, that the Perſon or Perſons ſo enquired after have been confined in any of the ſaid Houſes, the ſaid Secretary ſhall immediately acquaint the Perſons ſo applying with the Name of the Keeper in whoſe Houſe, and alſo the Names of thoſe by whoſe Direction and Advice, ſuch Perſon or Perſons have been ſo confined.

One Guinea to be paid, on each Inſpection, to each Commiſſioner; and exact Accounts to be kept by the Treaſurer.

XX. And be it further enacted, That the ſaid Treaſurer ſhall, and is hereby required to pay to each of the ſaid Commiſſioners for every Time they ſhall, in Obedience to this Act, or any Requiſition therein contained, viſit and inſpect any ſuch licenſed Houſe or Place, as aforeſaid, within the Limits aforeſaid, the Sum of one Guinea; and ſhall alſo pay and diſcharge all ſuch reaſonable Expences of the ſaid Commiſſioners as they ſhall, from Time to Time, incur in the Execution of this Act; and the ſaid Treaſurer is hereby required, from Time to Time, to keep an exact and true Account of all Monies by him received and diſburſed in relation to this Act, and ſhall enter ſuch Account in a Book to be kept for that Purpoſe; which Book ſhall be lodged in the Box or Cheſt where the Regiſter of the Proceedings of the ſaid Commiſſioners is directed to be kept, as aforeſaid; which Accounts ſhall be produced to the Preſident of the ſaid College, when required by the ſaid Preſident and Elects, to be examined and ſettled by them; and if, upon ſuch Examination, the ſaid Accounts ſhall appear to be juſt and reaſonable, the ſame ſhall be allowed and ſigned by the ſaid Preſident, and at leaſt four of the Elects, and ſhall be by the ſaid Preſident reported, together with the other Accounts, at the next General Meeting of the ſaid College; and the ſaid Account, being ſo allowed, ſigned, and reported, ſhall be a full Diſcharge to the ſaid Treaſurer for ſo much Money as ſhall in ſuch Account appear to have been diſburſed by him, on account of the Execution of this Act.

Notice to be given, within three Days after Admiſſion of Patients, to the Secretary by the Keeper.

'XXI. And, in order that the ſaid Commiſſioners may know when any Patient is received into any ſuch 'licenſed Houſe or Place, as aforeſaid,' be it further enacted by the Authority aforeſaid, That the Keeper of every ſuch licenſed Houſe or Place within the ſaid Cities of *London* and *Weſtminſter*, and within ſeven Miles of the ſame, and within the ſaid County of *Middleſex*, is hereby required, within the Space of three Days after any Patient ſhall be received into any ſuch licenſed Houſe or Place (except ſuch pauper Lunaticks as ſhall happen to be ſent there by Pariſh Officers), to cauſe Notice thereof to be given to the Secretary to the ſaid Commiſſioners, which Notice ſhall contain the Name of every ſuch Perſon received as a Lunatick into ſuch Houſe or Place, the Name or Names, and Place or Places of Abode, of the Perſon or Perſons by whoſe Direction ſuch Lunatick was ſent to ſuch Houſe or Place, and alſo the Name and Place of Abode of the Phyſician, Surgeon, or Apothecary, by whoſe Advice ſuch Direction was given; all which Notices ſhall be ſent ſealed up, directed *To the Secretary to the Commiſſioners for licenſing Houſes for the Reception of Lunaticks, to be left with the Beadle of the College of Phyſicians in* London; all which Notices the ſaid Beadle is hereby directed to receive, and to deliver to the ſaid Secretary, within two Days after the ſame ſhall come to his Hands; and the Secretary is hereby required to file and preſerve all ſuch Notices, and alſo to enter, or cauſe a Copy or Extract thereof to be entered, in the Regiſter, within two Days after the Receipt of ſuch Notices; and every Keeper of any ſuch licenſed Houſe or Place, who ſhall admit, harbour, entertain, or confine, any Perſon as a Lunatick, without having an Order, in Writing, under the Hand and Seal of ſome Phyſician, Surgeon, or Apothecary, that ſuch Perſon is proper to be received into ſuch Houſe or Place as a Lunatick, or ſhall receive any Lunatick into any ſuch Houſe or Place, having ſuch Order, and ſhall not give Notice thereof to the Secretary of the ſaid Commiſſioners, within the Time, and in the Manner aforeſaid, ſhall forfeit and pay the Sum of one hundred Pounds.

Notice how to be directed.

Keepers admitting Lunaticks without an Order, forfeit 100l.

No more than one Lunatick to be kept in any Houſe, except in ſuch as are licenſed.

'XXII. And, in order that ſuch Houſes or Places for the Reception of Lunaticks as are not ſituated within 'the Limits aforeſaid may be put under ſome Regulation,' be it further enacted, That no Houſe, which is not within the ſaid City of *London*, or within ſeven Miles of the ſame, or within the ſaid County of *Middleſex*, ſhall be kept for the Reception of more than one Lunatick, unleſs ſuch Houſe or Place ſhall be licenſed by the

the Juſtices of the Peace, at ſome Quarter Seſſions of the Peace to be holden for the County or Place wherein ſuch Houſe or Place ſhall be ſituated.

Juſtices to grant Licences at General Quarter Seſſions; and receive for every Houſe keeping not exceeding 10 Lunaticks, 10l. and for above that Number 15l.

XXIII. And be it further enacted, That the Juſtices of the Peace, at any General Quarter Seſſions of the Peace, to be holden for any ſuch County or Place, are hereby authoriſed and required to grant Licences to ſuch Perſon and Perſons as ſhall apply for that Purpoſe, ſuch Perſon or Perſons paying for each Licence the Sums following; (that is to ſay) for each and every Houſe, wherein there ſhall be kept any Number of Lunaticks, not exceeding ten, the Sum of ten Pounds, and no more; and for each and every Houſe, wherein there ſhall be kept above the Number of ten Lunaticks, the Sum of fifteen Pounds, and no more; and that no one Licence ſhall authoriſe any Perſon or Perſons to keep more Houſes than one for the Reception of Lunaticks, nor ſhall any ſuch Licence be granted for any longer Term than for one Year; and the ſaid Juſtices ſhall, at the Time of granting ſuch Licences as aforeſaid, nominate and appoint two Juſtices of the Peace for the ſaid County, and alſo one Phyſician, to viſit and inſpect all ſuch Houſes as ſhall be licenſed by ſuch Juſtices as aforeſaid; and the ſaid Juſtices and Phyſicians, ſo nominated and appointed, or any two of them, whereof the Phyſician to be one, may, and are hereby authoriſed and impowered to viſit, in the Day-time, every Houſe ſo licenſed, within the County where ſuch Houſe or Place ſhall be ſo licenſed, as often as they ſhall think fit.

Juſtices, at Viſitations, to make Minutes of the Conditions of Houſes; which Minutes are to be entered, by Way of Report, by the Clerk; and a Copy ſent to the Secretary.

XXIV. And be it further enacted, That the ſaid Juſtices and Phyſician, ſo nominated, or ſuch of them as ſhall viſit any licenſed Houſe as aforeſaid, may, at every Viſitation, if they think neceſſary, make, or cauſe to be made, Minutes, in Writing, of the State and Condition of every Houſe which they ſhall viſit, as to the Care of the Patients therein, and all ſuch other Particulars as they ſhall think deſerve their Notice, together with their Obſervations thereupon; all which Minutes ſhall be entered, by way of Report, in a Regiſter to be kept for that Purpoſe, by the Clerk of the Peace for the County where ſuch Houſe or Houſes ſhall be licenſed as aforeſaid, a Copy whereof ſhall, from Time to Time, be ſent by the ſaid Clerk of the Peace to the Secretary to the ſaid Commiſſioners, to be by him inſerted in a ſeparate Regiſter; which Regiſter ſhall be kept in the ſame Box, and in the ſame Manner, as the Regiſter belonging to the ſaid Commiſſioners is herein-before directed to be kept; and the ſaid Clerk of the Peace ſhall be paid ſuch Sum and Sums of Money for his Trouble in the Execution of this Act as the ſaid Juſtices ſhall order and direct; and all Money to be paid for ſuch Licences as ſhall be granted by the ſaid Juſtices of the Peace, as aforeſaid, ſhall be paid to the Clerk of the Peace, as aforeſaid, who ſhall keep an Account thereof, in a Book or Books to be kept for that Purpoſe, and ſhall account for the ſame to the ſaid Juſtices, as often as he ſhall be required ſo to do; and all Expences attending the Execution of this Act, (except within the Cities of *London* and *Weſtminſter*, and within ſeven Miles thereof, and alſo except within the ſaid County of *Middleſex*) ſhall be defrayed out of ſuch Money as aforeſaid, in ſuch Manner as the ſaid Juſtices ſhall, from Time to Time, within their reſpective Counties, order and direct.

Clerk of the Peace to take the Secretary's Oath

XXV. And be it further enacted, That at ſuch General Quarter Seſſion, when ſuch Juſtices and Phyſician ſhall be appointed as aforeſaid, the Clerk of the Peace ſhall take the like Oath as is appointed by this Act to be taken by the Secretary of the Commiſſioners.

Keepers refuſing Admittance to the Juſtices and Phyſician, to forfeit their Licence.

XXVI. And be it further enacted, That in caſe the Keeper of any Houſe or Place for the Reception of Lunaticks, not being within the ſaid City of *London* or *Weſtminſter*, or within ſeven Miles of the ſame, or within the ſaid County of *Middleſex*, ſhall, in the Day-time, refuſe the ſaid Juſtices and Phyſician, on ſuch Viſitation, Admittance, at any Time or Times, into ſuch Houſe or Place as aforeſaid, the Maſter or Keeper of ſuch Houſe or Place ſhall, for ſuch Offence, forfeit his Licence.

If a Keeper do not give Notice of the Receipt of a Lunatick, within 14 Days, he ſhall forfeit 100l.

XXVII. And be it further enacted by the Authority aforeſaid, That the Keeper of any Houſe or Place for the Reception of Lunaticks, not being within the ſaid City of *London* or *Weſtminſter*, or within ſeven Miles of the ſame, or within the ſaid County of *Middleſex*, ſhall, and is hereby required, to give ſuch Notice, as aforeſaid, of the Receipt of every ſuch Lunatick (except ſuch pauper Lunaticks as ſhall happen to be ſent there by Pariſh Officers) to the Secretary to the Commiſſioners, at the College of Phyſicians aforeſaid, within the Space of fourteen Days from the Time of ſuch Lunatick's being received into any ſuch Houſe or Place; and every Keeper of any ſuch licenſed Houſe or Place, who ſhall admit, harbour, entertain, or confine, any Perſon as a Lunatick, without having an Order in Writing, under the Hand and Seal of ſome Phyſician, Surgeon, or Apothecary, that ſuch Perſon is proper to be received into ſuch Houſe or Place as a Lunatick, or ſhall receive any Lunatick into any ſuch Houſe or Place, having ſuch Order, and ſhall not give Notice thereof to the Secretary of the ſaid Commiſſioners, within the Time, and in the Manner aforeſaid, ſhall forfeit and pay the Sum of one hundred Pounds.

No Licence to be granted to any Perſon, without Recognizance in 100l. with Sureties.

XXVIII. And be it further enacted, That no ſuch Licence ſhall be granted as aforeſaid, either by the ſaid Commiſſioners or Juſtices of the Peace, as aforeſaid, unleſs, upon granting ſuch Licence, the Perſon to whom ſuch Licence is granted ſhall enter into Recognizance to the King's Majeſty, his Heirs and Succeſſors, in the Sum of one hundred Pounds, with two ſufficient Sureties, each in the Sum of fifty Pounds, or one ſufficient Surety in the Sum of one hundred Pounds, under the uſual Conditions, for the good Behaviour of ſuch Perſon during the Time for which ſuch Licence ſhall be granted.

The Chancellor to order the Commiſſioners, or Juſtices, to inſpect licenſed Houſes, and to make Report;

XXIX. And be it further enacted by the Authority aforeſaid, That the Lord High Chancellor of *Great Britain*, or Lord Keeper, or the Commiſſioners for the Cuſtody of the Great Seal, or the Lord Chief Juſtice of the Court of King's Bench, or the Lord Chief Juſtice of the Court of Common Pleas for the Time being, may, at any Time or Times, by any written Order, directed to the Commiſſioners appointed by this Act, or to the Juſtices of the Peace and Phyſician, appointed Viſitors, at any General Quarter Seſſion, require the ſaid Commiſſioners, or any three or more of them, or the ſaid Viſitors, or any two of them, to viſit or inſpect any Houſe or Houſes ſo licenſed; and alſo to make a Report to him or them, touching ſuch Matters as they ſhall, in ſuch Orders, be directed to inquire into, or as they ſhall think deſerving his or their Lordſhips Notice; and the ſaid Lord High Chancellor, or Lord Keeper, or Commiſſioners for the Cuſtody of the Great Seal, or Lord Chief Juſtice of the Court of King's Bench, or the

they may alſo ſend for, and

Lord Chief Juſtice of the Court of Common Pleas, may alſo, at any Time or Times, by a like Order, ſend for, and inſpect the Regiſter or Regiſters ſo to be kept as aforeſaid; and may ſummon and examine all or any of the Perſons concerned in the Execution of this Act, as often as ſhall be thought neceſſary and proper; and in caſe they, or any of them, ſhall not obey all ſuch Orders as aforeſaid, within two Days after the Receipt of the ſame, and ſhall not ſhew ſufficient Cauſe to the contrary, every Perſon, ſo offending, ſhall be deemed guilty of a Contempt of the Court of Chancery, Court of King's Bench, or Court of Common Pleas, as the Caſe ſhall be. Inſpect Regiſters, and examine Parties.

XXX. Provided always, and it is hereby declared, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any of the publick Hoſpitals within this Kingdom. Not to extend to publick Hoſpitals.

'XXXI. And whereas it is not intended by this Act to give the Keepers of any Houſe or Houſes, ſo 'to be licenſed as aforeſaid, or any other Perſon concerned in confining any of his Majeſty's Subjects 'therein, any new Juſtification from their being able to prove that the Perſons ſo confined have been ſent 'there by ſuch Direction and Advice as are required by this Act;' be it therefore declared and enacted, That in all Proceedings that ſhall be had, under his Majeſty's Writ of *Habeas Corpus*, and in all Indictments, Informations, and Actions, that ſhall be preferred and brought againſt any Perſon or Perſons, for confining or ill-treating any of his Majeſty's Subjects, in any of the ſaid Houſes, the Parties complained of ſhall be obliged to juſtify their Proceedings, according to the Courſe of the Common Law, in the ſame Manner as if this Act had not been made. Proceedings to be juſtified in Courſe of Common Law.

XXXII. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures which ſhall be incurred within the ſaid Cities of *London* or *Weſtminſter*, or within ſeven Miles of the ſame, or within the ſaid County of *Middleſex*, for Offences againſt this Act, ſhall and may be ſued for and recovered in any of the Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint, or Information, by the Preſident of the ſaid College for the Time being, in the Name of the Treaſurer belonging to the ſaid College, at any Time within ſix Calendar Months after the Offence committed; and all ſuch Penalties and Forfeitures, when recovered, ſhall, and are hereby directed to be paid to the ſaid Treaſurer; and ſhall be applied (except ſuch Penalties and Forfeitures as are otherwiſe directed to be applied by this Act) in Manner following; (that is to ſay) one Moiety of all ſuch Penalties and Forfeitures ſhall go to the Informer, and the other Moiety towards defraying the Expences attending the Execution of this Act: And all Penalties and Forfeitures which ſhall be incurred for Offences againſt this Act, not within the ſaid Cities of *London* or *Weſtminſter*, or within ſeven Miles of the ſame, or within the ſaid County of *Middleſex*, ſhall and may be ſued for and recovered by Action of Debt, Bill, Plaint, or Information, by and in the Name of the Clerk of the Peace for the County where any ſuch Offence ſhall be committed; and all ſuch Penalties and Forfeitures, when recovered, ſhall be applied, one Moiety to the Informer, and the other Moiety for defraying the Expences attending the Execution of this Act, within ſuch County. Penalties and Forfeitures how to be recovered and applied.

XXXIII. And be it further enacted, that if any Action or Suit ſhall be commenced or brought againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, the ſame ſhall be commenced within ſix Calendar Months next after the Fact committed; and ſhall be laid or brought in the County, City, or Place, where the Cauſe of Action ſhall have ariſen, and not elſewhere; and the Defendant or Defendants, in every ſuch Action or Suit, ſhall and may, at his Election, plead ſpecially, or the General Iſſue, Not guilty; and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be brought in any other County, City, or Place, or ſhall not have been commenced within the Time before limited for bringing the ſame; that then the Jury ſhall find a Verdict for the Defendant or Defendants; and, upon a Verdict being ſo found, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared; or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall recover Treble Coſts, and have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have in any other Caſes by Law. Limitation of Actions. General Iſſue. Treble Coſts.

XXXIV. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act; and be judicially taken Notice of as ſuch by all Judges, Juſtices, and others Perſons whomſoever, without ſpecially pleading the ſame. Publick Act.

XXXV. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue in Force for the Term of five Years, and from thence to the End of the then next Seſſion of Parliament. Continuance of this Act.

CAP. L.

An Act to enable certain Perſons, during the Minority of Sir *John Saint Aubyn* Baronet, to renew and grant Leaſes of Lands, and to ſell other Lands, all at *Plymouth* Dock, in the County of *Devon*, for the Uſe of his Majeſty, his Heirs and Succeſſors.

CAP. LI.

An Act to confirm certain Sales and Purchaſes of Eſtates, made by the Governors of the Free Grammar School of King *Edward* the Sixth, in *Macclesfield*, in the County of *Cheſter*; to enable them to make other Sales, Purchaſes, and Exchanges; and to improve and extend the Benefits of the Foundation of the ſaid School.

CAP. LII.

An Act to enable the Inhabitants of *Groſvenor Square*, in the County of *Middleſex*, to pave, cleanſe, light, water, and embelliſh the ſaid Square; and for other Purpoſes therein mentioned.

CAP.

CAP. LIII.

An Act for making a navigable Cut or Canal, from the Port or Harbour of *Bude*, in the Hundred of *Stratton*, in the County of *Cornwall*, to the River *Tamer*, in the Pariſh of *Calſtoke*, in the ſaid County.

CAP. LIV.

An Act for the better providing ſuitable Quarters for Officers and Soldiers in his Majeſty's Service in *North America*.

Preamble.

'WHEREAS Doubts have been entertained, whether Troops can be quartered otherwiſe than in 'Barracks, in caſe Barracks have been provided ſufficient for the quartering of all the Officers and 'Soldiers within any Town, Townſhip, City, Diſtrict, or Place, within his Majeſty's Dominions in 'North America: And whereas it may frequently happen, from the Situation of ſuch Barracks, that, if 'Troops ſhould be quartered therein, they would not be ſtationed where their Preſence may be neceſſary 'and required:' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, in ſuch Caſes, it ſhall and may be lawful for the Perſons who now are, or may be hereafter, authoriſed by Law, in any of the Provinces within his Majeſty's Dominions in *North America*, and they are hereby reſpectively authoriſed, impowered, and directed, on the Requiſition of the Officer who, for the Time being, has the Command of his Majeſty's Forces in *North America*, to cauſe any Officers or Soldiers in his Majeſty's Service to be quartered and billetted in ſuch Manner as is now directed by Law, where no Barracks are provided by the Colonies.

Perſons authoriſed by Law, in America, to provide Quarters, where none are provided, for Officers and Soldiers.

II. And be it further enacted by the Authority aforeſaid, That if it ſhall happen at any Time that any Officers or Soldiers in his Majeſty's Service ſhall remain within any of the ſaid Colonies without Quarters, for the Space of twenty-four Hours after ſuch Quarters ſhall have been demanded, it ſhall and may be lawful for the Governor of the Province to order and direct ſuch and ſo many uninhabited Houſes, Outhouſes, Barns, or other Buildings, as he ſhall think neceſſary to be taken (making a reaſonable Allowance for the ſame), and made fit for the Reception of ſuch Officers and Soldiers, and to put and quarter ſuch Officers and Soldiers therein, for ſuch Time as he ſhall think proper.

Governor of the Province to give Orders for Quarters for Officers and Soldiers.

III. And be it further enacted by the Authority aforeſaid, That this Act, and every Thing herein contained, ſhall continue and be in Force, in all his Majeſty's Dominions in *North America*, until the twenty-fourth Day of *March*, one thouſand ſeven hundred and ſeventy-ſix.

Continuance of this Act.

CAP. LV.

An Act for making commodious Ways and Paſſages within the Pariſh of *Saint Stephen*, in the City of *Briſtol*; and for enlarging the Burying Ground belonging to the ſaid Pariſh.

CAP. LVI.

An Act for making and eſtabliſhing publick Quays or Wharfs at *Kingſton upon Hull*, for the better ſecuring his Majeſty's Revenues of Cuſtoms, and for the Benefit of Commerce in the Port of *Kingſton upon Hull*; for making a Baſon or Dock, with Reſervoirs, Sluices, Roads, and other Works, for the Accommodation of Veſſels uſing the ſaid Port; and for appropriating certain Lands belonging to his Majeſty, and for applying certain Sums of Money out of his Majeſty's Cuſtoms at the ſaid Port for thoſe Purpoſes; and for eſtabliſhing other neceſſary Regulations within the Town and Port of *Kingſton upon Hull*.

Preamble. Act 14 Car. 2. recited.

'WHEREAS in and by an Act of Parliament, made in the fourteenth Year of the Reign of King 'Charles the Second, intituled, *An Act for preventing Frauds, and regulating Abuſes, in his Majeſty's 'Cuſtoms*; reciting, amongſt other Things, That, in and by an Act of Parliament, made in the firſt 'Year of Queen *Elizabeth* of famous Memory, directing when and where Merchandiſe ſhould be landed, 'and Cuſtoms paid, it was, amongſt divers other Things, enacted and ordained, That no Goods, 'Wares, or Merchandiſe, ſhould be ſhipped or loaden aboard any Ship or Veſſel, or landed or diſcharged out of or from any Ship or Veſſel, but in or upon ſome ſuch open Place, Quay, or Wharf, 'Places, Quays, or Wharfs (except the Port of *Hull*), as her Highneſs, her Heirs and Succeſſors, 'ſhould therefore aſſign and appoint, by virtue of her Highneſs's Commiſſion or Commiſſions within the Port of *London*, and in all Ports, Creeks, Havens, or Roads: And alſo reciting, That, 'notwithſtanding the aforeſaid Act, there were ſome Ports, Creeks, and Places, where Cuſtomers, 'Collectors, and Comptrollers, and Searchers, and their Servants, had then, Time out of Mind, 'been reſident, to which no ſuch Commiſſions were ſent, nor Places, Quays, or Wharfs appointed, as by the ſaid Act was directed: And further reciting, That ſince that Time, by reaſon 'of the Alteration of Rivers, Streams, Channels, and Sands, ſome Places then appointed were become unfit and uſeleſs, and others much more convenient and commodious, as well for Traffick and

'Commerce as for landing and diſcharging, lading and ſhipping, of Goods, Wares, and Merchandiſe: It 'was therefore, by the ſaid recited Act, made in the fourteenth Year of the Reign of his ſaid late Majeſty 'King *Charles* the Second, amongſt other Things enacted and ordained, That the King's Majeſty might, 'from Time to Time, by his Highneſs's Commiſſion or Commiſſions out of his Court of Exchequer, aſſign 'and appoint all ſuch further Places, Ports, Members and Creeks (except the Town of *Hull*), as 'ſhould be lawful for the landing and diſcharging, lading or ſhipping, of any Goods, Wares, or Mer-'chandiſe, within the Kingdom of *England*, Dominion of *Wales*, or Port or Town of *Berwick upon* '*Tweed*, and to what ancient and head Ports reſpectively ſuch Places, Members, or Creeks, ſhould be-'long and appertain: And where any ſuch Member, Creek, or Place, ſhould be ſo as aforeſaid appointed 'by virtue of the ſaid Commiſſion or Commiſſions, the Cuſtomer, Collector, Comptroller, and Searcher, 'of the Head Ports ſhould, by themſelves or their ſufficient Deputy or Deputies, Servant or Servants, 'reſide and inhabit, for the entering, clearing, and paſſing, ſhipping and diſcharging, of Ships, Goods, 'and Merchandiſe; and, by virtue of the aforeſaid Commiſſion or Commiſſions, might likewiſe ſet down 'and appoint the Extents, Bounds, and Limits, of every Port, Haven, or Creek, within his Majeſty's 'Kingdom of *England*, Dominion of *Wales*, and Town and Port of *Berwick*, whereby the Extents, Li-'mits, and Privileges, of every Port, Haven, or Creek, might be aſcertained and known; and that it 'ſhould not be lawful for any Perſon or Perſons whatſoever to lade or put, or cauſe to be laden or put, 'off or from any Quay, Wharf, or other Place, on the Land, into any Ship, Veſſel, Lighter, Boat, or 'Bottom, any Goods, Wares, or Merchandiſe whatſoever (Fiſh taken by his Majeſty's Subjects, Sea 'Coal, Stone, and Beſtials, only excepted), to be tranſported into any Place of the Parts beyond the 'Seas, or carried by Land into the Realm of *Scotland*, or to take up, diſcharge, or lay on Land, or cauſe 'or procure to be taken up, diſcharged, or laid on Land, out of any Boat, Lighter, Ship, Veſſel, or 'Bottom (being not in Leak or Wreck), any Goods, Wares, or Merchandiſe whatſoever (Fiſh taken by 'his Majeſty's Subjects, Beſtials, and Salt, only excepted), to be brought from any of the Parts beyond 'the Seas, or by Land from the Realm of *Scotland*, by way of Merchandiſe, but only upon ſuch open 'Place, Quay, or Wharf, Places, Quays, or Wharfs, as his Majeſty ſhould, from Time to Time, aſſign 'and appoint, by virtue of ſuch Commiſſion and Commiſſions as aforeſaid, in his Majeſty's Port of *Lon-'don*, and the Members and Liberties thereof, and in any Port, Place, Member, or Creek, within his 'Majeſty's Kingdom of *England*, Dominion of *Wales*, and Town and Port of *Berwick*, without ſpecial 'Sufferance and Leave firſt had from the Commiſſioners and Officers of his Majeſty's Cuſtoms, upon the 'Penalty of the Forfeiture of all ſuch Goods, Wares, and Merchandiſe, as by the laſt recited Act, re-'lation being thereunto had, it doth and may, amongſt other Things therein contained, more fully ap-'pear: And whereas, ſince the paſſing of the ſaid recited Acts, the Trade and Commerce of the Port of '*Kingſton upon Hull* are greatly increaſed, and it is highly expedient, for the Security and Improvement 'of the publick Revenue, and for the Advantage of Commerce, that lawful Quays ſhould be eſtabliſhed 'at the ſaid Port, for the ſhipping and landing of Goods and Merchandiſe imported there, and exported 'from thence, in ſuch Manner as is herein-after expreſſed; which, by reaſon of the Exception in the 'ſaid before-recited Acts, cannot be done without the Interpoſition of Parliament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, it ſhall be lawful for his Majeſty, his Heirs and Succeſſors, from Time to Time, by his and their Commiſſion or Commiſſions out of the Court of Exchequer in *England*, to aſſign and appoint ſuch open Places, Quays, or Wharfs, at *Kingſton upon Hull*, on the Weſt Side of the Harbour, and on the Walls adjoining the Town's Ditches, to be lawful open Places, Quays, and Wharfs, for the landing and diſcharging, lading and ſhipping, of all Goods, Wares, and Merchandiſes, exported to, or imported from, foreign Parts, and to ſet down, appoint, and ſettle, the Extents, Bounds, Metes, and Limits thereof, ſubject nevertheleſs to ſuch Proviſions and Regulations as are herein-after in that Behalf expreſſed or declared; and that it ſhall not be lawful for any Perſon or Perſons whatſoever to lade or put, or cauſe to be laden or put, off or from any Quay, Wharf, or other Place, on the Land within the ſaid Port of *Kingſton upon Hull*, into any Ship, Veſſel, Lighter, Boat, or Bottom, any Goods, Wares, or Merchandiſe whatſoever (except Fiſh taken by his Majeſty's Subjects, Sea Coal, Stone, and Beſtials), to be tranſported into any Place beyond the Seas, or to take up, diſcharge, or lay on Land, or cauſe or procure to be taken up, diſcharged, or laid on Land, out of any Boat, Lighter, Ship, Veſſel, or Bottom (being not in Leak or Wreck), any Goods, Wares, or Merchandiſe whatſoever (Fiſh taken by his Majeſty's Subjects, Beſtials, and Salt, only excepted), to be brought from any of the Parts beyond the Seas, by way of Merchandiſe, but only upon ſuch open Place, Quay, or Wharf, Places, Quays, or Wharfs, as his Majeſty, his Heirs or Succeſſors, ſhall, from Time to Time, aſſign and appoint, by virtue of ſuch Commiſſion and Commiſſions as aforeſaid, at *Kingſton upon Hull*, on the Weſt Side of the Harbour, and on the Walls adjoining the Town's Ditches, or off, from, or upon, ſuch Quays or Wharfs as ſhall be built and provided in purſuance of this Act, in Manner herein-after mentioned, without ſpecial Sufferance or Leave firſt had from the Commiſſioners or Officers of his Majeſty's Cuſtoms, upon the Penalty of the Forfeiture of all ſuch Goods, Wares, and Merchandiſes, ſo laden or diſcharged, contrary to the true Meaning of this Act, or the Value thereof; any Thing in the before-recited Acts, or any other Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

His Majeſty impowered to appoint open Quays at Hull.

No Perſon to ſhip Goods for Exportation;

Exception,

II. Provided always, and be it enacted, That no ſuch open Places, Quays, or Wharfs, ſo to be appointed, ſhall extend or project above fifteen Feet from the outermoſt Part of the preſent Buildings into the Haven.

No Wharfs, &c. ſhall project above 15 Feet from the preſent Buildings.

'III. And whereas there are certain Staiths ſituate on the Weſt Side of the River *Hull*, between '*Thomas Walton*'s Ship Yard, and a certain Staith called *Rotten Herring Staith*, at which Staiths the Pro-'prietors

Proprietors of Staiths on the

West Side of the River allowed to make Wharfs.

'prietors thereof have, for Time immemorial, landed and diſcharged, laden and ſhipped, Goods, Wares, 'and Merchandiſe: And whereas it is reaſonable that this Privilege ſhould be continued to the Proprietors 'of the ſaid Staiths;' be it therefore further enacted by the Authority aforeſaid, That when and as ſoon as the Baſon or Dock herein-after mentioned, and directed to be made, ſhall be fit for the Reception of loaded Ships, and not ſooner, it ſhall be lawful for all and every the Proprietors of the ſaid Staiths to build and make, at their own Expence and Charge, commodious Quays or Wharfs oppoſite to their ſaid Staiths reſpectively, to be erected upon Piles of Wood, and not otherwiſe, and to project into the Haven of the ſaid River *Hull* fifteen Feet, to be open at all Times to the Officers of his Majeſty's Revenue, by a free and clear Communication with the common Staiths adjoining; on which Quays or Wharfs, when ſo made and erected, it ſhall be lawful to ſhip off, land, and diſcharge, all Goods called *Sufferance Goods*; that is to ſay, Lead, Hemp, Iron, Flax, Yarn, Timber, Raff, and all other Goods and Merchandiſe whatever, which are permitted to be ſhipped off or landed in the Port of *London*, as Sufferance Goods, and under the like Regulations.

Drains emptying into the Haven to be ſecured at the End.

IV. Provided always, and it is hereby enacted and declared, That all Common Sewers or Drains, which ſhall empty themſelves into the ſaid Haven in the Length of the Quays or Wharfs above deſcribed, ſhall be ſecured, at the End next the River, with ſtrong Iron Bars, not more than two Inches aſunder; any Thing above contained to the contrary notwithſtanding.

Regulations in building the Wharfs, &c.

V. And be it further enacted, That the ſaid Quays or Wharfs ſhall be erected upon two Rows of Piles only, except where the Foundation of the Ground appears to be ſuch as to require a larger Number of Rows, which Number ſhall, in caſe of Diſpute, be ſettled and determined by two able diſintereſted Engineers, to be appointed, one by the Commiſſioners for executing this Act, or any thirteen or more of them, and the other by the Truſtees of the *Holderneſs* Drainage, hereafter mentioned, or any five or more of them; and they are hereby reſpectively required to appoint ſuch Engineers accordingly, and the Determination of ſuch Engineers ſhall be final and concluſive.

Proprietors of Staiths to remove Banks, &c. beyond 35 Feet from the outermoſt Parts of the Staiths.

VI. Provided always, and be it enacted, That all and every the Proprietors of the ſaid Staiths ſhall, and they are hereby required, within eighteen Calendar Months after the firſt Sufferance Quay or Wharf ſhall have been erected or built, in purſuance of this Act, to cleanſe, ſcour, open, deepen, widen, or cut through and take away, at their own Coſts and Charges, all Banks, Hills, Earth, Soil, or Rubbiſh, beyond thirty-five Feet from the outermoſt Part of the Staiths or Warehouſes already built and erected upon the Weſt Side of the Haven of the ſaid River *Hull*, as low as Low-water Mark, from *Thomas Walton*'s Ship Yard to *Rotten Herring Staith*; and alſo to make and preſerve the Beach in ſuch Manner that the ſame may ſlope or batter two Feet at leaſt for every Foot of perpendicular Riſe from the ſaid Low-water Mark, in the ſaid Haven, to within fifteen Feet of the preſent Staiths or Warehouſes, and ſo as that the Level of the Ground, without the ſaid Diſtance of thirty-five Feet from the preſent Staiths or Warehouſes, ſhall be equal in a Line or Height with the ſaid Low-water Mark.

Low-water Mark to be determined by two Engineers.

'VII. And, in order to prevent Diſputes about the Line or Heighth of the ſaid Low-water Mark,' be it further enacted, That the ſame ſhall be ſettled and determined, within twelve Calendar Months after the paſſing of this Act, by *Thomas Tofield* and *John Grundy*, Eſquires.

In caſe the Engineers diſagree, a Referee to be nominated.

VIII. And be it further enacted, That in caſe the ſaid *Thomas Tofield* and *John Grundy* ſhall not agree, then it ſhall and may be lawful for them, and they are hereby authoriſed and required, to nominate ſome other Engineer to be an Umpire or Referee; and the Determination of the ſaid *Thomas Tofield*, *John Grundy*, and the ſaid other Engineer, or any two of them, as to the Low-water Mark in the ſaid Haven, ſhall, within twenty Days after the ſame ſhall have been agreed upon, be ſet forth, in Writing, and one Copy thereof, ſigned by them, or any two of them, ſhall be delivered to the Commiſſioners for executing this Act, or their Clerk, and another Copy thereof to the Truſtees for executing two ſeveral Acts, made in the fourth and ſixth Years of his preſent Majeſty's Reign, for draining certain Low Grounds and Carrs in *Holderneſs*, in the Eaſt Riding of the County of *York*, or to their Clerk; and the ſaid Determination ſhall be final and concluſive as to the Line or Height of the ſaid Low-water Mark.

In caſe of the Death or Refuſal to act of Mr. Tofield, or Mr. Grundy, others to be choſen.

IX. And be it further enacted, That in caſe the ſaid *Thomas Tofield* ſhall die, or refuſe or neglect to act, then it ſhall and may be lawful for the ſaid Truſtees for draining the ſaid Low Grounds and Carrs in *Holderneſs*, or any five or more of them, and they are hereby required, within two Months after ſuch Death, Refuſal, or Neglect, ſhall be known, to nominate and appoint one other Engineer, of known Abilities and Reputation, and not concerned in any Office or Truſt under the ſaid Truſtees, in the Room of the ſaid *Thomas Tofield*; or in caſe the ſaid *John Grundy* ſhall die, or refuſe or neglect to act, then it ſhall and may be lawful for the ſaid Commiſſioners for executing this Act, or any thirteen or more of them, and they are hereby required, within two Months after ſuch Death, Refuſal, or Neglect, ſhall be known, to nominate and appoint one other Engineer, of known Abilities and Reputation, and not concerned in any Office or Truſt under the ſaid Commiſſioners, in the Room of the ſaid *John Grundy*; and the Perſon or Perſons ſo reſpectively nominated and appointed, ſhall have the ſame Power and Authority to determine the Line or Height of the ſaid Low-water Mark, as the Perſon or Perſons, in whoſe Room he or they ſhall ſucceed was or were veſted with.

Penalty on Proprietors not removing Banks, &c. beyond 35 Feet Diſtance of the Staiths.

X. And be it further enacted, That in caſe any of the Proprietors of the ſaid Staiths ſhall not, within eighteen Calendar Months after the firſt Sufferance Quay or Wharf ſhall have been erected or built, in purſuance of this Act, cleanſe, ſcour, open, deepen, widen, or cut through and take away, all Banks, Hills, Earth, Soil, or Rubbiſh, beyond thirty-five Feet from the outermoſt Part of their reſpective Staiths or Warehouſes, as low as the ſaid Low-water Mark; or to make and preſerve the Beach, in ſuch Manner that the ſame may ſlope or batter two Feet at leaſt for every Foot of perpendicular Riſe from the Low-water Mark, in the ſaid Haven, as ſhall be ſettled by the ſaid Engineers, and ſo as that the Level of the Ground, without the ſaid Diſtance of thirty-five Feet from the preſent Staiths or Warehouſes, ſhall be equal in a Line with the ſaid Low-water Mark; or ſhall, at any Time, after that the ſaid Slope or Batter is

is made, and after the ſaid Banks, Hills, Earth, Soil, or Rubbiſh ſhall be ſo removed, neglect to keep the ſame properly ſloped, cleanſed, ſcoured, opened, deepened, widened, or cut through and taken away, in Manner directed by this Act; then, and in that Caſe, it ſhall and may be lawful to and for the Commiſſioners for executing this Act, or any thirteen or more of them, and they are hereby authoriſed and required, within three Months after Notice or Complaint, in Writing, ſhall have been delivered to their Clerk or Treaſurer, ſigned by the ſaid Truſtees for draining the ſaid Low Grounds and Carrs in *Holderneſs*, or any five or more of them, from Time to Time, to cleanſe, ſcour, open, deepen, widen, or cut through and take away, all Banks, Hills, Earth, Soil, or Rubbiſh, beyond thirty-five Feet from the outermoſt Part of the Staiths or Warehouſes of any Proprietor, as low as the ſaid Low-water Mark, who ſhall have neglected ſo to do in Manner herein-before directed; and to make and preſerve the Beach, in ſuch Manner that the ſame may ſlope or batter two Feet at leaſt for every Foot of perpendicular Riſe from the Low-water Mark in the ſaid Haven, and ſo as that the Ground without the ſaid Diſtance of thirty-five Feet ſhall be equal in a Line with the Height of the ſaid Low-water Mark; and to levy the Coſts and Charges attending the ſame by Diſtreſs and Sale of any of the Goods or Chattels of the Proprietor ſo neglecting, as aforeſaid, or of the Occupier or Tenant of any of the Staiths or Warehouſes belonging to any ſuch Proprietor ſo neglecting, as aforeſaid.

Penalty 50l. on Commiſſioners neglecting to remove Banks, &c.

XI. And be it further enacted, That in caſe the ſaid Commiſſioners for executing this Act ſhall, for the Space of three Months after ſuch Notice or Complaint, as aforeſaid, from the ſaid Truſtees, neglect or refuſe to make ſuch Slope or Batter, or to remove all Banks, Hills, Earth, Soil, or Rubbiſh, without the Diſtance, and in the Manner before mentioned; then, and in that Caſe, the ſaid Commiſſioners ſhall, for every Month in which they ſhall neglect or refuſe to remove the Cauſe of ſuch Complaint, after the Expiration of the ſaid three Months, forfeit and pay to the ſaid Truſtees the Sum of fifty Pounds; which ſaid Sum of fifty Pounds ſhall and may be recovered by the ſaid Truſtees, by Action of Debt, Bill, Plaint, or Information, againſt the ſaid Commiſſioners, with Double Coſts of Suit, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed; and the ſaid Sum, when recovered by the ſaid Truſtees, ſhall be by them applied for the Purpoſes of the ſaid Drainage.

Qualification of Truſtees.

XII. And be it further enacted, That no Truſtee for executing the ſaid two Acts, made in the fourth and ſixth Years of his preſent Majeſty's Reign, for draining certain Low Grounds and Carrs in *Holderneſs*, in the Eaſt Riding of the County of *York*, ſhall be capable of acting in the Execution of any of the Powers by this Act given to the ſaid Truſtees, unleſs he ſhall be actually poſſeſſed of Lands, Tenements, or Hereditaments, of the annual Value of fifty Pounds; or ſhall be poſſeſſed of a perſonal Eſtate to the Amount of two thouſand Pounds above Reprizes; or ſhall be Heir-apparent of a Perſon poſſeſſed of Lands, Tenements, or Hereditaments, of the annual Value of one hundred Pounds: And if any Truſtee, not ſo qualified, ſhall act in the Execution of any of the Powers by this Act given to the ſaid Truſtees of the *Holderneſs* Drainage, every ſuch Truſtee ſhall forfeit and pay the Sum of fifty Pounds; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, together with Double Coſts of Suit, by any Perſon who will proſecute or ſue for the ſame.

Penalty 50l. on Truſtees acting, not being duly qualified.

Corporation deemed Proprietors of certain Staiths on the Weſt Side the River.

'XIII. And whereas there are certain common Staiths on the Weſt Side of the ſaid River *Hull*, known 'or diſtinguiſhed by the ſeveral Names of *Shields Staith*, *Salters Lane Staith*, *New Staith*, *Chapel Lane* '*Staith*, *Biſhop Lane Staith*, *Scale Lane Staith*, *Church Lane Staith*, *Rotten Herring Staith*, *Horſe Staith*, 'and two other common Staiths, in a Place in the ſaid Town of *Kingſton upon Hull*, called *The Ropery*, 'which, for Time immemorial, have been repaired by the Mayor and Burgeſſes of the ſame Town;' be it therefore enacted, That the ſaid Mayor and Burgeſſes, and their Succeſſors, ſhall be deemed the Proprietors of all and every the laſt mentioned Staiths, for the Purpoſes of this Act; and ſhall have the like Power to build or make Quays or Wharfs oppoſite ſuch Staiths, and to uſe, hold, and enjoy, the ſame, in like Manner as any other Proprietor is enabled to do by virtue of this Act; but nothing herein contained ſhall extend to prevent the free Landing of any ſuch Goods, Materials, or other Things, Merchandiſe excepted, as have been accuſtomed heretofore to be landed at any ſuch common Staiths, free of Wharfage to the Proprietors of the ſaid Staiths.

Owners not conforming to Rules, to loſe their Privileges.

XIV. Provided always, and it is hereby further enacted by the Authority aforeſaid, That if the Owner or Proprietor of any Quay or Wharf, ſo to be ſet out as aforeſaid, ſhall not conform to the Rules and Meaſures hereby preſcribed and directed, or ſhall at any Time diſcontinue or alter the ſame, or make new Incroachments, contrary to the Proviſions of this Act, and after publick Notice thereof given by the Collector and Comptroller of his Majeſty's Cuſtoms at the Port of *Kingſton upon Hull*, by fixing up a Writing, under their Hands, where the Fault ſhall be committed, declaring the Offence, and limiting a Day and Time for the Amendment thereof, ſhall not cauſe the ſame to be amended and removed accordingly; then ſuch Quay or Wharf ſhall, from thenceforth, be no more deemed and taken to be, or have the Benefit or Privilege of, a lawful Place for ſhipping, lading, or landing, any Goods or Merchandiſe, but ſhall be utterly debarred thereof, unleſs reſtored by his Majeſty's Special Warrant; any Thing herein-before contained to the contrary notwithſtanding.

Company impowered within ſeven Years to make a Baſon,

'XV. And whereas it is neceſſary that a Baſon or Dock, with Reſervoirs, Sluices, Roads, and other 'Works, ſhall be made and provided, and Regulations eſtabliſhed for the proper uſing thereof, and for 'the general Benefit of all Perſons concerned in the Commerce of the ſaid Port of *Kingſton upon Hull*;' be it therefore further enacted by the Authority aforeſaid, That it ſhall be lawful for the Company herein after mentioned and deſcribed, and they are hereby impowered and required, within the Space of ſeven Years from and after the thirty-firſt Day of *December*, one thouſand ſeven hundred and ſeventy-four, to make a Baſon or Dock, to extend from the River *Hull* to a certain Place in the ſaid Town of *Kingſton upon Hull*, called *The Beverley Gates*, or as near thereto as conveniently may be, and to make the ſame in all Parts equal in Depth to the Bed of the River, or at leaſt within fifteen Inches of the ſame, for the Admiſſion

with Reſervoirs, &c.

of the loaded Ships, and of ſuch Width at the leaſt as the Ground granted by this will admit; and that the ſaid Company ſhall and may likewiſe cauſe to be made and provided ſuch Reſervoirs, Sluices, Bridges, Roads, and other Works, Requiſites, Matters, and Things, as they ſhall from Time to Time adjudge neceſſary, for the more convenient Uſe of the ſaid Baſon or Dock, and for the general Benefit of Shipping, and of the Trade and Commerce of the ſaid Port; and the ſaid Company ſhall and may alſo build, or cauſe to be built, within the ſaid Space of ſeven Years, a Quay or Wharf, of a ſufficient and convenient Length, for the Trade and Buſineſs of the ſaid Town and Port, which ſhall range along the Side of the ſaid Baſon or Dock next the Town; which Quay or Wharf ſhall be deemed and taken to be a legal Quay or Wharf, for the landing and diſcharging, lading and ſhipping, of any Goods, Wares, or Merchandiſe, and ſhall be of the ſame Effect, to all Intents and Purpoſes whatſoever, as if the ſaid Quay or Wharf had been erected and ſet out by virtue of his Majeſty's Commiſſion iſſuing out of the Court of Exchequer in *England*; and that, from and immediately after the Expiration of twelve Calendar Months after the ſaid Baſon or Dock ſhall be finiſhed, the Practice, in the ſaid Port, of examining and diſcharging Goods on Board of Ships and Veſſels ſhall ceaſe and determine.

If the Company do not provide Quays within the limited Time, the King to appoint them by Commiſſion.

XVI. Provided always, and it is hereby further enacted by the Authority aforeſaid, That if the Company herein-after named ſhall not build and complete the Quay or Wharf along the Side of the ſaid Baſon or Dock, in the Manner herein before deſcribed, and within the Time for that Purpoſe above mentioned, it ſhall be lawful for his Majeſty, his Heirs and Succeſſors, by his and their Commiſſion or Commiſſions out of the Court of Exchequer in *England*, to aſſign and appoint ſuch open Places, Quays, and Wharfs, within any Part of the ſaid Port of *Kingſton upon Hull*, in the ſame Manner, and with the like Powers, and ſubject to the like Rules and Reſtrictions, Penalties and Forfeitures, as lawful Quays and Wharfs are ſet out and appointed in other Ports of this Kingdom; any Thing herein-before contained to the contrary notwithſtanding.

Company's Names.

'XVII. And whereas the ſeveral Perſons, Bodies Corporate and Politick, herein-after named, are 'willing to begin, carry on, and complete the ſaid Baſon or Dock, and Quay or Wharf adjoining thereto, 'and to make and provide ſuch Reſervoirs, Sluices, Bridges, Roads, and other Works, as ſhall be ne'ceſſary for accompliſhing the Deſign and good Purpoſes intended by this Act, in Manner, and upon 'the Terms and Conditions, herein-after mentioned and contained;' be it therefore further enacted by the Authority aforeſaid, That the Mayor and Burgeſſes of the Town of *Kingſton upon Hull*; the Guild or Brotherhood of Maſters and Pilots, Seamen of the *Trinity Houſe* of *Kingſton upon Hull*; *Joſeph Sykes*, *Joſiah Corthine*, *Joſeph Williamſon*, *Henry Maiſter*, *Samuel Watſon*, *Henry Etherington*, *John Porter*, *John Lambert*, *Benjamin Blaydes Thompſon*, *John Dixon*, *Richard Howard*, *John Howard*, *Iſaac Broadley*, *William Waller*, *Joſeph Peaſe*, *William Welfitt*, *Hugh Ker*, *George Fowler*, *Edward Codd*, *Robert Thorley*, *William Travis*, *Joſeph Outram*, *John Staniforth*, *Thomas Haworth*, *Thomas Stack*, *Valentine Budd*, *Robert Markland*, *William King*, *Thomas Turner*, *William Hamond*, and all and every other Perſon and Perſons, Bodies Corporate and Politick, who are or ſhall become Subſcribers towards the Expence of carrying on the Works hereby intended, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, together with ſuch Perſon or Perſons as they, or the major Part of them, ſhall, at any Meeting aſſembled, by Writing, under their Hands and Seals, nominate and appoint, ſhall be, and they are hereby declared to be united into a Company, with full Power and Authority, from Time to Time, to direct the making, completing, ſupporting, altering, and maintaining, ſuch Baſon or Dock, and Quay or Wharf adjoining thereto, and alſo ſuch Reſervoirs, Sluices, Bridges, Roads, and other Works, Requiſites, Matters, and Things, as they ſhall think proper, to anſwer the Intent and Meaning of this Act; and ſhall, for thoſe Purpoſes, be one Body Politick and Corporate, by the Name of *The Dock Company at Kingſton upon Hull*, and by that Name ſhall have perpetual Succeſſion, and ſhall have a common Seal, and by that Name ſhall and may ſue and be ſued, and alſo ſhall and may have Power and Authority to purchaſe Lands to them and their Succeſſors and Aſſigns, for the Uſe of the ſaid Works, without incurring any of the Penalties or Forfeitures of the Statutes of Mortmain.

Crown Land granted for the above Purpoſe.

'XVIII. And whereas, in order to promote an Undertaking ſo beneficial with reſpect to his Majeſty's 'Revenue, ſo uſeful to Navigation, and ſo conducive to the Advancement and Security of Commerce, 'his Majeſty hath been moſt graciouſly pleaſed to ſignify his royal Conſent to grant and appropriate, for 'the Purpoſes before mentioned, and no other, all that Piece or Parcel of Ground, being Part of the Land 'belonging to his Majeſty's military Works at *Kingſton upon Hull* aforeſaid, called *The Town's Ditches*, 'from Low-water Mark, in the River *Hull*, leading through and contiguous to the Ship Yards at the 'North End of the ſame Town of *Kingſton upon Hull*, now in the ſeveral Occupations of Alderman *Ben'jamin Blaydes* and Maſter *Thomas Walton*, extending from thence South Weſt to *Beverley* Gates, and 'Southward as far as *Heſsle* Gates, in the ſaid Town, and from thence Eaſtward to a Place called *Harry 'Ogle's Tower*, in *Kingſton upon Hull* aforeſaid, together with and including the Gates, Walls, Buildings, 'Inner and Outer Ditches, Ramparts, Baſtions, Bridges and Bridge-ways, and all other Works and 'Things which at the paſſing of this Act are, or heretofore did belong to, or were deemed a Part of his 'Majeſty's ſaid military Works; and all ſuch other Buildings and Erections as ſhall, at the Time of paſ'ſing this Act, be thereon, excepting ſuch Part thereof as ſhall, within ſix Calendar Months next after 'the paſſing of this Act, be deſcribed with Marks or Stakes, to be uſed for the Purpoſe of building a 'Cuſtom-houſe, with Warehouſes neceſſary for the ſame, under the Direction of the Commiſſioners of 'his Majeſty's Cuſtoms in *England*, or any four or more of them;' be it therefore further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, the ſaid Piece or Parcel of Ground, Buildings, Works, Matters, and Things, and all other the Premiſes laſt before mentioned, and particularly deſcribed (except as before excepted), ſhall be and remain, and the ſame are hereby given and granted, and ſhall be applied and appropriated for and to the Uſes and Purpoſes before mentioned, and for the neceſſary Purpoſes relative thereto, and no other, freed and diſcharged of and from all Claim, Right, and

Title

Title whatſoever of his Majeſty, in Right of his Crown, his Heirs and Succeſſors, for ever; ſubject nevertheleſs to the yearly Rent of five Shillings, and no more, to be paid by the ſaid Company to his Majeſty and his Succeſſors, in lieu of all Rents, Services, and Duties, whatſoever.

Occupiers of the other Buildings to quit; and the Sheriff to deliver Poſſeſſion on Refuſal.

XIX. And be it further enacted by the Authority aforeſaid, That all and every the ſeveral and reſpective Occupiers, and Perſons inhabiting, uſing, or carrying on any Trade or Buſineſs, in or about any ſuch other Buildings or Erections, which, at the Time of paſſing this Act, ſhall be upon any Part of the ſaid Ground belonging to his Majeſty's ſaid military Works, and hereby appropriated for the Purpoſes of this Act, ſhall, and they, and every of them, are hereby ſeverally and reſpectively ſtrictly enjoined and required to ſurrender and relinquiſh the ſame, and peaceably and quietly to deliver up the Poſſeſſion thereof to the ſaid Company, or to ſuch Perſon or Perſons as they ſhall authoriſe to take Poſſeſſion thereof: And in caſe any ſuch Occupier or Occupiers, or other Perſon or Perſons as aforeſaid, ſhall not deliver up ſuch Poſſeſſion as aforeſaid, before the Expiration of three Calendar Months next after being thereunto required, by Notice, under the Seal of the ſaid Company, left at the Premiſes reſpectively, or given to or left at the laſt or uſual Place of Abode of the Perſon or Perſons who ſhall be ſo required to deliver up Poſſeſſion, then it ſhall be lawful for the ſaid Company to iſſue a Precept or Precepts, under their Seal, to the Sheriff of the ſaid Town of *Kingſton upon Hull*, to cauſe Poſſeſſion of the reſpective Premiſes to be delivered to ſuch Perſon or Perſons as ſhall be in ſuch Precept or Precepts nominated to receive Poſſeſſion of the ſame; and alſo to direct the ſaid Sheriff to levy ſuch Coſts as ſhall accrue by Means of the iſſuing and Execution of every ſuch Precept, by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons who ſhall have refuſed or neglected to deliver up ſuch Poſſeſſion as aforeſaid, and ſhall refuſe or neglect to pay the ſame Coſts; and ſuch Sheriff is hereby required to deliver Poſſeſſion, and levy ſuch Coſts in Manner aforeſaid.

No Buildings to be erected thereon till the Baſon, &c. be completed.

XX. Provided nevertheleſs, That no Buildings ſhall be erected by the ſaid Company on the Grounds hereby granted, except for the Convenience and Benefit of carrying on the ſaid Works, until after the Baſon and other Works herein-before mentioned ſhall be completed; and if it ſhall be then judged neceſſary to erect any Buildings thereon, no ſuch Building ſhall be erected nearer than forty Feet to the Scite of the preſent old Wall.

If Works are not completed in a certain Time, the Land to revert to the Crown.

'XXI. And whereas it is neceſſary, that legal open Quays or Wharfs, and likewiſe the other Works 'and Conveniences directed and authoriſed to be made and provided by the Company eſtabliſhed by this 'Act, ſhould be built, made, and completed with Expedition;' be it therefore further enacted by the Authority aforeſaid, That, at the Expiration of ſeven Years from the ſaid thirty-firſt Day of *December*, one thouſand ſeven hundred and ſeventy-four, or at any ſhorter Space of Time, when the ſaid Baſon and Works ſhall be declared by the ſaid Company to be finiſhed, the ſeveral Works then made and done by the ſaid Company, by virtue and under the Direction of this Act, ſhall be ſurveyed and enquired into by two able and experienced Engineers or Surveyors, one of whom ſhall be nominated and appointed by the Commiſſioners of his Majeſty's Cuſtoms, under the Hands of any four or more of them, and the other by the ſaid Company, under their Seal; and if ſuch Engineers or Surveyors ſhall, in any Caſe, differ in Opinion, and ſhall declare the ſame in Writing, under their Hands, they ſhall immediately, by ſuch Writing, name ſome ſkilful Perſon to be the Umpire between them, who ſhall determine the Matter in Diſpute, and his Determination ſhall be final; and the ſaid Engineers or Surveyors, with the Aſſiſtance of ſuch Umpire, when neceſſary, ſhall make an Award, under their Hands and Seals, of the Progreſs that ſhall then have been had and taken in making the Quay or Wharf, Baſon or Dock, and all other Works by this Act meant or intended to be built, made, provided, and done by the ſaid Company; and if it ſhall appear to the ſaid Engineers, or Surveyors, upon ſuch Survey and Inquiry, that the ſaid ſeveral Works and Things, or any Part or Parts thereof, ſhall not be completed, that then the ſaid Engineers or Surveyors ſhall deſcribe, in Writing, under their Hands, to be delivered to the ſaid Company, what Works ſhall remain undone, or unfiniſhed, that ſhall be neceſſary or requiſite to be done and completed, within the Intent and Meaning of this Act; all which Works the ſaid Company are hereby directed and required to cauſe to be done, made, and completed, as ſoon thereafter as the ſeveral and reſpective Circumſtances will admit: And in caſe of Neglect or Failure therein, and upon the ſame being reported to the Commiſſioners of his Majeſty's Cuſtoms, under the Hands and Seals of two Engineers or Surveyors, to be nominated and appointed in Manner herein-before mentioned, unleſs it ſhall appear, to the Satisfaction of the ſaid Commiſſioners of his Majeſty's Cuſtoms, or any four or more of them, that the ſaid Works, or any Part or Parts thereof, ſhall not have been completed, through ſome unavoidable Accident, and likewiſe unleſs his Majeſty, his Heirs or Succeſſors, ſhall be graciouſly pleaſed to ſignify his Royal Conſent, that the Time for completing the ſaid ſeveral Works ſhall be further continued and extended; that then, and in ſuch Caſe, all the Ground, and the ſeveral Works, Matters, and Things, and all other the Premiſes herein-before granted, or intended to be granted, to the Company herein-before conſtituted, for the Uſes and Purpoſes herein-before mentioned, ſhall revert to his Majeſty, his Heirs and Succeſſors; and it ſhall and may be lawful for the Collector and Comptroller of the Cuſtoms at *Kingſton upon Hull* aforeſaid, by the Direction of the Commiſſioners of his Majeſty's Cuſtoms, or any four or more of them for the Time being, to enter upon and take Poſſeſſion of the ſame for the Uſe of his Majeſty, his Heirs and Succeſſors; any Thing herein-before contained, or any Grant thereof, to the contrary notwithſtanding.

Company to repair, &c. the Premiſes.

XXII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Company ſhall, from Time to Time, and at all Times hereafter, well and ſufficiently repair, maintain, ſupport, and cleanſe, the Baſon or Dock, and the Quay or Wharf, and all other the Works, Matters, and Things, by them to be made, built, and provided, by virtue of this Act.

Company to make a Road from Beverley Gate to North Bridge.

XXIII. And be it further enacted by the Authority aforeſaid, That the ſaid Company ſhall have Power, and they are hereby authoriſed and required, to cauſe to be made, ſupported, and repaired, a Road forty Feet wide at the leaſt, proper for the Paſſage of Cattle, Carriages, and Foot Paſſengers, to lead in ſuch

ſuch Manner, and in ſuch Direction, as they ſhall think moſt convenient, from *Beverley Gate* aforeſaid, on the North Side of the Dock hereby intended to be made, to the Bridge called the *North Bridge*, and from the ſame *North Bridge*, in ſuch Direction likewiſe, and in ſuch Manner, as to them ſhall ſeem moſt proper, into the Town of *Kingſton upon Hull* aforeſaid.

Materials for Roads and paving the Quays, how to be got.

XXIV. And be it further enacted, That the ſaid Company, and ſuch Perſons as ſhall be employed by them, are hereby empowered to dig, gather, take, and carry away, any Stones, Gravel, Sand, or other Materials, proper for the making or repairing of the ſaid Roads, and for paving the ſaid Quays and Wharfs, out of, or from, any waſte Ground or Common, without paying any Thing for the ſame; ſuch Perſons filling up the Pits or Quarries, levelling the Ground, or ſloping down the Banks, where ſuch Materials ſhall be taken, or railing or fencing off ſuch Pits or Quarries, ſo that the ſame may not be dangerous to Paſſengers or Cattle; and alſo the ſaid Perſons may, by Order of the ſaid Company, ſearch for, dig, gather, take, and carry away, for any the Purpoſes aforeſaid, Cobbles from any Part of the Sea Shore; and likewiſe all ſuch other Materials as aforeſaid, in, upon, or out of, from, and over the Lands of any Perſon or Perſons (not being a Yard, Garden, Park, Paddock, planted Walk, or Avenue to any Houſe, or an incloſed Ground planted and ſet apart as a Nurſery for Trees), paying or tendering Payment for the Privilege of taking ſuch Cobbles, and for the Damage done to the Owners and Occupiers reſpectively of the Grounds where or from whence any Materials ſhall be digged, gathered, taken, or carried away, or upon, over, or through which the ſame, or any other Materials ſo dug and gathered as aforeſaid, ſhall be conveyed, ſuch Equivalent in Money as the ſaid Company ſhall adjudge reaſonable: And in caſe of any Difference between the ſaid Company, or other Perſons employed as aforeſaid, and the Owners or Occupiers of private Lands or Property, or any of them, concerning ſuch Payments and Damages as aforeſaid, the Juſtices of the Peace, at their next General Quarter Seſſions, or at the ſecond General Quarter Seſſions at the fartheſt, to be holden for the Eaſt Riding of the County of *York*, on ten Days Notice thereof being given in Writing by either Party to the other, ſhall hear, ſettle, and determine the Matter of ſuch Payment and Damages; and the Judgment or Order of the ſaid Juſtices therein ſhall be final and concluſive to all Parties.

Juſtices to determine all Differences.

Ground, Baſon, &c. veſted in the Company.

XXV. And be it further enacted by the Authority aforeſaid, That the Ground and Premiſes hereinbefore given and granted, and all Gates, Walls, Ditches, Ramparts, Baſtions, Bridges, Bridgeways, Buildings, Erections, and other Matters and Things thereon and thereunto belonging or appertaining, ſubject to the Reverſion herein-before limited to his Majeſty, his Heirs and Succeſſors, and alſo all Baſons or Docks, Reſervoirs, Quays, Wharfs, Works, Buildings, and other Requiſites, Roads, Ways, Matters, and Things, which ſhall be made, built, provided, or eſtabliſhed by virtue or in purſuance of this Act (except ſuch Quays or Wharfs, or other Works, as ſhall be made or erected by virtue of this Act, by any of the Proprietors of Staiths in the Haven of the ſaid River *Hull*), ſhall be, and the ſame are hereby veſted in the ſaid Dock Company, and they are hereby authoriſed and impowered to bring Actions, or toprefer Bills of Indictment, againſt any Perſon or Perſons who ſhall damage or injure any of the Works to be made, erected, or eſtabliſhed, by virtue of this Act (except as before excepted), or ſhall ſteal, or wrongfully take away any of the Stones, Iron, Utenſils, or Materials, provided for or uſed therein, or for any other the Purpoſes of this Act, or who ſhall wilfully do, or ſuffer, or conſent to any Thing, whereby Damage may accrue to the ſaid Baſons, Quays, Wharfs, Reſervoirs, Sluices, Bridges, Works, Matters, and Things, or any of them, or any Part or Parts thereof, except as aforeſaid; and that the like Remedies which are ſo given to the ſaid Company, with reſpect to the Premiſes ſo veſted in them, ſhall be, and are hereby given to, and may be purſued by the ſeveral Proprietors of the ſaid Staiths, with reſpect to the Quays or Wharfs which ſhall be ſo made or erected by them; and all the Damages which ſhall be recovered by the ſaid Company, by any ſuch Suit or Proſecution, after deducting the Coſts of Suit, ſhall be applied to the Purpoſes of this Act.

First Meeting of the Company.

XXVI. And be it further enacted by the Authority aforeſaid, That the ſaid Dock Company ſhall meet together in the Guildhall in *Kingſton upon Hull* aforeſaid, upon that Day Month next after the paſſing of this Act, whereof fourteen Days Notice ſhall be given in the Church of the *Holy Trinity* in the ſame Town, upon a *Sunday* immediately after divine Service, and in the *York Courant*, or ſome other publick News-paper circulated in that Neighbourhood, and alſo fixed at the Exchange, or other publick Place in *Kingſton upon Hull* aforeſaid, and proceed to the Execution of this Act; and that all ſubſequent Meetings of the ſaid Company ſhall be held at ſuch Time and Place, within the ſaid Town of *Kingſton upon Hull*, as ſhall, from Time to Time, be aſcertained at the preceding Meeting, and ſhall be appointed by a Notice to be ſigned, from Time to Time, by any three or more of the ſaid Company, or their Clerk or Treaſurer, and fixed at the ſaid Exchange, or other publick Place, and delivered to or left at the uſual or laſt Place of Abode of ſuch of the ſaid Company as ſhall be reſident within the ſaid Town, or the Liberties or Precincts thereof, three Days at the leaſt before every ſuch Meeting; and that all Orders and Determinations of the ſaid Company ſhall be at Meetings held by virtue of this Act, and not otherwiſe; Provided always, That if it ſhall at any Time appear, to any ſeven or more of the ſaid Company, that, for any the Purpoſes of this Act, a ſpecial Meeting of the ſaid Company ſhall be neceſſary to be held, it ſhall be lawful for ſuch ſeven or more of them to cauſe Notice to be given thereof in the ſaid Church, in Manner aforeſaid, and in the *York Courant*, or ſuch other publick News-papers as aforeſaid, and by Notice in Writing affixed at the ſaid Exchange, or other publick Place as aforeſaid, declaring, in all ſuch Notices, the Place within the ſaid Town, and the Time when ſuch Meeting ſhall be deſired to be held, the Time not being leſs than ſix Days after ſuch Notice given, and likewiſe ſpecifying, in every ſuch Notice, the Reaſon for, and Intention of, ſuch Meetings reſpectively; and the ſaid Company are hereby authoriſed to meet purſuant to ſuch Notices, and proceed to the Execution of the Powers by this Act given them, with reſpect to the Matters ſo ſpecified, and not otherwiſe; and all ſuch Acts and Proceedings of

Proviſo.

the

the ſaid Company, at ſuch Meetings, ſhall be valid, to all Intents and Purpoſes, as if the ſame had been done at Meetings in the Manner herein-before appointed.

Clerk and Treaſurer, after choſen, to give Security.

XXVII. And be it further enacted by the Authority aforeſaid, That the ſaid Company ſhall, at their firſt or ſome ſubſequent Meeting, appoint a Clerk or Clerks, Collector or Collectors, Receiver or Receivers, and a Treaſurer or Treaſurers, for the Purpoſes of this Act, taking ſuch Security for the faithful Execution of their reſpective Offices as the ſaid Company ſhall think fit; and out of the Money raiſed by virtue of this Act may pay or allow unto ſuch Perſons ſuch Salaries or Recompence, yearly or otherwiſe, for their Trouble, as to the ſaid Company ſhall ſeem meet and reaſonable; and may revoke and countermand, alter and vary, ſuch Nominations and Appointments, and Salaries or Recompence, and make others in their Stead, or not, as to them ſhall ſeem meet and proper; and that the Collector or Collectors, ſo to be appointed, ſhall have and enjoy a convenient Seat or Place in the Cuſtom-houſe of the ſaid Port of *Kingſton upon Hull*, for the Execution of his and their Office.

The Sum of 15,000l. granted out of the Revenues of Cuſtoms, to be applied in Aid of the Works.

'XXVIII. And, in order to facilitate the Execution of the Works by this Act authoriſed and directed to 'be done, and which will be beneficial to his Majeſty's Revenue of Cuſtoms;' be it further enacted, That there ſhall be iſſued and paid out of his Majeſty's Cuſtoms, at the ſaid Port of *Kingſton upon Hull*, the full Sum of fifteen thouſand Pounds of lawful Money of *Great Britain*, in Manner, and on the Conditions following; that is to ſay, As ſoon as the ſaid Company ſhall prove, to the Satisfaction of the ſaid Commiſſioners of his Majeſty's Cuſtoms for that Part of *Great Britain* called *England*, or any four or more of them, that they the ſaid Company have expended the full Sum of ten thouſand Pounds towards making the ſaid Baſon or Dock, Reſervoirs, Bridges, Roads, or other Works by this Act authoriſed or intended to be done; the ſaid Commiſſioners, or any four or more of them, ſhall and may direct the Collector of his Majeſty's Cuſtoms at the ſaid Port of *Kingſton upon Hull*, for the Time being, to pay to ſuch Perſon or Perſons as the ſaid Company ſhall, under their Seal, authoriſe to receive the ſame, out of any Monies that ſhall come to the Hands of ſuch Collector for the Duty of Cuſtoms, the Sum of five thouſand Pounds, as Part of the ſaid Sum of fifteen thouſand Pounds; and when it ſhall be proved to the Commiſſioners, or any four or more of them, that the ſaid Company have expended in the Works aforeſaid, or any of them, the full Sum of twenty thouſand Pounds, over and above the ſaid Sum of five thouſand Pounds, then the ſaid Commiſſioners, or any four or more of them, ſhall, in Manner and Form aforeſaid, direct the ſaid Collector to pay, as aforeſaid, the Sum of five thouſand Pounds, in further Part of the ſaid Sum of fifteen thouſand Pounds; and that when it ſhall be made appear to the ſaid Commiſſioners, or any four or more of them, by the Report of two able and experienced Engineers or Surveyors, one of whom to be nominated by the Commiſſioners of his Majeſty's Cuſtoms, under the Hands of any four or more of them, and the other by the ſaid Dock Company, under their Seal, that the ſaid Company have completed the ſaid Works, the ſaid Commiſſioners, or any four or more of them, ſhall, in Manner and Form aforeſaid, direct the ſaid Collector to pay, as aforeſaid, the further Sum of five thouſand Pounds, being in full of the ſaid Sum of fifteen thouſand Pounds: And in caſe ſuch Engineers or Surveyors ſhall differ in Opinion, and ſhall declare the ſame in Writing, under their Hands, they ſhall immediately, by ſuch Writing, name ſome ſkilful Perſon to be the Umpire between them, who ſhall determine the Matter in Diſpute, and his Determination whether the ſaid Works are ſo completed ſhall be final and concluſive.

Company impowered to raiſe Money amongſt themſelves.

'XXIX. And, for further enabling the ſaid Company to carry on the neceſſary Works before mentioned, be it further enacted by the Authority aforeſaid, That it ſhall be lawful for them the ſaid Dock Company to raiſe and contribute amongſt themſelves a Sum of Money for that Purpoſe, provided that the ſaid Sum ſo to be raiſed doth not exceed the Sum of eighty thouſand Pounds in the Whole (except as herein-after mentioned), and that the ſame be divided into Shares of five hundred Pounds each; and that no Perſon or Perſons, Body Corporate and Politick, ſubſcribing thereto, or becoming a Proprietor in ſuch Works, ſhall become a Proprietor or Proprietors of leſs than one Share; and that the ſeveral Shares, when ſo ſubſcribed, ſhall be, and they are hereby veſted in the Perſons and Bodies Corporate and Politick herein-before deſcribed, and their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, to their and every of their proper Uſe and Behoof, in proportion to the Sum they and each of them ſhall ſeverally and reſpectively ſubſcribe and pay thereunto; and all and every the ſaid Shares ſhall be deemed to be perſonal Eſtate, and tranſmiſſible as ſuch, and not of the Nature of real Property; and the ſaid Perſons, Bodies Corporate and Politick, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally ſubſcribe and pay in the Sum of five hundred Pounds, or ſuch Sum or Sums as ſhall be demanded in lieu thereof, towards carrying on and completing the Works aforeſaid, ſhall be intitled to and receive, after the ſaid Works ſhall be completed, the entire and net Diſtribution of one proportionable Part, according to the Sum ſo ſubſcribed, of the Profits and Advantages that ſhall and may ariſe and accrue by virtue of the Sum and Sums of Money to be raiſed, recovered, or received by the Authority of this Act, and ſo in proportion for any greater Number of Shares; and each of the ſaid Perſons, Bodies Corporate and Politick, having ſuch Property of one five hundred Pounds Share in the ſaid Undertaking, and ſo in Proportion as aforeſaid, ſhall bear and pay an adequate proportional Sum of Money towards carrying on the ſaid Undertaking, in Manner herein-after enacted and appointed.

Subſcribers to have a Vote for every Share, by themſelves or Proxies.

XXX. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons, Bodies Corporate and Politick, who ſhall, by virtue of this Act, have ſubſcribed or undertaken for one five hundred Pounds Share of the ſaid eighty thouſand Pounds, ſhall be deemed a Proprietor or Proprietors for ſo much, and ſhall have a Vote in every publick Meeting to be held by the ſaid Company by virtue of this Act; which Vote may be given by the ſaid reſpective Perſons, Bodies Corporate and Politick, either by themſelves or by their Proxy or Proxies (every ſuch Proxy being a Proprietor in the ſaid Undertaking), duly conſtituted under the Seal of the reſpective Bodies Corporate and Politick, and under the Hand and Seal, or Hands and Seals, of all other Proprietors; and ſuch Vote or Votes by Proxy ſhall be as good and ſufficient, to all Intents and Purpoſes, as if ſuch Principal or Principals had voted in Perſon; and any Perſon

ſon or Perſons, Bodies Corporate and Politick, who ſhall have one or more ſuch Share or Shares, ſhall have Liberty, by him, her, or themſelves, or by his, her, or their Proxy or Proxies, regularly conſtituted as aforeſaid, to give one Vote for each ſuch Share, not exceeding ten ſuch Shares for each ſuch Body Corporate and Politick, and not exceeding two ſuch Shares for any one other Proprietor; and whatever Queſtion, Matter, or Thing, ſhall be propoſed, diſcuſſed, or conſidered, in any publick Meeting of the ſaid Company, to be held by virtue of this Act, ſhall be finally determined by the Majority of Votes and Proxies then preſent, computing one Vote for every Share to the Extent aforeſaid.

If a ſufficient Number of the Company do not attend, the Meeting to adjourn.

XXXI. Provided always, That if at any publick Meeting of the ſaid Company there ſhall not be preſent, either as Principals or Proxies, Proprietors of forty-one Shares, then the ſaid Meeting ſhall be deemed to be adjourned to that Day Sevennight, at the ſame Place where ſuch Meeting was appointed to be held.

Additional Sum of 80,000l. to be raiſed, if neceſſary.

XXXII. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Sum of eighty thouſand Pounds, herein-before authoriſed to be raiſed, ſhall not be raiſed as aforeſaid, or ſhall be found inſufficient for the making and completing the ſaid Baſon or Dock, and Quay or Wharf adjoining thereto; Reſervoirs, Sluices, Bridges, Roads, and other the Works hereby authoriſed to be made, and for all neceſſary Charges and Expences relating thereunto; then, and in ſuch Caſe, it ſhall be lawful for the ſaid Company to borrow and take up at Intereſt, on the Credit of the Rates and Duties by this Act granted, ſuch Sum or Sums of Money as ſhall be ſufficient to make up the ſaid Sum of eighty thouſand Pounds, ſo to be raiſed as aforeſaid, and alſo ſuch further Sum or Sums of Money, not exceeding in the Whole the Sum of twenty thouſand Pounds, for completing and perfecting the ſaid Works; and the ſaid Company are hereby fully authoriſed and impowered to aſſign over the Rates and Duties ariſing by virtue of this Act, or any Part thereof (the Coſts and Charges of aſſigning the ſame to be paid out of ſuch Rates and Duties), as a Security for any ſuch Sum or Sums of Money to be borrowed, with Intereſt, to ſuch Perſon or Perſons, or their Truſtees, who ſhall advance the ſame, by the following Words of Aſſignment, or by any other Words to the ſame Effect; *videlicet:*

Rates may be aſſigned for Payment.

Form of Aſſignment.

'BY virtue of an Act, made in the Fourteenth Year of the Reign of his Majeſty King *George* the Third, "for making and eſtabliſhing lawful Quays or Wharfs in the Port of *Kingſton upon Hull*, and other "Purpoſes;" We the Dock Company at *Kingſton upon Hull*, in conſideration of the Sum of of lawful *Britiſh* Money to us in Hand paid by do aſſign unto the ſaid his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, all and ſingular the Rates and Duties ariſing by virtue of the ſaid Act, and alſo all the Eſtate, Right, Title, and Intereſt, of the ſaid Company, of, in, and unto the ſame, to hold unto the ſaid his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, until the ſaid Sum of together with the Intereſt for the ſame, after the Rate of *per Centum per Annum* ſhall be repaid.'

And all and every Perſon and Perſons, Bodies Corporate and Politick, to whom ſuch Aſſignment or Aſſignments ſhall be made, ſhall be equally intitled to their Proportion of the ſaid Rates and Duties, according to the reſpective Sums in ſuch Aſſignment mentioned to be advanced, to ſecure the Repayment thereof, with the Intereſt as aforeſaid, without any Preference by reaſon of Priority of Aſſignment, or on any other Account whatſoever; and the Money ſo borrowed as aforeſaid ſhall be applied for making, completing, and maintaining, the ſaid Baſon or Dock, Quay or Wharf adjoining thereto, Reſervoirs, Sluices, Bridges, Roads, and other Works authoriſed by this Act, and in carrying the ſame, and the ſeveral Proviſions, Powers, and Authorities, herein contained, into effectual Execution.

Aſſignment to be entered in a Book.

XXXIII. And be it further enacted by the Authority aforeſaid, That Entries or Memorials of every ſuch Aſſignment or Aſſignments, containing the Dates, Names of the Parties, and Sums of Money borrowed, ſhall be made in a Book or Books to be kept for that Purpoſe by the Clerk to the ſaid Company; which ſaid Book or Books ſhall and may be peruſed, at all ſeaſonable Times, by any of the Proprietors or Creditors of the ſaid Undertaking, or other Perſons intereſted therein, without Fee or Reward; and that all and every Perſon and Perſons, Body Corporate or Politick, to whom any ſuch Aſſignment or Aſſignments ſhall be made as aforeſaid, or who ſhall be intitled to the Money thereby ſecured, may, from Time to Time, aſſign or transfer his, her, or their Right, Title, Intereſt, or Benefit, to the ſaid Principal and Intereſt Money thereby ſecured, to any Perſon or Perſons, Body Corporate or Politick whatſoever, by indorſing on the Back of ſuch Security, before one credible Witneſs, the following Words, or Words to the like Effect; *videlicet:*

Form of Transfer.

'I Do transfer this Aſſignment, with all my Right and Title to the Principal Money hereby ſecured, and to all the Intereſt now due, or hereafter to be due, unto *C. D.* his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns. Dated this Day of

'Witneſs *E. F.* *A. B.*'

Which Transfer ſhall, within twenty Days after the Date thereof, be produced and notified to the ſaid Clerk, who ſhall cauſe an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sums of Money therein transferred in the ſaid Book or Books, to be kept for the entering the ſaid original Aſſignments, for which the ſaid Clerk ſhall be paid the Sum of one Shilling; and after ſuch Entry made, but not until then, every ſuch Aſſignment ſhall intitle ſuch Aſſignee, his, her, and their Executors, Adminiſtrators, Succeſſors, and Aſſigns, to the Benefit thereof, and Payment thereon, and ſuch Aſſignee may aſſign again, and *toties quoties*; but in caſe any Sum ſo aſſigned ſhall not exceed the Sum of one hundred Pounds, it ſhall be lawful for the Perſon or Perſons intitled to ſuch Aſſignment reſpectively, by an Indorſe-

ment of his, her, or their proper Names, without Witneſs, to transfer his, her, or their Property in ſuch Aſſignment to any other Perſon or Perſons, without an Entry to be made thereof in the ſaid Book or Books; and all ſuch laſt-mentioned Transfers or Aſſignments ſhall intitle ſuch Aſſignee, his, her, and their Executors, Adminiſtrators, Succeſſors, and Aſſigns, to the Benefit thereof, and Payment thereon, and ſuch Aſſignee may, in like Manner, aſſign or transfer the ſame again, and *toties quoties*; and it ſhall not be in the Power of any ſuch Perſon or Perſons, who ſhall have made any ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any Monies thereby due, or any Part thereof.

The Intereſt of the Money borrowed to be paid Half-yearly.

XXXIV. And it is hereby further enacted by the Authority aforeſaid, That the Intereſt of the Money which ſhall be borrowed by Mortgage of the Rates or Duties as aforeſaid ſhall be paid Half-yearly to the ſeveral Parties intitled thereto, in Preference of any Intereſt or Dividends due and payable by virtue of this Act to the ſaid Company, or any of them, and ſhall, from Time to Time, be fully paid and diſcharged, or provided for, before the yearly or other Intereſt or Dividends due to the ſaid Company, or any of them, ſhall be paid, made, or divided.

The Mayor and Burgeſſes, &c. authoriſed to purchaſe Shares in the Works made by this Act.

XXXV. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Mayor and Burgeſſes of the Town or Borough of *Kingſton upon Hull*, the Guild or Brotherhood of Maſters and Pilots, Seamen of the *Trinity Houſe* of *Kingſton upon Hull*, and the Maſter, Brethren, and Siſters of the Houſe or Hoſpital, nigh *Kingſton upon Hull*, called *God's Houſe of Hull*, and they the ſaid three Bodies Corporate and Politick are hereby, each of them, ſeverally and reſpectively fully authoriſed, enabled, and impowered, with the Money or Effects belonging to ſuch reſpective Corporations, to become Subſcribers to or to purchaſe Shares in the Undertaking eſtabliſhed by this Act, on account of and for the Benefit of their reſpective Corporations; any Ordinance, Statute, Law, Charter, Grant, or other Matter or Thing to the contrary thereof in any-wiſe notwithſtanding.

The Charter Houſe to hold two Shares, and the Corporations 10 Shares each.

XXXVI. Provided always, and it is hereby enacted and declared, That the ſaid Maſter, Brethren, and Siſters of the Houſe or Hoſpital, nigh *Kingſton upon Hull*, called *God's Houſe of Hull*, ſhall be, and they are hereby declared incapable of holding or being poſſeſſed of more than two ſuch Shares, and the ſaid other two Bodies Corporate and Politick ſhall be, and they are hereby declared incapable of holding, or being poſſeſſed of, more than ten ſuch Shares each, at one and the ſame Time, except ſuch reſpective Shares ſhall come by Gift or Bequeſt; and that no Perſon or Perſons, Body Corporate and Politick, who ſhall purchaſe any ſuch Share or Shares, ſhall be admitted to vote for the ſame, either by themſelves or Proxy, until ſuch Perſon or Perſons, Body Corporate and Politick, ſhall have been in Poſſeſſion of ſuch purchaſed Share or Shares for the full Term of ſix Calendar Months.

Company may make Calls; but at Four Months Diſtance at leaſt.

XXXVII. And be it further enacted by the Authority aforeſaid, That the ſaid Company ſhall have Power, from Time to Time, to call for, audit, and ſettle, all Accounts of Money laid out and diſburſed for the Purpoſes of this Act with the Receivers and other Officers and Perſons employed under the Authority of this Act; and to make ſuch Call or Calls of Money from the Proprietors of Shares, to defray the Expences of, or carry on, the Works authoriſed or directed by this Act to be done by the ſaid Company, as they, from Time to Time, ſhall find wanting and neceſſary for thoſe Purpoſes; ſo that no Call do exceed the Sum of ten Pounds for every hundred Pounds, and ſo as no Call to that Amount be made but at the Diſtance of four Calendar Months at the leaſt from each other; which Money, ſo called for, ſhall be paid to ſuch Perſon or Perſons, and in ſuch Manner, as the ſaid Company ſhall, from Time to Time, appoint or direct, for the Uſe of the ſaid Undertaking; and every the Owner or Owners of one or more Share or Shares in the ſaid Undertaking ſhall pay his, her, or their Shares or Proportions of the Monies to be called for as aforeſaid, at ſuch Time and Place as ſhall be appointed for that Purpoſe, of which two Calendar Months Notice at leaſt ſhall be given, by publiſhing the ſame in the ſaid Church of the *Holy Trinity* in the ſaid Town, and by Notice in Writing to be affixed on the Exchange, or other publick Place, in the ſaid Town, and by publiſhing the ſame in the *York Courant*, or other News-paper as aforeſaid: And if any Perſon or Perſons, Body Corporate or Politick, ſhall neglect or refuſe to pay their rateable or proportionable Part or Share of the ſaid Money to be called for as aforeſaid, at the Time and Place to be appointed by the ſaid Company, the Perſon or Perſons, Body Corporate or Politick, ſo neglecting or refuſing, ſhall forfeit the Sum of five Pounds for every hundred Pounds of their reſpective Share and Shares, Parts and Intereſts, in the ſaid Undertaking and Premiſes: And in caſe ſuch Perſon or Perſons, Body Corporate and Politick, ſhall neglect to pay his, her, or their rateable or proportionable Part or Share of the ſaid Money to be called for as aforeſaid for the Space of two Calendar Months after the Time appointed for Payment thereof, as aforeſaid, then the Perſon or Perſons, Body Corporate or Politick, ſo neglecting, ſhall forfeit his, her, and their reſpective Shares, Parts, and Intereſts, in the ſaid Undertaking and Premiſes, to be recovered by an Action at Law, to be brought in the Name of the ſaid Company, againſt the Party or Parties ſo neglecting, his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns; all which Forfeitures ſhall go to the reſt of the Proprietors, their Succeſſors and Aſſigns, in Truſt for, and for the Benefit of, all the reſt of the ſaid Proprietors, in proportion to their reſpective Intereſts.

Perſons omitting to pay their Proportions to forfeit 5 l. per Cent.

and if for two Months, the Shares to be forfeited.

No Share to be deemed forfeited till after ſix Months Notice given to the Perſon concerned.

XXXVIII. Provided always, That no Advantage ſhall be taken of any Forfeiture of any ſuch Share or Shares till after Notice in Writing ſhall have been left with ſome Officer of the reſpective Corporation, or perſonal Notice to the Owner, or Notice in Writing left at his or her uſual or laſt Place of Abode, nor unleſs the ſame ſhall be declared to be forfeited at ſome Meeting of the ſaid Company, to be held within ſix Calendar Months next after ſuch Forfeiture ſhall happen to be made; and every ſuch Forfeiture ſhall be an Indemnification to and for every Proprietor and Proprietors ſo forfeiting, againſt all Action and Actions, Suits or Proſecutions whatſoever, to be commenced or proſecuted for any Breach of Contract, or other Agreement, betwixt ſuch Proprietor or Proprietors ſo forfeiting and the reſt of the Proprietors, with regard to carrying on the ſaid Works.

When Subſcribers die before their Shares be

XXXIX. And be it further enacted by the Authority aforeſaid, That if the Owner or Owners of any ſuch Share or Shares ſhall die before ſuch Call or Calls ſhall have been made for the full Sum to be advanced

completed, Executors may complete the Payment,

on each Share, which he, ſhe, or they, ſhall have been poſſeſſed of or intitled to, without having made Proviſion by Writing, or otherwiſe, how ſuch Share or Shares ſhall be diſpoſed of, and the Money paid in upon Calls for the future; then, and in ſuch Caſe, the Executors or Adminiſtrators of any ſuch Owner dying, and the Truſtee or Truſtees, Guardian or Guardians, of any Infant, or other Perſon or Perſons whatſoever, intitled to the Eſtate or Effects of ſuch Owner deceaſed, ſhall be indemnified againſt all and every ſuch Infant or Infants, or other Perſons whatſoever, for paying any Sum of Money when called for as aforeſaid, to complete every ſuch Subſcription: And if ſuch Owner deceaſed ſhall not have left Aſſets ſufficient, or in caſe the Executor, Adminiſtrator, Truſtee, or Guardian, ſhall refuſe or neglect to anſwer ſuch Calls and Payments, the ſaid Company ſhall be, and are hereby impowered, authoriſed, and required, to admit any other Perſon or Perſons to be Proprietor or Proprietors of the Share or Shares of ſuch Owner deceaſed, on Condition that he, ſhe, or they, ſo admitted, do and ſhall, on or before ſuch Admiſſion, pay to the Executors or Adminiſtrators of ſuch deceaſed Owner, or the Truſtee or Truſtees, Guardian or Guardians, of any Infant, or others, intitled to his or her Effects, the full Sum and Sums of Money which ſhall have been paid by ſuch Owner in his or her Life-time, by virtue of any Call or Calls, or otherwiſe, upon ſuch Share or Shares, or ſuch other Sum or Sums of Money as the ſame can be ſold for.

How Shares may be diſpoſed of by the Proprietors.

XL. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſeveral Proprietors of any ſuch Share or Shares, to ſell and diſpoſe thereof, ſubject to the Rules and Conditions herein mentioned; and any Purchaſer or Purchaſers ſhall, for his, her, or their Security, as well as that of ſuch Proprietor or Proprietors, have a Duplicate or Duplicates of the Deed of Aſſignment or Conveyance made unto him, her, or them, and executed by ſuch Perſon or Perſons, of whom he, ſhe, or they, ſhall purchaſe the ſame, and alſo by the Purchaſer or Purchaſers; one Part whereof, duly executed both by the Seller and Purchaſer, ſhall be delivered to the Clerk to the ſaid Company for the Time being, to be filed and kept for the Uſe of the ſaid Company, and an Entry thereof ſhall be made in a Book or Books to be kept by the ſaid Clerk for that Purpoſe, for which no more than one Shilling ſhall be paid; and the ſaid Clerk is hereby required to make ſuch Entry accordingly; and until ſuch Duplicate of ſuch Deed ſhall be ſo delivered unto the ſaid Clerk, and filed and entered as above directed, ſuch Purchaſer or Purchaſers ſhall have no Part or Share of the Profits of the ſaid Undertaking, or Money raiſed by virtue of this Act, or any Intereſt for ſuch Share, or any Vote as Proprietor or Proprietors.

XLI. And be it further enacted by the Authority aforeſaid, That the ſaid Shares ſhall be ſold, aſſigned, and transferred, in the Form, or to the Effect following; *to wit*,

Form of the Sale and Transfer.

'I *A. B.* in conſideration of paid to me by *C. D.* do hereby bargain, ſell, aſſign, and transfer, to the ſaid *C. D.* his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, Shares (as the Caſe is) in the Undertaking for making a Baſon or Dock, Key or Wharf, Reſervoir, and other Works, in the Port of *Kingſton upon Hull*, to hold to him the ſaid *C. D.* his Executors, Adminiſtrators, and Aſſigns, ſubject to the ſame Rules and Orders, and on the ſame Conditions, that I held the ſame immediately before the Execution hereof; and I the ſaid *C. D.* do hereby agree to accept thereof, ſubject to the ſame Rules, Orders, and Conditions.

'Witneſs our Hands and Seals the Day of in the Year of our Lord

After Dec. 31, 1774, Company may take Rates for Shipping.

Ships of War, &c. excepted.

XLII. And be it further enacted by the Authority aforeſaid, That, in conſideration of the great Charges and Expences which the making, building, erecting, and providing, ſuch Baſon or Dock, Quay or Wharf, Reſervoirs, Sluices, Bridges, Roads, and Works, and the ſupporting, maintaining, and keeping, the ſame in Repair for the future, will amount unto, there ſhall be payable, and paid, from and after the ſaid thirty-firſt Day of *December*, one thouſand ſeven hundred and ſeventy-four, to the ſaid Company, or to their Collectors or Deputies, for their Uſe, for every Ship or Veſſel (the King's Ships of War, and other Ships and Veſſels employed in his Majeſty's Service, only excepted) coming into or going out of the ſaid Harbour, Baſon, or Docks, within the Port of *Kingſton upon Hull*, or unlading or putting on Shore, or lading or taking on board, any of their Cargo, or any Goods, Wares, or Merchandiſe, within the ſaid Port, by the Maſter or Commander, Owner or Owners, of every ſuch Ship or Veſſel, the ſeveral Rates or Duties of Tonage (according to the full of the Reach and Burthen) hereafter particularly rated and deſcribed; (that is to ſay)

The Rates.

For every Ship or Veſſel coming to or going between the Port of *Kingſton upon Hull* and any Port to the Northward of *Yarmouth*, in *Norfolk*, or any Port to the Southward of the *Holy Iſland*, for every Ton, Two-pence.

For every Ship or Veſſel coming to or going between the Port of *Kingſton upon Hull* and any Port or Place between the *North Foreland* and *Shetland*, on the Eaſt Side of *England*, except as above, for every Ton, the Sum of Three-pence.

For every Ship or Veſſel trading between the ſaid Port of *Kingſton upon Hull* and any other Port or Place in *Great Britain*, not before deſcribed, for every Ton, the Sum of Six-pence.

For every Ship or Veſſel trading between the ſaid Port of *Kingſton upon Hull* and any Port or Place in the *Baltick* Seas, and all other Ports or Places above the *Sound*, for every Ton, the Sum of one Shilling and Three-pence.

For every Ship or Veſſel trading between the ſaid Port of *Kingſton upon Hull* and any Port or Place in *Denmark*, *Sweden*, or *Norway*, below *Elſinure*, or any Port or Place in *Germany*, *Holland*, *Flanders*, *France*, to the Eaſtward of *Uſhant*, *Ireland*, the Iſlands of *Guernſey* and *Jerſey*, for every Ton, the Sum of Ten-pence.

For

For every Ship or Veſſel trading between the ſaid Port of *Kingſton upon Hull* and any Iſland or Port or Place of *Europe* to the Weſtward of *Uſhant*, without the *Streights* of *Gibraltar*, for every Ton, the Sum of one Shilling and Three-pence.

For every Ship or Veſſel trading between the ſaid Port of *Kingſton upon Hull*, and every Port or Place in the *Weſt Indies*, *North* or *South America*, *Africa*, *Greenland*, or any Place to the Eaſtward of the *North Cape* of *Norway*, all Places within the *Streights* of *Gibraltar*, and all Iſlands and Places in the Ocean to the Southward of *Cape Saint Vincent*, not herein-before named, for every Ton, the Sum of one Shilling and Nine-pence.

For every foreign Ship or Veſſel coming to or going (with Merchandiſe) from any of the above-named Ports or Places, Double the Rates, Tonage, or Duties, above-mentioned, unleſs the ſaid Ships belong to *Britiſh* Owners.

For every Ship or Veſſel ſailing Coaſtwiſe or otherways, and coming into the ſaid Haven in Ballaſt to be laid up, for every Ton (Coaſting-duty included), the Sum of Six-pence.

Rates veſted in the Company.

Which Rates or Duties ſhall be and are hereby veſted in the ſaid Dock Company as their own proper Monies, and to and for their own proper Uſe and Behoof, for the Purpoſes aforeſaid, and ſhall be paid at the Time of ſuch Ships or Veſſels Entry inwards, or Clearance or Diſcharge outwards; or, in caſe any Ships or Veſſels ſhall not enter as aforeſaid, then, at any Time before ſuch Ships or Veſſels ſhall proceed from the ſaid Port, at the Cuſtom-houſe in the ſaid Port; ſo as no Ship or Veſſel ſhall be ſubject or liable to the Payment of the ſaid Rates or Duties, or any of them, more than once for the ſame Voyage, both Out and Home, notwithſtanding ſuch Ship or Veſſel may go out and return with a Loading of Goods or Merchandiſe.

Ships drove in by Streſs of Weather, or Enemy, &c. not to be liable to Rates.

XLIII. Provided always, and be it further enacted by the Authority aforeſaid, That nothing in this Act ſhall extend to charge any Ship or Veſſel with the Rates or Duties aforeſaid which ſhall be forced into the ſaid Port by the Enemy, or by receiving Damage at Sea, or otherwiſe, and ſhall in the ſaid Port diſcharge or unlade in order to repair any Damage ſuſtained by ſuch Ship or Veſſel, and ſhall relade the Goods and Merchandiſes ſo diſcharged or unladen, unleſs ſuch Ship or Veſſel make uſe of the ſaid Dock or Baſon.

Coaſting Veſſels not to pay, unleſs they come into the Baſon.

XLIV. Provided alſo, and be it enacted by the Authority aforeſaid, That this Act ſhall not extend to charge any Ship or Veſſel with the Rates or Duties aforeſaid, or any Part thereof, which ſhall come or go Coaſtwiſe, from or to any Port or Place in *Great Britain*, to or from any Place up the Rivers *Trent* or *Ouze*, within the Limits of the Port of *Hull*, as now uſed, or to or from any other Place up the ſaid Rivers *Trent* or *Ouze*, or any other River which falls into the ſaid Rivers, or either of them, or which ſhall trade between any ſuch Port or Place in *Great Britain* and any ſuch Place as aforeſaid, within or up the ſaid Rivers, or either of them, unleſs ſuch Ship or Veſſel ſhall come into or go out of the ſaid Baſon or Dock, or any Part of the ſaid Harbour or Haven called *Hull Haven*; or ſhall uſe the ſaid Baſon or Dock, or Quays, within the ſaid Harbour; or ſhall unlade or put on Shore, or lade or take on Board, any Goods, Wares, or Merchandiſe, or any Part of the Cargo of any ſuch Ship or Veſſel, within any Part of the River *Humber*; or to charge with the ſaid Rates or Duties, or any Part thereof, any ſuch Coaſting Ship or Veſſel which ſhall go into, or by the Officers of the Cuſtoms be called into, the ſaid Harbour or Haven, for the ſole Purpoſe of being entered or cleared at the Cuſtomhouſe there.

Wharfage Rates.

XLV. Provided alſo, and be it further enacted and declared, That all Goods, Wares, and Merchandiſe, which ſhall be landed or diſcharged upon any of the Quays or Wharfs which ſhall be erected by virtue of this Act, ſhall be liable to pay, and ſhall be charged and chargeable with the like Rates of Wharfage and Payments as are uſually taken or received for any Goods, Wares, or Merchandiſe, loaded or diſcharged upon any Quays or Wharfs in the Port of *London*, and ſhall be paid to the reſpective Company, and Owners of the ſaid Quays or Wharfs ſo to be erected as aforeſaid, in like Manner as the Rates and Duties eſtabliſhed by this Act are hereby directed to be paid.

How Veſſels ſhall be meaſured.

XLVI. And be it further enacted by the Authority aforeſaid, That all Ships and Veſſels trading or coming to or from the ſaid Port, or to or from any of the Ports and Places before mentioned, and liable to the Payment of the Rates or Duties of Tonage by this Act impoſed, ſhall be meaſured in Manner following; (that is to ſay,) The Length ſhall be taken on a ſtraight Line, along the Rabbet of the Keel of the Ship, from the Back of the Main Stern Poſt to a perpendicular Line from the Fore Part of the Main Stem under the Bowſprit, from which ſubtracting three-fifths of the Breadth, the Remainder ſhall be eſteemed the juſt Length of the Keel, to find the Tonnage; and the Breadth ſhall be taken from the Outſide of the Outſide Plank, in the broadeſt Place of the Ship, be it either above or below the Main Wales, excluſive of all Manner of doubling Planks that may be wrought upon the Sides of the Ship; then multiplying the Length of the Keel by the Breadth ſo taken, and that Product by half the Breadth, and dividing the Whole by ninety-four, the Quotient ſhall be deemed the true Contents of the Tonage; according to which Rule the Tonage of all ſuch Ships and Veſſels ſhall be meaſured and aſcertained, and the ſeveral Rates or Duties of Tonage ſhall thereby be computed and collected accordingly; any Cuſtom, Practice, or Uſage to the contrary nothwithſtanding.

Perſons authoriſed to go on Board to meaſure, and collect the Duties.

XLVII. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Collector or Collectors, or any other Perſon or Perſons authoriſed or deputed for that Purpoſe by the ſaid Company, to go on Board any Ship or Veſſel within the ſaid Port, to take the Dimenſions of ſuch Ship or Veſſel in the Manner herein-before directed, and to demand, collect, and receive the ſaid Rates or Duties of Tonage, by this Act directed to be paid for ſuch Ship or Veſſel; and upon Non-payment thereof, ſuch Collector or Collectors, Perſon or Perſons, ſhall and may ſeize and diſtrain every ſuch Ship or Veſſel, and all the Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, and the ſame detain and keep, until the Rates or Duties due or payable on account thereof, and all Charges incurred by

ſuch Seizure and Diſtreſs, ſhall be fully ſatisfied and paid; and in caſe of Neglect or Delay in making ſuch Payment for the Space of three Days after any ſuch Diſtreſs or Diſtreſſes ſhall be taken as aforeſaid, that then it ſhall be lawful for the ſaid Collector or Collectors, or other Perſon or Perſons as aforeſaid, or any of them, to cauſe ſuch Diſtreſs or Diſtreſſes to be appraiſed by two or more ſufficient Perſons not intereſted therein, to be appointed by the ſaid Company, and afterwards to ſell the ſame, and therewith to ſatisfy himſelf or themſelves, as well for and concerning the ſaid Rates or Duties of Tonage ſo neglected or delayed to be paid, for which a Diſtreſs ſhall have been taken as aforeſaid, as for his or their reaſonable Charges and Expences in the taking and detaining ſuch Diſtreſs or Diſtreſſes, and ſelling the ſame, or any Part thereof, rendering the Overplus (if any) to the Maſter or Commander of ſuch Ship or Veſſel, in or from which ſuch Diſtreſs or Diſtreſſes ſhall be ſo taken.

Penalty on Perſons refuſing Admeaſurement, or eluding Payment of Duties.

XLVIII. And be it further enacted, That if any Maſter, Commander, or other Perſon taking upon himſelf the Command, or appearing to be Maſter or Commander, or any Owner, Factor, or Conſignee of any Ship or Veſſel, ſhall at any Time refuſe to have his Ship or Veſſel meaſured as aforeſaid, or ſhall elude or evade the Payment of any Rates or Duties hereby granted, by any Method whatſoever; every Maſter, Commander, or other Perſon aforeſaid, ſhall, for every ſuch Offence, forfeit to the ſaid Company the Sum of ten Pounds, and ſhall alſo ſtand charged with and be liable to the Payment of the ſaid Rates and Duties.

Cuſtomer not to diſcharge any Veſſel till Duties are paid.

'XLIX. And, to the Intent that the ſaid Rates or Duties may be duly anſwered and paid,' be it further enacted by the Authority aforeſaid, That no Cuſtomer, Collector, Receiver of Entries of Ships, Surveyor, Searcher, or Waiter, or other Officer whatſoever, of or concerning the Cuſtoms of the ſaid Port of *Kingſton upon Hull*, ſhall hereafter give or make out any Coquet, or other Diſcharge, or take any Report Outwards, for any Ship or Veſſel trading or coming to the ſaid Port, until the Rates, Duties, and Payments hereby granted or payable, by the Maſter or other Perſon taking Charge of ſuch Ship or Veſſel, according to the Tenor and true Meaning of this Act, ſhall be paid unto the reſpective Collectors or Officers appointed to receive the ſame as aforeſaid; and that ſuch Maſter or Maſters, or other Perſons taking Charge of ſuch Ship or Veſſel, ſhall produce an Acquittance, under the Hand of ſuch Collector or Officer, teſtifying the Receipt thereof; which Receipt ſuch Collector, or other Officer, is hereby required to give without Fee or Reward, upon Pain of Forfeiture of twenty Pounds to the ſaid Company; and that every Cuſtomer, Collector, Receiver of Entries of Ships, Surveyor, Searcher, Waiter, or other Officer of or concerning the ſaid Cuſtoms, making Default in any of the Matters enjoined them by this Act, ſhall forfeit to the ſaid Company the like Sum of twenty Pounds; both which Sums, together with the Coſts of Suit, ſhall be recovered in any of his Majeſty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, Privilege, or Protection, ſhall be allowed.

Company may leſſen the Duties, and raiſe them again.

L. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That it ſhall be lawful for the ſaid Company, at any Time or Times, upon examining and inſpecting the Accounts to be kept of, for, or concerning the ſaid Baſon or Dock, Quay or Wharf, Reſervoirs, Sluices, Bridges, Roads, and other Works and Conveniencies to be made, erected, and maintained by virtue and in purſuance of this Act, to leſſen, lower, diminiſh, or reduce the Rates and Duties of Tonage hereby granted and made payable, or any of them, and alſo to advance and raiſe the ſame again, in ſuch Manner as to them ſhall from Time to Time ſeem meet and expedient, ſo as the ſaid Rates or Duties, when ſo advanced and raiſed again, do not exceed the Rates or Duties herein-before granted; and the Rates or Duties ſo leſſened or reduced, ſhall and may, from Time to Time, be collected, received, or recovered, by ſuch Ways and Means as the original Rates or Duties hereby granted are authoriſed to be collected, received, or recovered; any Thing herein contained to the contrary notwithſtanding.

Part of the Tonage Rates to be repaid the Maſters of Ships.

LI. And be it further enacted by the Authority aforeſaid, That the ſaid Rates or Duties of Tonage to be collected from Ships or Veſſels as aforeſaid (except only ſuch Ships or Veſſels as ſhall paſs Coaſtwiſe, and be called *Coaſting Veſſels)*, ſhall be deemed and taken to be a Port Charge, and two-third Parts thereof ſhall be repaid to the Maſter, Owner, or Ship's Huſband, of ſuch Ship or Veſſel, by the Merchant or Freighter, Merchants or Freighters, or by his or their Agent or Agents, or by the Shipper or Shippers, Receiver or Receivers, of ſuch Goods as may be taken on Board of any Ship or Veſſel liable to the ſaid Rates or Duties of Tonage, in caſe ſuch Ship or Veſſel hath a complete Loading, but if not, then only ſuch a Part of the ſaid two-thirds as the Tonage of the Goods on Board bears in Proportion to the ſaid Ship's complete Loading; and in caſe of Refuſal to repay ſuch Rates and Duties, or ſuch a Proportion thereof as aforeſaid, the ſame ſhall and may be recovered by Action at Law, as in other Caſes of Debt.

Collectors and Treaſurers to keep fair Accounts,

and produce their Vouchers, on Penalty of 20*l*.

LII. And it is hereby further enacted by the Authority aforeſaid, That all and every the Collectors, Receivers, and Treaſurers, to be appointed by virtue of this Act, ſhall, from Time to Time, keep fair and regular Accounts of all the Monies to be received by virtue of and under the Authority of this Act, and alſo of the Monies from Time to Time to be iſſued, paid, and applied out of the ſame, expreſſing therein the Time when, and the Name of the Perſon or Perſons from or to whom, all ſuch Monies are or ſhall be received, iſſued, paid, and applied reſpectively; and alſo ſhall, from Time to Time, when thereunto required by the ſaid Company, upon giving ten Days Notice, to be left at the Dwelling-houſe or uſual Place of Abode of ſuch reſpective Collector, Receiver, or Treaſurer, attend the ſaid Company, at ſuch Time and Place, after the ſaid ten Days, as ſhall for that Purpoſe be appointed, and then and there produce to the ſaid Company all ſuch Books, Accounts, and Vouchers, concerning and relating to ſuch Receipts and Payments as aforeſaid, as the ſaid Company ſhall order, direct, or appoint to be produced; and in caſe any ſuch Collector, Receiver, or Treaſurer, ſhall, upon ſuch Notice given, neglect or refuſe to attend, and produce ſuch Books, Accounts, and Vouchers, as aforeſaid, he and they ſhall, for every ſuch Offence, forfeit and pay to the ſaid Company the Sum of twenty Pounds.

Company's annual Meeting.

LIII. And be it further enacted by the Authority aforeſaid, That the ſaid Dock Company ſhall hold a General annual Meeting in the Guildhall of the ſaid Town of *Kingſton upon Hull*, on the Second Day of

of *February* in every Year, except when ſuch Day ſhall be *Sunday*, and in ſuch Caſe on the Day following; at which General annual Meeting the ſaid Company ſhall call for, audit, and ſettle all Accounts of Money received, laid out, and diſburſed, in the preceding Year, by virtue and for the Purpoſe of this Act; and ſhall thereupon ſet down, aſcertain, fix, and declare, whether any and what Dividend ſhall be made from the Money which ſhall have ariſen by virtue of this Act in the preceding Year amongſt the Proprietors of Shares in the Undertaking authoriſed and eſtabliſhed by this Act; and the Treaſurer to the ſaid Company ſhall, within two Calendar Months after every ſuch annual Meeting, draw out a general Account, in Writing, of all the Receipts and Diſburſements, as the ſame were at ſuch Meeting ſettled and allowed, and of the Dividend then declared and fixed, and ſhall cauſe the ſame Account to be printed; and ſhall, upon Requeſt, deliver a printed Copy thereof to the ſeveral Subſcribers, or Perſons intitled to Dividend; the Expence of printing whereof ſhall be paid and allowed out of the Money ariſing by virtue of this Act; and in caſe ſuch Treaſurer ſhall neglect, omit, or refuſe to make out, or print, ſuch Account, or ſhall not deliver the ſame upon ſuch Requeſt as aforeſaid, he ſhall, for every Offence, forfeit to the ſaid Company the Sum of Ten Pounds.

Treaſurer to draw out a general annual Account;

which ſhall be printed, and delivered to the Subſcribers, on Penalty of 10 *l.*

LIV. And be it further enacted by the Authority aforeſaid, That the ſaid Company ſhall, and they are hereby authoriſed and required, at their firſt Meeting, or at ſome ſubſequent Meeting, as ſoon afterwards as conveniently may be, and in like Manner annually afterwards, at a Meeting on the Twenty-fifth Day of *March*, but if on a *Sunday*, then the Day following, to chuſe, by Ballot, nine Perſons from amongſt themſelves; and that they the ſaid Company ſhall likewiſe, at ſuch reſpective Meeting, under their Seal, nominate and appoint ſix Inhabitants of the ſaid Town, not being Members of the ſaid Company, or of either of the ſaid Corporations; which fifteen Perſons, together with the Mayor of the ſaid Town for the Time being; two of the Aldermen of the ſaid Town, to be choſen and appointed by the Mayor and Aldermen of the ſaid Town, or the major Part of them, in Council aſſembled; the acting Warden of the ſaid Guild or Brotherhood for the Time being; and one elder Brother and one Aſſiſtant of the ſaid Guild or Brotherhood, to be choſen and appointed by the Guild or Brotherhood; ſhall be Commiſſioners for the ſeveral Purpoſes herein-after mentioned; and each Commiſſioner, to be choſen by virtue of this Act, ſhall continue in the Office of Commiſſioner, until the twenty-fifth Day of *March* next after his being ſo choſen or appointed, and until another ſhall be choſen in his Stead.

Commiſſioners appointed.

LV. And be it further enacted by the Authority aforeſaid, That if any of the nine Commiſſioners, ſo to be choſen by Ballot, or if any of the ſix Commiſſioners ſo to be appointed by the ſaid Company, ſhall, before the Expiration of the Term for which they ſhall be reſpectively choſen, die, or remove, from the ſaid Town of *Kingſton upon Hull*, or refuſe to act, or ſhall become an Alderman or elder Brother, or Aſſiſtant of the ſaid Guild or Brotherhood; then, and in every ſuch Caſe reſpectively, it ſhall be lawful for the ſaid Company, and they are hereby required, from Time to Time, within one Calendar Month next after ſuch Death, Removal, or Refuſal to act, or Appointment, as aforeſaid, ſhall be known, to chuſe or appoint, by the reſpective Methods aforeſaid, a Commiſſioner, in the Room and Stead of each Commiſſioner who ſhall have been choſen by Ballot, or appointed as aforeſaid, and ſo dying, removing, or refuſing to act, or being choſen Alderman, or Member of the ſaid Guild or Brotherhood as aforeſaid; and that upon the Death, Removal, or Refuſal to act, of any of the ſaid Commiſſioners, to be appointed by the ſaid Corporations reſpectively, it ſhall be lawful for the ſaid Mayor and Aldermen, and for the ſaid Guild or Brotherhood, or the major Part of them reſpectively, and they are hereby required, from Time to Time, within one Calendar Month after ſuch Death, Removal, or Refuſal to act, ſhall be known, by a Writing, under their common Seal reſpectively, to nominate and appoint another Perſon of ſuch of the ſaid Bodies, to which the Commiſſioners ſo dying, removing, or refuſing to act, ſhall belong, in the Room of ſuch Commiſſioner laſt-mentioned; and every ſuch new Commiſſioner ſhall have the like Power and Authority as the Perſon in whoſe Stead ſuch new Commiſſioner ſhall be ſo choſen was veſted with.

New Commiſſioners to be choſen.

LVI. Provided always, and it is hereby enacted and declared, That the Baſon or Dock Maſter, or any other Officer authoriſed or appointed by virtue of this Act, ſhall be, and he and they is and are hereby declared to be incapable of acting as a Member of the ſaid Dock Company, or as a Commiſſioner under this Act, whilſt he and they ſhall remain in their reſpective Office.

Dock Maſter, &c. incapable of acting as a Member, whilſt he remains in Office.

LVII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any thirteen or more of them, ſhall meet together for the firſt Time in the Guildhall in *Kingſton upon Hull* aforeſaid, upon the firſt *Monday* after their Appointment, between the Hours of Nine in the Forenoon and Two in the Afternoon, and proceed to the Execution of the Powers and Authorities by this Act given to and veſted in them, and ſhall then, and from Time to Time afterwards, adjourn themſelves to meet at the ſame Place, or at ſuch other Place within the ſaid Town, as they, or any thirteen or more of them, ſhall think fit, for the like Purpoſes; and if at any ſuch Meeting there ſhall not appear a ſufficient Number of Commiſſioners to act, or in caſe the Commiſſioners at any Time aſſembled ſhall not adjourn themſelves; then, and from Time to Time, as often as the Caſe ſhall happen, they ſhall be deemed adjourned to that Day Sevennight, at the Place where ſuch Meeting was appointed to be held; and the ſaid Commiſſioners, or any thirteen or more of them, ſhall, moreover, and they are hereby directed to aſſemble themſelves in the ſaid Guildhall, for the Purpoſes of this Act, upon the firſt *Wedneſday* in every Month; and that all Orders and Determinations of the ſaid Commiſſioners ſhall be made at Meetings held by virtue of this Act, and not otherwiſe; and that no ſuch Order or Determination ſhall be revoked or altered at any ſubſequent Meeting but by Order of the Majority of thirteen Commiſſioners then preſent.

Time and Place of Commiſſioners Meeting.

LVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any thirteen or more of them, ſhall, and they are hereby authoriſed and required, from Time to Time, as Occaſion ſhall be, to enter into Contracts, in Writing, and make Bargains with, and give Directions to, proper Artificers, Handicraftmen, and other Workmen, for the Performance and due Execution of the Works which ſhall, from Time to Time, be directed by the ſaid Company to be done and performed by

Commiſſioners to make Contracts.

by virtue and in purſuance of this Act; every ſuch Contract to ſpecify the ſeveral Works to be done, the Prices to be paid for the ſame, and the Time or Times when or within which the ſaid Works are to be completed, and the Forfeitures or Penalties to be borne or ſuffered for the Non-performance thereof; and being ſigned by thirteen or more of the ſaid Commiſſioners, and by the Perſon or Perſons contracting to perform ſuch Works, ſhall be valid and effectual in the Law, and carried into Execution, and the Performance thereof ſhall and may be enforced by Action at Law, or otherwiſe, by and in the Name or Names, and at the Suit of, or againſt the Commiſſioners for the Time being, and the Contractor or Contractors, his, her, or their Executors or Adminiſtrators, according to the Tenor and true Meaning thereof; and in all Caſes where any pecuniary Penalties ſhall be recovered of and from any Contractor or Contractors, the ſame ſhall be paid to the Treaſurer appointed by virtue of this Act, and applied for the Purpoſes of carrying on the Works directed by this Act.

Commiſſioners may compound Penalties of Contracts.

LIX. Provided always, and it is hereby further enacted and declared, That it ſhall be lawful for the ſaid Commiſſioners, or any thirteen or more of them, from Time to Time, as they ſhall think fit, to compound and agree with any Perſon or Perſons againſt whom any Action or Actions, Suit or Suits, ſhall have been brought for any Penalty or Penalties, on account of any Breach or Non-performance of any ſuch Contract or Contracts, for ſuch Sum or Sums of Money as they, or any thirteen or more of them, ſhall think proper, ſo as the Sum ſo compounded and agreed for be not leſs than the Injury or Damage ſuſtained by the Breach or Non-performance of ſuch Contract or Contracts, and all the Coſts, Charges, and Expences, which ſhall be occaſioned thereby.

Commiſſioners to appoint Watchmen, &c.

LX. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Commiſſioners, or any thirteen or more of them, from Time to Time, as they ſhall find it expedient, to appoint a Clerk or Clerks, Watchmen, and ſuch other Officers and Servants as they ſhall find neceſſary, for the Performance, due Ordering, and Preſervation of the Works to be carried on, built, or provided, under the Powers of this Act, and from Time to Time to remove them, or any of them, and appoint others in their Stead, or in the Room of ſuch as ſhall die, or be incapable of performing their Office; and ſhall and may appoint all ſuch Clerks, Watchmen, and others ſo employed, ſuch reaſonable Salaries and Allowances, as they the ſaid Commiſſionors, or any thirteen or more of them, ſhall think proper; which Salaries and Allowances ſhall be paid by the ſaid Company.

Commiſſioners to make Bye-laws.

LXI. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Commiſſioners, or any thirteen or more of them, from Time to Time, to make, ordain, and eſtabliſh ſuch Orders, Rules, and Bye-laws, for the good Government of the ſaid Commiſſioners, and of all Clerks, Engineers, Surveyors, Workmen, Watchmen, Lightermen, Labourers, and others, appointed or employed under or by virtue of this Act, and for the better regulating, governing, managing, and uſing, the ſeveral Works, Matters, and Things, by this Act authoriſed and directed to be made, done, and performed, as well whilſt the ſame are doing, as after they ſhall be finiſhed and completed; and for the more ſafe and convenient ſhipping and lading, landing and diſcharging, carrying and conveying, laying and depoſiting, of Goods, Wares, and Merchandiſe, upon, to or from the ſaid Quays or Wharfs, and for the better governing and regulating Porters, Carters, and Carmen, and others, carrying Goods, or uſing or driving Horſes, Trucks, Carts, Sledges, Waggons, Drays, or other Carriages, for conveying Goods, Wares, or Merchandiſe, to or from the ſaid Quays or Wharfs, and for preventing Damage being done to any ſuch Goods, Wares, or Merchandiſe, by the iſſuing of Water through Spouts from Houſes or Buildings; and alſo, from Time to Time, as they ſhall ſee occaſion, to repeal, add to, amend, or alter, ſuch Rules, Orders, and Bye-laws, as to them the ſaid Commiſſioners, or any thirteen or more of them, ſhall ſeem meet, fitting, and requiſite; and to fix and appoint reaſonable pecuniary Penalties, not exceeding forty Shillings, for the Non-obſervance, Non-performance, or other Breach of all or any ſuch Rules, Orders, or Bye-laws, or any Part of them; and alſo to make ſuch other Orders, Rules, and Regulations, as ſhall be neceſſary or expedient for the due Execution of this Act; and the ſaid Commiſſioners, or any thirteen or more of them, ſhall cauſe the ſaid Rules, Orders, and Bye-laws, to be printed, and diſtributed in the Town of *Kingſton upon Hull*, and affixed upon or near to ſome publick and conſpicuous Part of each Quay or Wharf, and upon ſome other publick and conſpicuous Places in the ſaid Town; and all ſuch Penalties ſhall be recovered and levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of the Mayor, or any Alderman, of the ſaid Town of *Kingſton upon Hull*, and applied to the Uſe of the ſaid Company, rendering the Overplus (if any) to the Perſon whoſe Goods or Chattels ſhall be ſo diſtrained; and in caſe no ſufficient Diſtreſs can be found, it ſhall be lawful for the ſaid Mayor, or ſuch Aldermen, to commit the Offender to the Houſe of Correction for the ſaid Town, there to be kept to hard Labour for any Time not exceeding one Calendar Month.

Bye-laws ſubject to the Controul of the Company.

LXII. Provided always, That the Rules, Orders, and Bye-laws, ſo to be made by the ſaid Commiſſioners, ſhall be, and are hereby declared to be ſubject to the Inſpection and Controul of the ſaid Company, in Manner herein-after mentioned.

Company may inſpect the Bye-laws,

and alter or annul them.

LXIII. Provided always nevertheleſs, That it ſhall be lawful for the ſaid Company, from Time to Time, when they ſhall think proper, at a Meeting aſſembled for that Purpoſe, of which fourteen Days Notice ſhall be previouſly given, in like Manner as other Notices of their Meetings are herein directed to be given, to inſpect and conſider the Bye-laws made by the ſaid Commiſſioners; and, if they ſhall ſee fit, to annul or alter any of them, or to make others, for any the Purpoſes of this Act, or for regulating the Elections of Commiſſioners, or for reducing the Quorum of Commiſſioners to any Number not leſs than ſeven (which Quorum, when ſo reduced, ſhall have the like Powers and Authorities, to all Intents and Purpoſes, by virtue of this Act, as the ſaid Commiſſioners, or any thirteen of them, are hereby inveſted with); and the Bye-laws ſo altered or made by the ſaid Company, ſhall be put into Writing, and may from Time to Time, be varied, altered, or repealed, and others made in their Stead, at a Meeting of the ſaid Company, to be held as aforeſaid, but not by the ſaid Commiſſioners, or otherwiſe; and all ſuch

Bye-laws as ſhall be made or conſtituted by the ſaid Company ſhall, when ſigned by them, be binding to, and obſerved by, all Parties; and ſhall be ſufficient in any Court of Law or Equity, to juſtify all Perſons who ſhall act under the ſame.

Lamps to be lighted.

LXIV. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Commiſſioners, or any thirteen or more of them, to appoint Lamps to be erected at the moſt convenient Places upon or near the Quays or Wharfs, and cauſe the ſame to be lighted in the Afternoon of every Day, at ſuch Hour or Hours as they the ſaid Commiſſioners, or any thirteen or more of them, ſhall direct and appoint, from and after the firſt Day of *October* in each Year to the firſt Day of *April* immediately following, or at any ſuch other Times, and in ſuch other Manner, as they the ſaid Commiſſioners, or any thirteen or more of them, ſhall think fit and proper.

Penalty on ſtealing or breaking Lamps.

LXV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall ſteal, take away, or wilfully break, throw down, or damage any Lamp or Lamps that ſhall be ſet up by virtue of this Act, or ſhall wilfully extinguiſh the Light or Lights within the ſame, or damage the Iron or other Furniture thereof, it ſhall be lawful for any Perſon or Perſons whatſoever, who ſhall ſee ſuch Offence committed, to ſeize, as alſo to and for any other Perſon or Perſons to aſſiſt in ſeizing, the Offender or Offenders, by Authority of this Act, and without any other Warrant, to convey him, her, or them, into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before any one of the Juſtices of the Peace of the ſaid Town of *Kingſton upon Hull*; and that ſuch Juſtice ſhall proceed to examine, upon Oath, any Witneſs or Witneſſes who ſhall appear, or be produced to give Information touching ſuch Offence (which Oath the ſaid Juſtice is hereby authoriſed and required to adminiſter); and that, if the Party or Parties accuſed ſhall be convicted of ſuch Offence, either by his, her, or their own Confeſſion, or by the Teſtimony of any Witneſs or Witneſſes, as aforeſaid, he, ſhe, or they, ſhall forfeit and pay the Sum of forty Shillings for each Lamp ſo broke, thrown down, or damaged, or for every Light ſo extinguiſhed, as aforeſaid, and, moreover, ſhall make full Satisfaction to the ſaid Commiſſioners, or to ſuch Perſon as they ſhall appoint to receive the ſame, for the Damage ſo by him, her, or them done as aforeſaid; and that in caſe ſuch Offender or Offenders ſhall not, on Conviction, pay ſuch Forfeiture, and make ſuch Satisfaction as aforeſaid, ſuch Juſtice is hereby required to commit him, her, or them, to the Houſe of Correction for the ſaid Town, for the Space of two Calendar Months; and that ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they, ſhall be ſo committed, unleſs ſuch Forfeiture and Satisfaction ſhall be ſooner paid and given.

Perſons accidentally breaking of Lamps, to make Satisfaction on Demand.

LXVI. And it is hereby further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall careleſsly or accidentally break, throw down, or damage, any of the ſaid Lamps, ſo to be ſet up as aforeſaid, or the Irons, or other Furniture thereof, and ſhall not immediately, upon Demand, make Satisfaction for the Damage done thereto; then, and in every ſuch Caſe, it ſhall be lawful for any one of the Juſtices of the ſaid Town for the Time being, upon Complaint to him made by any one or more credible Witneſs or Witneſſes, to ſummon before him the Party or Parties who ſhall be complained of for doing ſuch Damage, as aforeſaid; and, upon hearing the Allegations and Proofs on both Sides, or upon the Non-appearance of the Party or Parties ſo complained of and ſummoned, to award ſuch Sum or Sums of Money, by way of Satisfaction for ſuch Damage, as ſuch Juſtice ſhall think reaſonable; and, in caſe of Neglect or Refuſal of the ſaid Party or Parties to pay ſuch Sum or Sums of Money, as awarded, within ten Days next after Demand thereof, to cauſe the ſame to be levied by Diſtreſs and Sale of his, her, or their Goods or Chattels; the Surplus (if any be), ariſing by ſuch Sale, to be paid to him, her, or them, when demanded.

Trinity Houſe to appoint a Dock Maſter.

LXVII. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Guild or Brotherhood of Maſters and Pilots, Seamen of the *Trinity Houſe* of *Kingſton upon Hull*, and they are hereby impowered and required, from Time to Time, as Occaſion ſhall be, to nominate and appoint a proper Perſon to be Dock and Haven Maſter, together with proper Aſſiſtants, with full Power and Authority to direct the mooring or removing of all Ships and Veſſels coming into, lying, or being in the ſaid Baſon or Dock, or elſewhere, within the ſaid Port or Haven: And in caſe the Owner, Maſter, Servant, or other Perſon having the Care of any ſuch Ship or Veſſel, ſhall refuſe or neglect to moor or remove the ſame, according to ſuch Direction, within twelve Hours after Notice to him or them given in Writing, or left on Board the ſaid Ship or Veſſel for that Purpoſe, that then it ſhall be lawful for the ſaid Dock and Haven Maſter, or his Aſſiſtant or Aſſiſtants, and he and they is and are hereby required to moor or remove ſuch Ship or Veſſel, and the Charges and Expences thereof reſpectively ſhall be repaid, together with the Sum of forty Shillings for each Offence, by the Maſter or Owner of ſuch Ship or Veſſel, and may be recovered by the ſaid Dock and Haven Maſter, in caſe of Non-payment thereof on Demand, by ſuch Ways and Means as Penalties and Forfeitures are by this Act to be recovered; and the ſaid Penalty, when recovered, ſhall be paid over to the Uſe of the ſaid Company: And in caſe any Maſter, Commander, Mate, or other Perſon or Perſons taking the Command of any Ship or Veſſel, or the Owner, Agent, Conſignee, or other Perſon or Perſons whatſoever, ſhall obſtruct or hinder the Mooring or Removal of any Ship or Veſſel, ſuch Perſon and Perſons ſhall, for every ſuch Offence, forfeit the Sum of ten Pounds; to be recovered and applied as the Penalty laſt above mentioned.

Maſters, &c. refuſing to moor or remove Veſſels, forfeit 40s.

and if any Maſter, &c. obſtruct the mooring or removing of Veſſels, he forfeits 10l.

Mooring of Ships or Veſſels within the Haven to be regulated.

LXVIII. Provided always, and be it enacted, That from and after the Time that the firſt Sufferance Quay or Wharf ſhall be erected or built, no more than three Ships or two-maſted Veſſels uſing the Sea, except the ſame ſhall reſpectively be under the Burthen of ſeventy-five Tons, ſhall lie in the ſame Tier, within the ſaid Haven, for more than two Tides; and in caſe any ſuch Ship or Veſſel above the ſaid Number of three Ships or Veſſels, except as aforeſaid, ſhall lie in the ſame Tier, within the ſaid Haven, the Maſter or Owner of ſuch Ship or Veſſel ſhall forfeit and pay the Sum of five Pounds for every Tide that ſuch Ship or Veſſel ſhall lie in ſuch Manner, within the ſaid Haven, for more than two Tides; and if, after Complaint in Writing ſhall be made by any Perſon to the ſaid Dock and Haven Maſter, ſuch Ship or Veſſel ſhall

ſhall be ſuffered to lie in the ſame Tier above the ſaid Number of three Ships or Veſſels, within the ſaid Haven as before mentioned, except as aforeſaid, the ſaid Dock and Haven Maſter ſhall likewiſe forfeit and pay the Sum of five Pounds for every Tide that ſuch Ship or Veſſel ſhall be ſo ſuffered to lie above two Tides after ſuch Complaint ſhall be made to the ſaid Dock and Haven Maſter.

Mooring of Ships or Veſſels oppoſite to the Jettee to be regulated.

LXIX. Provided alſo, and be it enacted, That from and after ſuch Time that the firſt Sufferance Quay or Wharf ſhall be erected or built, no more than three Ships or two-maſted Veſſels, of any Burthen whatſoever, uſing the Sea, ſhall lie at one Time in that Part of the ſaid Haven oppoſite to the Jettee called *Chapel Lane Jettee*, or oppoſite to the Staith or Warehouſe, now in the Occupation of *John Stephenſon*, adjoining to a Staith called *Shields Staith*: And if any Ship or two-maſted Veſſel, over and above the Number of three, ſhall lie at one Time in that Part of the Haven above mentioned, the Maſter or Owner of ſuch Ship or Veſſel ſo lying, and the Dock and Haven Maſter ſuffering ſuch Ship or Veſſel ſo to lie, after Complaint to him made in Writing by any Perſon, ſhall reſpectively be ſubject to the ſame Penalties as herein-before preſcribed, in relation to any Ship or Veſſel lying in the ſame Tier above the Number of three, in any Part of the ſaid Haven.

The Guild may remove the Dock and Haven Maſter.

LXX. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Guild or Brotherhood, from Time to Time, as they ſhall ſee Occaſion, to remove the ſaid Dock and Haven Maſter, or his Aſſiſtant or Aſſiſtants, from their Office, and appoint others in their Stead, or in the Stead of ſuch as ſhall die, reſign, or be incapable of performing their Office: And in caſe the Dock and Haven Maſter, and his Aſſiſtant or Aſſiſtants for the Time being, ſhall not, in mooring or removing of Ships or Veſſels, act with that due Impartiality which the Nature of their Office ſhall require, or ſhall otherwiſe miſbehave themſelves in their Office, and Complaint ſhall be thereof made in Writing to the ſaid Guild or Brotherhood by the Perſon thinking himſelf aggrieved, or his Agent, the ſaid Guild or Brotherhood ſhall and may enquire into the Matter of Complaint, and, upon Proof of the Offence complained of, and that no proper Satisfaction has been made or tendered for the ſame, ſhall and may ſubject the Offender to a Penalty, not exceeding five Pounds for one Offence; or ſhall, if thereunto required by the ſaid Commiſſioners, or any thirteen or more of them, diſcharge the Offender from his Office of Dock and Haven Maſter, or Aſſiſtant, as the Caſe may be, and ſhall, within fourteen Days then after, appoint another Perſon in his Room; and the Perſon ſo diſcharged ſhall be for ever afterwards incapable of being again appointed to the Office of Dock and Haven Maſter, or Aſſiſtant, except by Conſent in Writing of the ſaid Commiſſioners, or any thirteen or more of them: And in caſe the ſaid Guild or Brotherhood ſhall, for the Space of fourteen Days, refuſe or neglect to hear any ſuch Complaint, or ſhall not grant proper Redreſs, according to the true Intent or Meaning of this Act, that then the Perſon aggrieved may appeal to the ſaid Commiſſioners, or any thirteen or more of them, at their next or ſome ſubſequent Meeting, within fourteen Days then after, who are impowered and required to examine the Matter of Complaint, and to determine the ſame, and make ſuch Orders therein, as the ſaid Guild or Brotherhood might have done, both with reſpect to puniſhing the Offenders and appointing others to ſucceed them.

If the Guild neglect to hear Complaint for 14 Days, Perſons aggrieved may appeal to the Commiſſioners.

400l. per Annum to be paid to the Trinity for Salaries to the Dock and Haven Maſter and Aſſiſtants.

LXXI. And be it further enacted by the Authority aforeſaid, That the Treaſurer to the ſaid Company ſhall, and he is hereby required to pay annually, to the ſaid Guild or Brotherhood, a Sum not exceeding the Sum of one hundred Pounds, to be by them applied as Salaries and Allowances to the Dock and Haven Maſter, and his Aſſiſtant or Aſſiſtants for the Time being; which Sum ſhall be allowed the ſaid Treaſurer in his Account.

Annual Rent of 5 s. for each Wharf, made payable to the Mayor and Burgeſſes.

LXXII. And be it further enacted by the Authority aforeſaid, That one annual Rent of five Shillings of lawful Money of *Great Britain*, clear of all Charges and Deductions whatſoever, for or in reſpect of any preſent or future Taxes, Aſſeſſments, or Impoſitions, or other Matter, Cauſe, or Thing whatſoever, ſhall be iſſuing out of each and every Quay or Wharf to be made or erected by virtue of this Act, by any of the Proprietors of the ſaid Staiths or Warehouſes (except the ſaid Staiths of which the ſaid Mayor and Burgeſſes are to be deemed the Proprietors), to be paid or payable by the reſpective Proprietors thereof to the Mayor and Burgeſſes of the Town of *Kingſton upon Hull* aforeſaid, and their Succeſſors, for ever, in lieu of, and as a full Recompence and Satisfaction for, their Right and Intereſt in and to the Soil of the ſaid Port or Harbour of *Kingſton upon Hull*, and of their Privilege of building Houſes, Quays, and Staiths, within the ſame, the firſt Payment whereof to commence at the End of ſix Calendar Months next after the making or erecting of any ſuch Quay or Wharf; and the ſaid Corporation ſhall keep up and maintain the four Jettees upon the Eaſt Side of the Haven in Manner as heretofore.

Remedy for Recovery of Rent.

LXXIII. Provided always, and be it further enacted by the Authority aforeſaid, That if the ſaid annual Rent or Sum of five Shillings, or any Part thereof reſpectively, ſhall be in arrear or unpaid for the Space of forty Days next after the Time on which the ſame ought to be paid as aforeſaid, then, and ſo often, and from Time to Time, it ſhall be lawful for the ſaid Mayor, and Burgeſſes, and their Succeſſors, to enter and make Diſtreſs of any Goods or Chattels which ſhall be found upon the Quay or Wharf, in reſpect of which ſhall be payable the annual Rent or Sum ſo in arrear or unpaid, and the Diſtreſs and Diſtreſſes, from Time to Time taken, to carry away and impound, or diſpoſe of according to Law, for the Recovery of Rent in arrear, and all Coſts and Charges from Time to Time attending ſuch Diſtreſs and Diſtreſſes: And in caſe the ſame be not redeemed in ſix Days, by Payment of the annual Rent or Sum which ſhall be ſo in arrear, together with the Charges of ſuch Diſtreſs, then to ſell the Goods and Chattels ſo diſtrained, and out of the Money ariſing by ſuch Sale to retain the Rent, and all Arrears thereof, which ſhall be then due, and the Charges of the ſaid Diſtreſs and Sale, rendering the Overplus (if any), when demanded, to the Owner.

Tenants for Life, &c. may borrow Money.

' LXXIV. And whereas ſeveral of the Proprietors of Staiths on the ſaid River *Hull* may have occaſion ' to borrow Money to defray the Charges and Expences incident to, or attending the building Quays or ' Wharfs in purſuance of this Act, and cannot, by reaſon of ſome Settlement or Settlements, Impedi- ' ment or Impediments, reſpectively, make effectual Securities for the Money which may be lent for thoſe ' Purpoſes;

'Purpoſes;' be it therefore further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſeveral Proprietors, being Tenants for Life or in Tail, or for any uncertain Intereſt that may determine upon a Life or Lives in being, and alſo for the Huſbands, Guardians, Truſtees, Committees, or Attornies, or any Perſon or Perſons acting as Guardian, Truſtee, Committee, or Attorney, for any Charity or Charities, or for ſuch of the ſaid Owners as ſhall be under Coverture, Minors, Lunaticks, or beyond the Seas, or otherwiſe incapable of acting for themſelves, and every of them reſpectively for the Time being, by Writing, under their Hands and Seals, from Time to Time, to charge the reſpective Quays or Wharfs, which ſhall be ſo built by them reſpectively (all which Quays or Wharfs are hereby directed and required to be made in as ſtrong, ſubſtantial, and durable a Manner as the other Quays or Wharfs ſhall in general be made in purſuance of this Act), and the Meſſuages, Staiths, Warehouſes, or Tenements, belonging to ſuch of the ſaid Proprietors reſpectively, and adjoining to, and in reſpect whereof ſuch Quays or Wharfs ſhall be built reſpectively, or any Part of the Premiſes, with ſuch Sum or Sums of Money as ſhall be really and *bona fide* expended by them in the building ſuch Quays or Wharfs reſpectively; and for ſecuring the Repayment of ſuch Sum or Sums of Money, with Intereſt, to grant, mortgage, leaſe, and demiſe, or otherways ſubject the Premiſes, ſo to be charged as aforeſaid, unto ſuch Perſon or Perſons as ſhall advance and lend the ſame reſpectively, for any Term or Number of Years, ſo as every ſuch Grant or Demiſe ſhall be made with a Proviſo and Condition to ceaſe and be void, or with an expreſs Truſt to be ſurrendered, when ſuch Sum or Sums thereby ſecured ſhall be fully paid and ſatisfied, and ſo as every ſuch Grant, Mortgage, or Demiſe, to be made by any Tenant for Life, or in Tail, or for any other uncertain Intereſt that may determine upon a Life or Lives in being, Truſtee, Guardian, Committee, or Attorney, ſhall contain a Proviſo that the Perſon intitled to the Remainder or Reverſion of the Premiſes ſo to be mortgaged, ſhall not, nor ſhall any Perſon be liable, upon his or her becoming poſſeſſed of any ſuch mortgaged Premiſes, to any further or larger Arrear of Intereſt than for one Year preceding the Time that the Title to ſuch Poſſeſſion ſhall have commenced; and that every Grant, Mortgage, Leaſe, or Demiſe, ſo to be made in purſuance of this Act, ſhall be good, valid, and effectual in the Law, for the Purpoſes thereby intended, notwithſtanding the Want of legal Title in ſuch Huſbands, Guardians, Truſtees, Committees, or Attornies, or Perſons acting as Guardians, Truſtees, Committees, or Attornies, or in ſuch Tenants in Tail, or for Life, or for other uncertain Intereſts that may determine upon a Life or Lives in being; any Settlement, Will, Truſt, Uſe, Remainder, or Limitation to the contrary notwithſtanding.

Mortgages may be aſſigned.

LXXV. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, to whom any ſuch Grant, Mortgage, Leaſe, or Demiſe, ſhall be made, or who ſhall be intitled to the Money thereby ſecured, may, from Time to Time, by any Deed or Deeds, Writing or Writings, under his, her, or their Hand and Seal, or Hands and Seals, to be executed in the Preſence of two or more credible Witneſſes, aſſign or transfer the ſame Security or Securities, and all his, her, or their Right, Title, or Intereſt, in and to the ſame, to any Perſon or Perſons whatſoever, who may again in like Manner aſſign the ſame, and *toties quoties*; and ſuch Mortgagee or Mortgagees, Aſſignee or Aſſignees, his, her, or their Executors and Adminiſtrators, and all Perſons claiming under them, or any of them, ſhall and may uſe, take, and purſue all ſuch lawful Methods, Courſes, and Expedients at Law, or in Equity, for recovering and obtaining the Poſſeſſion of the Premiſes ſo to be mortgaged, leaſed, or demiſed, as aforeſaid, in caſe of Non-payment of the principal Money and Intereſt, to be thereby ſecured, or any Part thereof, as is or are uſed, taken, or purſued, in Caſes of the like Nature.

Tenants for Years to pay Intereſt for the Money expended by their Landlords.

LXXVI. Provided always, and be it further enacted by the Authority aforeſaid, That the reſpective Tenants of ſuch of the ſaid Staiths, adjoining to which any Quay or Wharf ſhall be built in purſuance of this Act, as are let on Leaſe for Years, ſhall, during the Continuance of ſuch Leaſes reſpectively, and ſo long as they ſhall be permitted to hold and enjoy for their own Uſe and Benefit the ſame Quays or Wharfs reſpectively, pay to the Landlords, or Perſons of whom they ſhall ſo hold their reſpective Eſtates, their Heirs, Succeſſors, and Aſſigns, Intereſt for the ſeveral Sums of Money which ſhall be laid out or expended by them in building ſuch Quays or Wharfs reſpectively, after the Rate of five Pounds a Year for every one hundred Pounds, and ſo in Proportion for any leſs Sum than one hundred Pounds that ſhall be ſo laid out and expended; and that all the Intereſt, ſo to be paid as aforeſaid, ſhall be added to their reſpective Rents, reſerved and made payable in and by their reſpective Leaſes, and ſhall commence and be payable from ſuch Times, and in ſuch Proportions, and be recoverable in ſuch Manner, as the reſpective Rents are or ſhall be in and by the ſaid Leaſes reſpectively reſerved and recoverable, the firſt of ſuch Payments to commence at the next Rent Day or Time of Payment, which ſhall firſt happen after ſuch Quays or Wharfs reſpectively ſhall be ſo built.

Commiſſioners may purchaſe Land for widening the Road, &c.

'LXXVII. And whereas it may be neceſſary for the ſaid Commiſſioners to purchaſe Lands and Te-
'nements, for the Purpoſe of making, laying out, or widening ſuch Road or Roads, as they ſhall by this
'Act be authoriſed to make or amend, or for the Purpoſe of making or extending ſome of the Works,
'by this Act to be made and provided, or for laying Soil, Rubbiſh, Utenſils, and Materials upon, or for
'erecting Conveniencies for Workmen, or for other the Purpoſes of this Act;' be it therefore further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Commiſſioners, or any thirteen or more of them, or any Perſon or Perſons by them in that Behalf to be appointed, to contract and agree with the Owner or Owners of any Parcel or Parcels of Lands, Tenements, or Hereditaments, which ſhall be neceſſary or uſeful for any of the ſaid Purpoſes, for the purchaſing their reſpective Eſtates and Intereſts therein, and to purchaſe the ſame, and to take a Conveyance, Aſſignment, or Surrender thereof, at and for ſuch Price and Conſideration as ſhall be agreed upon between the Parties contracting: And in caſe the Owner or Owners of ſuch Lands, Tenements, and Hereditaments, or any of them, ſhall refuſe to contract and agree with the ſaid Commiſſioners, or any thirteen or more of them, or the Perſons ſo to be for that Purpoſe appointed, or through any Diſability, by Non-age, Coverture, or other Impediment,

If Parties cannot agree, Sheriffs, &c. to ſummon a Jury.

ſhall not be qualified or enabled to contract or agree, or to execute or perform ſuch Contract or Agreement, and carry the ſame into Execution; then, and in every ſuch Caſe, it ſhall be lawful for the ſaid Commiſſioners, or any thirteen or more of them, and they are hereby authoriſed and impowered, from Time to Time, to iſſue out their Warrant or Warrants, under their Hands and Seals, directed to the Sheriff of the County where ſuch Lands, Tenements, or Hereditaments ſhall lie; or if the ſaid Sheriff ſhall be immediately intereſted in ſuch Matter, then to one of the Coroners of the ſame County; and if the ſaid Coroners ſhall be immediately intereſted therein, then to two other Perſons not intereſted in the Matters in queſtion (one of whom ſhall be choſen by the ſaid Commiſſioners, or any thirteen or more of them, and the other by the ſaid Owner or Owners of ſuch Lands, Tenements, or Hereditaments; and in Default of either of the ſaid Parties making ſuch Choice, then it ſhall be lawful for the other of them to nominate and appoint any two diſintereſted Perſons as aforeſaid), for the impanelling, ſummoning, and returning a Jury; and ſuch Sheriff, Coroner, or other Perſons as aforeſaid, are hereby required accordingly to impanel, ſummon, and return twenty-four able and ſufficient Men, qualified according to the Laws of this Realm, to be returned for Trials of Iſſues joined in his Majeſty's Courts at *Weſtminſter*, to appear before the ſaid Commiſſioners, or any thirteen or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, in order that out of them a Jury of twelve may be ſworn to enquire touching the Matters in queſtion; and in caſe a ſufficient Number of Jurymen ſhall not appear at ſuch Time and Place, the ſaid Sheriff or Coroner, or ſuch other Perſons as aforeſaid, ſhall return other honeſt and indifferent Men, who can ſpeedily be procured to attend that Service, being qualified as aforeſaid, to make up the ſaid Jury to the Number of twelve; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen; and the ſaid Commiſſioners, or any thirteen or more of them, may order and authoriſe the ſaid Jury, or any ſix of them, to view the Place or Places, or Matters in Controverſy; and ſhall alſo, by Warrant or Warrants, under the Hands and Seals of any thirteen or more of them the ſaid Commiſſioners, from Time to Time, as Occaſion may require, ſummon and call before them all ſuch Perſons as ſhall be thought proper to be examined as Witneſſes concerning the Matters in queſtion, and ſhall adminiſter the Oath to ſuch Witneſs or Witneſſes as aforeſaid, and alſo to the ſaid Jury; which Jury, ſo to be impanelled and ſworn, ſhall enquire into the Value of the Premiſes in queſtion, and award and aſſeſs ſuch Damages and Recompence as they ſhall think reaſonable to be awarded to the Owners, Occupiers of, and Perſons intereſted in ſuch Lands, Tenements, or Hereditaments, for the Purchaſe of their reſpective Eſtates and Intereſts therein; and the ſaid Commiſſioners, or any thirteen or more of them, ſhall give Judgment for ſuch Sums of Money ſo to be aſſeſſed or awarded; which Verdict, and Judgment thereupon, pronounced by the ſaid Commiſſioners, or any thirteen or more of them, ſhall be binding and concluſive to all Infants, Femes-covert, Bodies Politick and Corporate whatſoever, ſo as Notice, in Writing, of the Time of ſuch Meeting of the Jury for the Purpoſe aforeſaid ſhall be given at leaſt fourteen Days before every ſuch Meeting to every Perſon intereſted, or left in Writing at his, her, or their uſual Place of Abode, or with ſome Tenant or Occupier of ſuch Lands or Tenements, in caſe the Owner thereof cannot conveniently be found.

Jury may be challenged.

Witneſſes may be examined.

Jury to award Damages.

Commiſſioners Judgment to be final.

Penalty on Sheriffs, &c. neglecting their Duty.

LXXVIII. Provided always, and be it further enacted by the Authority aforeſaid, That if any ſuch Sheriff or Coroner, or his Deputy or Agent, ſhall make Default in the Premiſes, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of twenty Pounds; and if any Perſon, ſo ſummoned and returned as aforeſaid on ſuch Jury, ſhall not appear, or appearing, refuſe to be ſworn, or being ſworn refuſe to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Perſon ſo ſummoned to give Evidence ſhall not appear, or appearing, refuſe to be ſworn or examined to give Evidence, every Perſon ſo offending reſpectively (having no reaſonable Excuſe, to be allowed by the ſaid Commiſſioners, or any thirteen or more of them), ſhall, for every ſuch Offence, forfeit and pay ſuch Sum as the ſaid Commiſſioners, or any thirteen or more of them, ſhall appoint, not exceeding the Sum of five Pounds for any one Offence; and if any Perſon or Perſons, in giving Evidence concerning any of the Matters aforeſaid, or concerning any other Matters relative to this Act, ſhall commit wilful and corrupt Perjury, every ſuch Perſon, upon Conviction thereof according to Law, ſhall incur and ſuffer ſuch Pains and Penalties as are by Law inflicted upon Perſons guilty of wilful and corrupt Perjury.

Verdicts to be inrolled.

LXXIX. And be it further enacted by the Authority aforeſaid, That all the Agreements, Contracts, Sales, and Conveyances, and alſo all Verdicts and Judgments which ſhall be made and given in relation to any ſuch Lands, Tenements, or Hereditaments, as aforeſaid (ſuch Verdicts and Judgments being ſigned by thirteen or more of the ſaid Commiſſioners, who ſhall be preſent at the taking of ſuch Inqueſt), ſhall be inrolled at the publick Regiſter Office eſtabliſhed at *Beverley*, in the Eaſt Riding of the County of *York*, by an Act of Parliament, paſſed in the ſixth Year of the Reign of her late Majeſty Queen *Anne*, *for the publick regiſtering all Deeds, Conveyances, Wills, and other Incumbrances, that ſhould be made, or that might affect any Honours, Manors, Lands, Tenements, or Hereditaments, within the ſaid Eaſt Riding, or Town and County of the Town of* Kingſton upon Hull; and the ſaid Regiſter, or his Deputy, is hereby required to inrol the ſame in the proper Book for inrolling Bargains and Sales of Lands, a true Copy of which Inrolment, or of any Part thereof, under the Hand of the ſaid Regiſter, or his Deputy, ſhall be allowed as Evidence in all Courts whatſoever; and the ſaid Regiſter, or his Deputy, ſhall be intitled to ſuch Fees for ſuch Inrolment, and Copies thereof, as are allowed him by the ſaid Act for inrolling any Bargains and Sales, and Copies thereof, and ſhall permit any Perſon or Perſons, from Time to Time, and at all Times, within the Office Hours of Attendance, to peruſe and inſpect the ſaid Inrolments, and take Copies thereof, upon paying for every ſuch Peruſal and Inſpection one Shilling and no more.

Determinations to be entered in a Book.

LXXX. And be it further enacted, That all Judgments or Determinations ſo to be made, as aforeſaid, ſhall be ſet down, in Writing, under the Hands and Seals of the ſaid Commiſſioners who ſhall make or pronounce the ſame, and be entered in a Book to be kept by the ſaid Commiſſioners for the Entry of all Proceedings by virtue of this Act; and that upon Payment, by the ſaid Company, of ſuch Sum or Sums of

of Money as ſhall be agreed upon or aſſeſſed to the Parties concerned, or Tender thereof made at his, her, or their Dwelling-houſe, and if they have no ſuch Dwelling-houſe, then at the Houſe of ſome Tenant or Occupier of the Lands, Tenements, or Hereditaments before mentioned; or upon Refuſal to accept ſuch Tender, then on Payment of ſuch Sum or Sums of Money into the Hands of any Perſon or Perſons to be for that Purpoſe appointed by the ſaid Commiſſioners, or any thirteen or more of them, for the Uſe of the Parties intereſted; then, and not before, it ſhall be lawful for the ſaid Commiſſioners, or any thirteen or more of them, their Agents, Workmen, or Servants, in that Behalf to be appointed, to enter upon, take, uſe, apply, and appropriate, the ſaid Lands, Tenements, and Hereditaments, or any Part thereof, for which ſuch Satisfaction ſhall be aſſeſſed and awarded as aforeſaid, for the Purpoſe of making, amending, or widening the ſaid Roads, or in making or extending any of the ſaid Works, or of laying Soil, Rubbiſh, Utenſils, and Materials, for the making and repairing the ſaid Baſon or Dock, or other Works, and for making ſuch other Conveniencies for Workmen as aforeſaid, or for other the Purpoſes of this Act, according to the Tenor and true Meaning thereof, but to and for no other Uſe, Intent, or Purpoſe whatſoever; and the ſaid Commiſſioners, their Agents, and all Perſons whatſoever, employed or authoriſed by them as aforeſaid, ſhall by this Act be fully and effectually indemnified againſt the Owners and Occupiers of, and all Perſons intereſted in, the ſaid Lands, Tenements, or Hereditaments, or any Part thereof: And if, after the ſaid Baſon or Dock, Reſervoirs, Roads, or other Works, for which any ſuch Lands, Tenements, or Hereditaments, were purchaſed, ſhall be finiſhed, there ſhall remain any Land or Hereditament that ſhall not be uſed or thereafter be wanted for the Purpoſes of this Act, the ſame ſhall be, and is hereby veſted in the ſaid Commiſſioners; and they, or any thirteen or more of them, may, and are hereby fully impowered to ſell and convey the ſame for the beſt Price that can be gotten, and the Money ariſing by ſuch Sale ſhall be applied to the Uſe of the ſaid Company.

Land, &c. not uſed in the Works may be ſold.

LXXXI. And it is hereby further enacted by the Authority aforeſaid, That the ſeveral Powers and Proviſions herein-before mentioned, for impowering and enabling the Commiſſioners herein-before mentioned, to purchaſe Lands and Tenements for the Purpoſes before mentioned, ſhall extend, and be conſtrued to extend, to impower and enable the Commiſſioners of his Majeſty's Cuſtoms in *England*, or any Perſon appointed for that Purpoſe, by any four or more of them, in like Manner to purchaſe any Lands and Tenements, for building a Cuſtomhouſe, or any Warehouſe or Warehouſes, to be uſed in the Service of the Revenue of Cuſtoms in the ſaid Port of *Kingſton upon Hull*; and all the ſeveral Clauſes in this Act relative thereto, ſhall extend, and be conſtrued to extend, and carried into Execution, with reſpect to the Lands and Tenements ſo purchaſed, or intended to be purchaſed, for the Uſe and Service of the Cuſtoms, in as full and ample Manner, to all Intents and Purpoſes, as if the ſame were again repeated, and herein enacted.

Commiſſioners may purchaſe Land to build a Cuſtomhouſe.

LXXXII. Provided always, and be it further enacted, That in caſe any Jury, to be ſummoned and ſworn as aforeſaid, ſhall give a Verdict for more Monies, as a Recompence or Satisfaction for any Lands, Tenements, or Hereditaments, or other Property, or for any Damage to be done thereto, than what ſhall have been offered by the ſaid Commiſſioners, or any thirteen or more of them, before the ſummoning or returning of ſuch Jury for ſuch Recompence or Satisfaction, that then the Expences of ſummoning and maintaining ſuch Jury, and the Witneſſes, ſhall be paid by the ſaid Commiſſioners, or any thirteen or more of them, out of any Money to be raiſed by virtue of this Act; but if any ſuch Jury ſhall give a Verdict for no more or for leſs Monies than ſhall have been offered by the ſaid Commiſſioners, or any thirteen or more of them, before the ſummoning and returning ſuch Jury, for ſuch Recompence or Satisfaction, that then the Expences of ſummoning and maintaining ſuch Jury, and the Witneſſes, ſhall be borne by the Perſon or Perſons with whom the ſaid Commiſſioners ſhall have ſuch Controverſy or Diſpute; and ſuch Expences, having been aſcertained and ſettled by ſome Juſtice of the Peace for the Eaſt Riding of the County of *York*, not intereſted in the Matter in queſtion, who is hereby required to examine and ſettle the ſame, ſhall be deducted and taken out of the Monies ſo aſſeſſed and adjudged, as ſo much Money advanced to and for the Uſe of ſuch Perſon or Perſons; and the Payment or Tender of the Remainder of ſuch Monies ſhall be deemed and taken, to all Intents and Purpoſes, to be a Payment and Tender of the whole Sum or Sums ſo aſſeſſed and adjudged.

How Expences of the Jury are to be paid.

LXXXIII. And be it further enacted, That all and every Perſon or Perſons making Complaint, and requeſting ſuch Jury, ſhall, before the ſaid Commiſſioners ſhall iſſue their Warrant or Warrants for the ſummoning ſuch Jury, as aforeſaid, firſt enter into a Bond, with two ſufficient Sureties, to the ſaid Commiſſioners, or any thirteen or more of them for the Time being, in the Penalty of fifty Pounds, to proſecute ſuch his, her, or their Complaint, and to bear and pay the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, in caſe a Verdict ſhall be given for no more or a leſs Sum than had been offered by or on Behalf of the ſaid Commiſſioners, or than had been aſſeſſed, before the ſummoning and returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any Lands, Tenements, Hereditaments, or Damages, as aforeſaid.

Perſons requiring a Jury to give Security to proſecute.

LXXXIV. And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for any Perſon or Perſons, who ſhall have landed, or cauſed to be landed, and laid any Goods or Merchandiſe, Timber, Wood, or Stone of any Kind, Maſts, Boats, Yards, Anchors, Cables, Caſks, Guns, Ballaſt, Lime, Dung, or Manure, or any other Thing whatſoever (other than Materials for the neceſſary Uſe or Repairs of the ſaid Quays or Wharfs, Baſon or Dock, or other Works) upon any of the Quays, Wharfs, or Landing-places, to be made by virtue of this Act; or in any of the adjacent Streets or Avenues, to continue or permit the ſame, or any Part thereof reſpectively, to remain and lie thereon for any longer Time than forty-eight Hours; and in all Caſes where any ſuch Goods, Merchandiſe, Timber, or other Things, as aforeſaid, ſhall have ſo continued beyond the Space of forty-eight Hours, it ſhall be lawful for the Dock and Haven Maſter for the Time being, or his Aſſiſtants, and he and they are hereby required to remove, or cauſe the ſame to be removed, to ſome Place or Places of Safety, and therein to detain and keep the ſame till

Goods to be removed from the Quays within 48 Hours.

Payment of the Charges of ſuch Removal and Detention, and of ſuch Forfeiture, to the ſaid Dock and Haven Maſter, and his Aſſiſtants, for their Trouble in and about the ſame, as the ſaid Commiſſioners, or any thirteen or more of them, ſhall, by any Rule or Bye-law, aſcertain and eſtabliſh: And if ſuch Charges, Expences, and Forfeiture, ſhall not be paid within the Space of five Days after Demand thereof by the ſaid Dock and Haven Maſter; then, and in every ſuch Caſe, he is hereby authoriſed and required to cauſe the ſaid Goods and Chattels, ſo reſpectively ſecured, or a ſufficient Part thereof, to be appraiſed and ſold, for Payment of the ſaid Charges and Forfeiture, and all other Expences relative thereto, and to the ſaid Appraiſement and Sale.

Warehouſes, &c. may be hired for keeping of Goods, &c.

LXXXV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any thirteen or more of them, ſhall and may, and are hereby authoriſed and impowered to rent or hire, by the Year, or otherwiſe, any convenient Warehouſe, Yard, or other Place, for the receiving, ſafe keeping, or lodging, of ſuch Goods and other Things, ſo to be removed from off the Quays and other Places, as aforeſaid; or to incloſe, erect, or build, any ſuch Yard, Warehouſe, or other Buildings, on their own Ground, or on Ground to be purchaſed by them, as to them ſhall ſeem moſt meet and fitting.

Gunpowder, &c. to be removed at a certain Time.

LXXXVI. And be it further enacted by the Authority aforeſaid, That no Gunpowder, Tar, Pitch, Roſin, Hemp, Flax, Faggots, Furze, Brandy, or other ſpirituous Liquors, Turpentine, Oil, Hay, Straw, Tallow, Greaſe, Shavings of Wood, or combuſtible Things whatſoever, ſhall be ſuffered to be or remain on the Quays or Wharfs aforeſaid, or on any Part thereof, or upon the Deck of any Ship or Veſſel in the ſaid Haven, Baſon, or Dock, for above the Space of twenty-four Hours after paſſing the Cuſtomhouſe Officers; and that in caſe ſuch Goods and Things cannot be conveniently removed or got off from ſuch Quays or Wharfs, or Ships Decks, by Day-light, that then, and in every ſuch Caſe, the Owners of ſuch Goods and Things reſpectively ſhall be obliged, and are hereby required, to ſet and maintain, at their own Expence, a ſufficient Number of careful and ſober Perſons to guard and watch over the ſame, for ſuch and ſo many Hours, according to the Seaſon of the Year, as the ſaid Dock and Haven Maſter, or his Aſſiſtant or Aſſiſtants, ſhall direct and appoint; and in caſe the Owner or Owners of ſuch Goods or other Things, or the Maſter or Mate of any Ship or other Veſſel, ſhall make Default herein, every ſuch Perſon ſhall forfeit and pay, for every ſuch Offence, the Sum of five Pounds.

Penalty on Default 5 l.

For ſcouring the Haven, Baſon, &c.

LXXXVII. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Commiſſioners, or any thirteen or more of them, their Agents, Servants, or Workmen, as often as Occaſion ſhall require, well and ſufficiently to cleanſe, ſcour, open, deepen, widen, or cut through, and take away, any Banks, Hills, Earth, Soil, or Rubbiſh, in the ſaid Port or Haven, in ſuch Manner as the ſaid Commiſſioners, or any thirteen or more of them, ſhall think proper, for the Security and Accommodation of Shipping in the ſaid Port or Haven, and for the more free Paſſage of Water in the ſaid River *Hull*; ſo as in the doing thereof no nearer Approach be made to the Staiths or Warehouſes adjoining thereto than the Diſtance of thirty-five Feet, nor to the Wharfing maintained by his Majeſty on the oppoſite Side of the Haven than thirty-five Feet; and ſo as none of the four Jettees, maintained by the Corporation of *Hull*, and now ſtanding on the ſaid oppoſite Side of the Haven, and adjoining to his Majeſty's Wharfing aforeſaid, be taken away or removed, the Maintenance of which Wharfing being abſolutely neceſſary for the Protection and Security of the Level of *Holderneſſe* from being overflowed by the Tides; and alſo to remove and take away any Wrecks of Ships or Veſſels, or any Ship or Veſſel that ſhall be ſunk, or any Wood, Timber, or other Obſtructions or Impediments of the like Nature in the ſaid Port or Haven that may happen to ariſe by Accident; and in caſe the Owner or Owners of any ſuch Ship or Veſſel which ſhall be ſo removed, as laſt-mentioned, ſhall refuſe or neglect to pay the Charge of removing the ſame for the Space of three Days after Demand thereof made by any Officer of the ſaid Commiſſioners, the ſame ſhall be recovered in ſuch Manner as other Penalties and Forfeitures are by this Act directed to be recovered.

Penalty on throwing Dirt into the Docks, &c.

LXXXVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall throw, caſt, or put any Ballaſt, Earth, Duſt, Aſhes, Stones, or other Things, into or upon any Part of the Baſon, or Dock, Reſervoirs, Quays, Wharfs, Roads, or other Works, to be made or provided in purſuance of this Act, to the Prejudice thereof, or do any other Annoyance to the ſame, or any Part thereof, or to the Haven of the ſaid River *Hull*, or ſhall faſten any Ship or Veſſel by any Rope, or otherwiſe, to the North Bridge aforeſaid; or, after the ſaid Baſon or Dock ſhall be finiſhed, moor or lay any Ship or Veſſel, for more than one Tide, nearer to the ſaid Bridge than the South Side of Maſter *Thomas Walton*'s Ship Yard, to ſuch Poſts as ſhall be provided for that Purpoſe, and Complaint be made thereof, upon Oath, by any of the ſaid Commiſſioners, or their Clerk, or other Officer, or any other Perſon, the ſame ſhall be examined into and determined by any two of his Majeſty's Juſtices of the Peace for the ſaid Town of *Kingſton upon Hull* for the Time being; and they are hereby authoriſed to impoſe upon the Offender or Offenders (other than and except as is next herein-after mentioned), ſuch Fine or Fines, not exceeding five Pounds, for each Offence, as they the ſaid Juſtices ſhall think reaſonable: And in caſe any Owner or Owners, Maſter or Commander, Seaman or Servant, of or belonging to any Ship or Veſſel, ſhall be guilty of any of the ſaid Offences, upon Proof thereof, by the Oath of one or more credible Witneſs or Witneſſes, before any two of the ſaid Juſtices, the Perſon or Perſons ſo offending ſhall, for each Offence, forfeit to the ſaid Company the Sum of five Pounds; and in caſe of Non-payment of ſuch laſt-mentioned Forfeiture for the Space of three Days after the ſame ſhall be demanded, it ſhall be lawful for any two of ſuch Juſtices for the Time being, by Warrant under their Hands and Seals, to levy the ſame, together with the Coſts and Charges incident thereto, by Diſtreſs and Sale of the Goods and Chattels of every ſuch Owner, Maſter, or Commander, Seaman or Servant, ſo offending, or of the Tackle, Apparel, or Furniture, of or belonging to ſuch Ship or Veſſel, rendering the Overplus (if any) to the Perſon whoſe Goods or other Things ſhall be ſo diſtrained; and if ſufficient Diſtreſs ſhall not be found, then it ſhall be lawful for ſuch Juſtices, by Warrant under their Hands and Seals, to commit ſuch Offender or Offenders

to

to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding one Calendar Month.

LXXXIX. And be it further enacted by the Authority aforeſaid, That no Wood or Timber, which ſhall be delivered in the Haven of *Hull*, or in the ſaid Baſon or Dock, ſhall be permitted to lie or remain therein for a longer Time than forty-eight Hours after the Delivery thereof; and in caſe the ſame ſhall not be removed before the Expiration of that Time, the Owner or Owners thereof ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds. Timber not to be left in the Haven more than 48 Hours.

'XC. And whereas Accidents frequently happen to Ships and Veſſels, by Lightermen, Ballaſtmen, 'and others, digging or raiſing Ballaſt, from a Place called *The Dolphin Point* and a Place called *The South* '*End*, oppoſite to the ſaid Point,' be it therefore further enacted, That it ſhall not be lawful for any Perſon or Perſons to take, or cauſe to be taken, any Ballaſt from the ſaid Places, without Leave firſt obtained for that Purpoſe, in Writing, from the Mayor of the ſaid Town, or his known Agent appointed for that Purpoſe, nor receive more Money for ſuch Ballaſt from the Maſter or Maſters of Ships or Veſſels to whom the ſame ſhall be delivered, than ſhall be fixed and aſcertained by the ſaid Mayor, by Writing under his Hand, under the Penalty of forfeiting, for every Offence, the Sum of forty Shillings. No Ballaſt to be raiſed between Dolphin Point, and South End, without Leave of the Mayor.

XCI. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons whatſoever ſhall wilfully or maliciouſly cut, break, or in any Manner deſtroy, any Rope or other Thing, by which any Ship or Veſſel, lying in the ſaid Haven, or in the ſaid Dock or Baſon, ſhall be moored or faſtened, ſuch Perſon or Perſons ſhall, for every Offence, forfeit and pay the Sum of fifty Shillings. Penalty on cutting of Ropes, &c.

XCII. Provided always, That nothing herein contained ſhall hinder or reſtrain the Dock and Haven Maſter, to be appointed in purſuance of this Act, or his Aſſiſtants, from exerciſing, in a due and reaſonable Manner, any of the Powers or Authorities hereby veſted in them. Not to extend to the Dock Maſter.

'XCIII. And, for preventing Accidents by Fire in the ſaid Haven, Dock, or Baſon,' be it further enacted by the Authority aforeſaid, That no Perſon whatſoever ſhall have or keep, or cauſe to be had or kept, any Fire, Candle, or Lamp, lighted (except in the Manner herein-after for that Purpoſe mentioned) on board any Ship or Veſſel within the ſaid Haven, Dock, or Baſon (the Veſſels employed as Ferry Boats only excepted), at any Time or Times whatſoever, between the twenty-ninth Day of *September* and the twenty-fifth Day of *March*, in every Year, after the Hour of Seven in the Evening, or before the Hour of Seven in the Morning, nor at any Time or Times whatſoever, between the twenty-fifth Day of *March* and the twenty-ninth Day of *September*, in every Year, after the Hour of Eight in the Evening, or before the Hour of Five in the Morning, upon Pain of forfeiting, for every Offence, the Sum of three Pounds. Regulations in keeping Fires, &c. on board of Ships.

'XCIV. And, the better to make known the ſeveral Times when Fires and Candles ſhall be extin-'guiſhed, as before directed,' be it further enacted by the Authority aforeſaid, That every Evening and Morning, at the Hours herein for the above Purpoſes appointed, a large Bell, to be provided by the ſaid Commiſſioners, ſhall be rung for the Space of ten Minutes at the leaſt, in the ſaid Haven or Dock, or ſome of them, or in ſome Place contiguous thereto. Bell to be rung when Fires are to be extinguiſhed.

XCV. And be it further enacted by the Authority aforeſaid, That no Pitch, Tar, Roſin, Turpentine, Oil, or other combuſtible Thing, ſhall, at any Time hereafter, be boiled or heated on board any Ship or Veſſel in the ſaid Haven, or Dock or Baſon, or in any Boat, except in a Boat lying alongſide of ſome Ship or Veſſel, nor within twenty Feet of the Quays, Staiths, or Warehouſes, adjoining to the Weſt Side of the ſaid Haven (Carpenters Yards only excepted); nor ſhall any Gunpowder, exceeding the Quantity of ſix Pounds, be ſuffered to be or remain on board any Ship or Veſſel, for any longer Time than twenty-four Hours after the Arrival of ſuch Ship or Veſſel in the ſaid Haven, or Dock or Baſon, upon Pain that every Maſter, Commander, or Owner of every Ship or Veſſel, ſhall forfeit, for every Offence, the Sum of five Pounds. 5 l. Penalty on Perſons boiling Pitch, &c. on board.

XCVI. Provided nevertheleſs, and it is hereby enacted and declared, That in caſe any Ship or Veſſel, in which any Gunpowder above the Quantity of ſix Pounds ſhall happen to be, ſhall arrive in the ſaid Haven, Baſon, or Dock, on a *Sunday*, or any Cuſtomhouſe Holiday, it ſhall be lawful for the Maſter or Commander of any ſuch Ship or Veſſel to land the ſame without a Sufferance or Leave from the Officers of his Majeſty's Cuſtoms of *Hull* for ſo doing, provided the ſame be done in the Preſence of a Tide Surveyor or Coaſt-waiter. Gunpowder may be landed without Leave of the Officers of Cuſtoms, when the Veſſel ſhall arrive on a Sunday, &c.

'XCVII. And, for the Security and Preſervation of the Baſon or Dock, or other Works belonging to 'the ſame,' be it further enacted by the Authority aforeſaid, That before any Ship or Veſſel ſhall enter or paſs into the ſaid Baſon or Dock, ſuch Ship or Veſſel ſhall have her Sails taken down, ſo that ſhe may not enter under Sail, upon Pain that every Maſter, Commander, or Pilot, taking the Care of every ſuch Ship or Veſſel, ſhall, for every ſuch Offence, forfeit the Sum of five Pounds. No Ships, to enter the Docks under Sail.

XCVIII. And be it further enacted by the Authority aforeſaid, That no Ship or Veſſel that ſhall be laid up as unfit for further Sea Service ſhall be permitted to be or remain in the ſaid Baſon or Dock, to incumber the ſame, for above the Space of ſix Calendar Months in the Whole; and that, during all ſuch Time, the Owner or Owners, Maſter or Commander, Factor or Agent, of or for ſuch Ship or Veſſel, ſhall keep the ſame conſtantly and ſufficiently moored, to prevent Damage to any other Ship or Veſſel; and that, in every ſuch Caſe, it ſhall be lawful for the ſaid Dock and Haven Maſter, his Deputy and Aſſiſtants, and every of them, to cauſe ſuch Ship or Veſſel, ſo incapable or unſerviceable, which ſhall lie in the ſaid Baſon or Dock for above the Space of ſix Calendar Months, or that ſhall be found looſe and unmoored in the ſame, to be removed out of the ſaid Baſon or Dock, and to lay and moor ſuch Ship or Veſſel on any Part of the Strand or Shore of the River *Humber*, within High-water Mark, and as near the ſaid Town of *Kingſton upon Hull*, as conveniently may be: And that, upon Demand of Payment being made by ſuch Dock and Haven Maſter, his Deputy or Aſſiſtants, or any of them, from the Owner or Owners, Maſter, Commander, or Agents, of or for ſuch Ship or Veſſel, of the Charges of removing and mooring ſuch Ship or Veſſel as aforeſaid (ſuch Charges and Expences being firſt examined and allowed by the ſaid Commiſſioners, Old Ships not to incumber the Baſon or Dock. Expence of moving old Ships may be levied by Diſtreſs.

Commiſſioners, or any thirteen or more of them), and upon Refuſal or Neglect of Payment of ſuch Charges and Expences ſo allowed, as aforeſaid, for the Space of five Days next after Demand made; then, and in every ſuch Caſe, it ſhall be lawful for the ſaid Dock and Haven Maſter, his Deputy or Aſſiſtants, or any of them, to levy ſuch Charges and Expences by Diſtreſs and Sale of ſuch Ship or other Veſſel, or any of her Tackle, Apparel, or Furniture, or any Part thereof, rendering the Overplus (if any ſuch there be), after deducting the Charges of taking, keeping, and Sale of ſuch Diſtreſs, to the Owner or Owners, Maſter, Factor, or Agents, of or for ſuch Ship or other Veſſel, upon the ſame being demanded.

Owners of Veſſels anſwerable for Damages done by their Crews.

XCIX. And be it further enacted by the Authority aforeſaid, That the Maſter or Owner of every Ship or Veſſel lying or trading in the ſaid Port or Haven, ſhall be and is hereby made anſwerable to the ſaid Company, for the Amount or Value of any Damage or Miſchief that ſhall be done by any of the Servants, Boatmen, Bargemen, or Watermen, on board the ſame, to the ſaid Baſon or Dock, Quays or Wharfs, or other Works to be made within the ſaid Port or Haven, with full Coſts of Suit; and that ſuch Damage and Coſts ſhall be ſued for and recovered in Manner herein-after directed.

Materials may be laid on adjoining Lands, making Satisfaction.

C. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Commiſſioners, and their Agents, Engineers, Workmen, and Labourers, employed in making the ſaid Baſon or Dock, Quays, Wharfs, Reſervoirs, Roads, or other Works, to lay any Stones, Timber, or Iron, or any other Materials, Matters, or Things, to be uſed in or about any of the Works, upon any of the adjoining Lands, making Satisfaction to the Owners and Occupiers thereof for all Damage done thereto, in ſuch Manner as ſhall be agreed upon between the ſaid Commiſſioners, or any thirteen or more of them, and the reſpective Owners or Occupiers; and in caſe of Diſagreement therein, then in ſuch Manner as is by this Act preſcribed for purchaſing Land for the Uſe of the Works authoriſed by this Act.

Perſons deſtroying the Docks, &c. to be puniſhed.

CI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall, after the paſſing of this Act, maliciouſly, wilfully, or wantonly demoliſh, break down, deſtroy, or ſet on Fire any of the Works, made or provided by virtue of this Act, or belonging to the Port of *Kingſton upon Hull*, or any Ship or Veſſel lying and being in the Haven, Baſon, or Dock, or elſewhere within the ſaid Port, or any Part or Parts of them reſpectively, every ſuch Perſon and Perſons ſo offending in any of the Caſes aforeſaid ſhall be adjudged guilty of Felony without Benefit of Clergy; and every ſuch Felon and Felons ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony without Benefit of Clergy; and that the Court and Courts, by and before whom ſuch Perſon and Perſons ſhall be indicted and tried, have hereby Power and Authority to award Judgment and Execution on ſuch Felon and Felons, and may tranſport ſuch Felon or Felons for the Space of ſeven Years, in like Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm, according to the Heinouſneſs of the Crime or Crimes which ſuch Perſon or Perſons ſhall be charged with and convicted of.

The Fares of Trucks and Carts to be fixed.

CII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any thirteen or more of them, ſhall and have hereby full Power, from Time to Time, to ſet down and aſcertain the Rates and Prices which ſhall from Time to Time be paid and payable for the carrying and conveying of any Goods, Wares, or Merchandiſe, and of Wood, Stone, Iron, and all other Matters and Things, from the ſaid ſeveral Quays or Wharfs to any Part or Parts of the ſaid Town of *Kingſton upon Hull*, or from any Part or Parts of the ſaid Town to any of the ſaid Quays or Wharfs, in or upon any Truck or Cart, Sledge, Waggon, Dray, or other Carriage, according to the Diſtances which the ſame ſhall be carried, as they the ſaid Commiſſioners, or any thirteen or more of them, ſhall think proper; which ſaid Rates and Prices of Carriage, and none other, ſhall, from Time to Time, be paid or payable for any the Purpoſes aforeſaid.

Water to be preſerved to the Town.

'CIII. And whereas the Inhabitants of the ſaid Town of *Kingſton upon Hull* are chiefly ſupplied with 'Water for their neceſſary Uſes from a Place called the *Water Houſe*, conveyed to the ſaid Town by Pipes, 'ſome of which are laid in the *Town's Ditches*;' be it therefore further enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners ſhall find it neceſſary, in carrying on any of the Works authoriſed by this Act, to remove or take away any of the ſaid Pipes, the ſaid Commiſſioners, or any thirteen or more of them, ſhall, and they are hereby required, at their own Expence, immediately to reinſtate the ſaid Pipes, or to place others, in ſuch Manner and Form that the Inhabitants of the ſaid Town may receive no Prejudice thereby, but may be ſupplied with Water from the ſaid Waterhouſe, in as large Quantities, and in as effectual a Manner, as they were before the paſſing of this Act.

Recovery and Application of Penalties and Forfeitures.

CIV. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act inflicted, or directed to be inflicted (concerning the Recovery of which no particular Direction is hereby given), ſhall, if the ſame be not paid within fourteen Days after the ſame ſhall be demanded, be recovered and levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hands and Seals of any two of the Juſtices of the Peace of the ſaid Town of *Kingſton upon Hull*, which Warrant they, or any two of them, are hereby impowered and required to grant, upon the Information of one or more credible Witneſs or Witneſſes, upon Oath, before them, or any two of them, made, which Oath any two of them are hereby impowered to adminiſter; and that all the Penalties and Forfeitures by this Act inflicted, ſhall, when recovered, after rendering the Overplus (if any be), when demanded, to the Party or Parties whoſe Goods and Chattels ſhall be ſo diſtrained and ſold (the Charges of ſuch Diſtreſs and Sale being firſt deducted), be paid into the Hands of ſuch Perſon or Perſons as the ſaid Company ſhall direct and appoint, for their Uſe; and in caſe no ſuch Diſtreſs as aforeſaid can be had, then it ſhall be lawful for the ſaid Juſtices for the Time being, or any two or more of them, by like Warrant or Warrants, to commit the Party offending to the common Gaol, or Houſe of Correction, of the ſaid Town, for the Space of twenty Days, without Bail or Mainprize, unleſs the ſaid Penalty and Charges ſhall be ſooner paid and ſatisfied.

Penalties may be mitigated.

CV. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Juſtices of the Peace, or any of them, by whom any Judgment, Sentence, or Determination, ſhall be given,

given, pronounced, or made, from Time to Time, where they ſee Cauſe, to mitigate, compound, or leſſen, any of the Penalties or Forfeitures as aforeſaid, as he or they in his or their Diſcretion ſhall think fit, ſo as ſuch Mitigation or Compoſition do not extend to remit above one Moiety of the Penalty inflicted and directed to be levied by this Act; and that every ſuch Mitigation or Compoſition ſhall be a ſufficient Diſcharge for the Perſons offending reſpectively, for ſo much of the ſaid Penalties and Forfeitures as ſhall be ſo mitigated, leſſened, or remitted.

Perſons aggrieved may appeal to the Quarter Seſſions.

CVI. Provided alſo, and be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved, or remain unſatisfied with the Judgment of the ſaid Juſtices, or any of them, by reaſon of any Sentence or Judgment to be given or pronounced by them, or any of them, as aforeſaid, or by any other Matter or Thing done by virtue of this Act, ſuch Perſon and Perſons ſhall and may complain or appeal to the Juſtices of the Peace, at the next General Quarter Seſſions of the Peace to be held in and for the ſaid Town and County of the Town of *Kingſton upon Hull* (proper and reaſonable Notice of ſuch Complaint or Appeal being firſt given), who are hereby impowered to ſummon and examine Witneſſes upon Oath, and finally to hear and determine the Matter of every ſuch Complaint or Appeal; and, in caſe of Conviction, to iſſue a Warrant or Warrants for the levying and enforcing of Payment of the ſaid Penalties and Forfeitures, by the Ways and Means before mentioned, together with ſuch Coſts and Charges to the Party in whoſe Favour ſuch Appeal ſhall be determined, as the Juſtices in their ſaid Seſſions ſhall order and direct; which Orders and Judgments reſpectively ſhall be final and concluſive to all Parties, and ſhall not be removed or removeable by any Writ or Writs of *Certiorari*, or otherwiſe, into any of his Majeſty's Courts of Record at *Weſtminſter*, or elſewhere.

Proceedings not to be vacated for want of Form.

CVII. Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That no Order, or other Proceeding, to be had or made by or before the ſaid Juſtices, or the ſaid Commiſſioners, or any of them, in relation to the Premiſes, ſhall be quaſhed or vacated for want of Form only; and that, where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Defect or want of Form in the Summons, Conviction, or Warrant of Diſtreſs, or other Proceedings relating thereto, nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover ſpecial Damages in an Action upon the Caſe.

Limitation of Actions.

CVIII. And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, until twenty Days Notice ſhall be thereof given to the Perſon or Perſons againſt whom the ſame is to be brought, or after a ſufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, nor after ſix Calendar Months next after the Fact committed; and ſuch Action or Suit ſhall be laid and brought in the ſaid County of the Town of *Kingſton upon Hull*, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Suit, ſhall and may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be commenced after the Time limited for bringing the ſame, or ſhall be brought in any other County or Place, or in any other Manner, than directed by this Act, then the Jury ſhall find for the Defendant or Defendants; and upon a Verdict for the Defendant or Defendants, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have in other Caſes by Law.

General Iſſue.

Treble Coſts.

Writings may be without Stamps.

CIX. Provided always, and be it further enacted by the Authority aforeſaid, That no Nomination, Appointment, Information, Order, Verdict, Judgment, Conviction, Warrant, Mortgage, Aſſignment, Transfer, or other Security or other Writing whatſoever, under the Seal of the ſaid Company, or under the Hand and Seal, or Hands and Seals of, or only ſigned by, any of the ſaid Commiſſioners, or by any Juſtice or Juſtices of the Peace, or exhibited before them, or any of them, or otherwiſe made uſe of concerning or in Execution of any of the Powers and Authorities hereby veſted in them, or any of them, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Saving Rights of the Trinity Houſe.

'CX. And whereas the Guild or Brotherhood of Maſters and Pilots, Seamen of the *Trinity Houſe* of *Kingſton upon Hull*, by virtue of certain Charters or Letters Patent, granted to them by his Majeſty's Royal Predeceſſors, the Kings and Queens of *England*, or ſome or one of them, are intitled to, and have exerciſed and enjoyed, ſeveral Powers, Privileges, and Authorities, in and concerning the Haven of the ſaid Town of *Kingſton upon Hull*, and the Roadſtead near the Haven Mouth of the ſaid Town, for the better Regulation of Ships there, and have from Time to Time appointed a Haven Maſter for the ordering of Ships in the ſaid Haven, according to ſuch Rules, Orders, and Directions, as the ſaid Guild or Brotherhood have thought expedient;' be it therefore enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, impeach, diminiſh, change, or affect, the Rights, Powers, Privileges, Juriſdictions, or Authorities, of the ſaid Guild or Brotherhood, about or concerning the ſaid Haven or Roadſtead, and Premiſes, ſo veſted in them, or which they might have uſed, exerciſed, and enjoyed, by virtue of any Charter, Letters Patent, Grant, Right, or Title whatſoever, otherwiſe than as the ſame are by this Act expreſsly taken away, varied, altered, or reſtrained.

Saving the Rights of the Corporation.

'CXI. And whereas the late King *Richard* the Second, by his Letters Patent under the Great Seal of *England*, bearing Date at *Weſtminſter*, the fourth Day of *June*, in the fifth Year of his Reign, granted to the Mayor and Burgeſſes of the Town of *Kingſton upon Hull* aforeſaid, by their then Name of Incor-

'poration,

'poration, the Mayor, Bailiffs, and Burgeſſes, of the Town of *Kingſton upon Hull*, and their Heirs and 'Succeſſors, for the Improvement of the ſame Town, that they and their Heirs and Succeſſors ſhould have 'the Port nigh the ſaid Town, formerly called *Sayer Creek*, then called *Hull*, for ever annexed to the ſaid 'Town, and the Liberties thereof, from *Sculcoat's Goat* to the middle Stream of the *Humber*, ſo that they 'and every of them might build Houſes, Quays, and Staiths, within the ſame Water, for the Improve-'ment, Defence, Preſervation, and Increaſe, of the ſaid Town;' be it therefore enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, impeach, diminiſh, change, or affect, the Rights, Dues, Duties, and Payments, Powers, Privileges, Juriſdictions, or Authorities, of the ſaid Mayor and Burgeſſes, ſo granted to them as aforeſaid, or any other Rights, Dues, Duties, or Payments, Powers, Privileges, Juriſdictions, or Authorities, in any-wiſe belonging to them, orherwiſe than as the ſame are by this Act expreſsly taken away, varied, altered, or reſtrained.

Publick Act. CXII. And be it further enacted and declared by the Authority aforeſaid, That this Act ſhall be taken and allowed, in all Courts of Judicature within this Kingdom, as a Publick Act; and all Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. LVII.

An Act to repeal ſo much of an Act, made in the laſt Seſſion of Parliament, for reducing into one Act the general Laws relating to Turnpike Roads, as exempts Perſons from the Payment of Tolls at Side Gates erected at Places ſpecified in any Act of Parliament.

Preamble. Clauſe in Act 13 Geo. 3. recited, 'WHEREAS by an Act, made in the thirteenth Year of his preſent Majeſty's Reign, (intituled, '*An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for 'regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes,*) it is 'provided and enacted, That no Perſon ſhall be liable to pay Toll at any Toll-gate erected, or to be 'erected, acroſs or on the Side of any Turnpike Road, or be ſubject to any Penalty for any Carriage, 'Horſe, or Beaſt, which ſhall only croſs ſuch Road, and ſhall not paſs above one hundred Yards thereon, 'except over ſome Bridge erected at a conſiderable Expence by the Truſtees of ſuch Turnpike Road; 'which Proviſion, as it takes away or leſſens the Tolls of certain Toll-gates erected by the Authority or 'Direction of former Acts of Parliament, at certain Places in ſuch Acts ſpecified for that Purpoſe, is detri-'mental to many Turnpike Roads, and highly injurious to Perſons who have lent Money on the Security 'of ſuch Tolls:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Proviſion ſhall be, and the ſame is hereby repealed, ſo far as the ſame affects any Toll-gate directed or authoriſed to be ſet up at any Place particularly ſpecified and mentioned in any Act of Parliament, for repairing any Highway or Road, paſſed before the making of the ſaid Act of the thirteenth Year of his preſent Majeſty's Reign.

and repealed, ſo far as it affects any Toll-gate particularly ſpecified by any Act of Parliament.

CAP. LVIII.

An Act for repealing an Act, made in the firſt Year of the Reign of King *Henry* the Fifth; and ſo much of ſeveral Acts of the eighth, tenth, and twenty-third Years of King *Henry* the Sixth, as relates to the Reſidence of Perſons to be elected Members to ſerve in Parliament, or of the Perſons by whom they are to be choſen.

Preamble. Act 1 Hen. 5. Act 8 Hen. 6. Act 10 Hen. 6. and Act 23 Hen. 6. 'WHEREAS an Act of Parliament was made in the firſt Year of the Reign of King *Henry* the Fifth, 'ordaining and eſtabliſhing *what Sort of People ſhall be choſen, and who ſhall be the Chooſers of the 'Knights and Burgeſſes of the Parliament*; and alſo an Act in the eighth Year of the Reign of King *Henry* 'the Sixth, ordaining *what Sort of Men ſhall be Chooſers, and who ſhall be choſen Knights of the Parliament*; 'and alſo an Act in the tenth Year of the Reign of his ſaid Majeſty, requiring *certain Things in him who 'ſhall be a Chooſer of the Knights of Parliament*; and alſo an Act in the twenty-third Year of the Reign of 'his ſaid Majeſty, directing *who ſhall be Knights for the Parliament, the Manner of their Election, and the 'Remedy where one is choſen and another returned:* And whereas ſeveral Proviſions contained in the ſaid Acts 'have been found, by long Uſage, to be unneceſſary, and are become obſolete:' In order therefore to obviate all Doubts that may ariſe upon the ſame, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act, made in the firſt Year of the Reign of his Majeſty King *Henry* the Fifth, and every Part thereof; and ſo much of the ſaid ſeveral Acts, made in the eighth, the tenth, and the twenty-third Years of the Reign of his Majeſty King *Henry* the Sixth, as relates to the Reſidence of Perſons to be elected Members to ſerve in Parliament, or of the Perſons by whom they are to be choſen, ſhall be, and the ſame are hereby repealed.

ſo far as relates to the Reſidence of Perſons to be elected Members of Parliament, &c. repealed.

CAP.

CAP. LIX.

An Act for preſerving the Health of Priſoners in Gaol, and preventing the Gaol Diſtemper.

Preamble.

'WHEREAS the malignant Fever, that is commonly called *The Gaol Diſtemper*, is found to be owing to a want of Cleanlineſs and freſh Air in the ſeveral Gaols in *England* and *Wales*, and the fatal Conſequences of that Diſorder, of which there has been, of late, too much Experience, might be prevented, if Juſtices of the Peace were duly authoriſed to provide ſuch Accommodations in Gaols as may be neceſſary to anſwer this ſalutary Purpoſe:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſeveral Juſtices of the Peace, in that Part of *Great Britain* called *England* and *Wales*, within their ſeveral Juriſdictions, in their Quarter Seſſions aſſembled, are hereby authoriſed and required to order the Walls and Cielings of the ſeveral Cells and Wards, both of the Debtors and the Felons, and alſo of any other Rooms uſed by the Priſoners in their reſpective Gaols and Priſons, where Felons are uſually confined, to be ſcraped and white-waſhed, once in the Year at leaſt; to be regularly waſhed and kept clean, and conſtantly ſupplied with freſh Air, by Means of Hand Ventilators, or otherwiſe; to order two Rooms in each Gaol or Priſon, one for the Men, and the other for the Women, to be ſet apart for the Sick Priſoners, directing them to be removed into ſuch Rooms as ſoon as they ſhall be ſeized with any Diſorder, and kept ſeparate from thoſe who ſhall be in Health; to order a Warm and Cold Bath, or commodious Bathing Tubs, to be provided in each Gaol or Priſon, and to direct the Priſoners to be waſhed in ſuch Warm or Cold Baths or Bathing Tubs, according to the Condition in which they ſhall be at the Time, before they are ſuffered to go out of ſuch Gaols or Priſons upon any Occaſion whatever; to order this Act to be painted in large and legible Characters upon a Board, and hung up in ſome conſpicuous Part of each of the ſaid Gaols and Priſons; and to appoint an experienced Surgeon or Apothecary, at a ſtated Salary, to attend each Gaol or Priſon reſpectively, who ſhall, and he is hereby directed to report to the ſaid Juſtices by whom he is appointed, at each Quarter Seſſions, a State of the Health of the Priſoners under his Care or Superintendence.

Powers of the Juſtices at their Quarter Seſſions.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Juſtices of the Peace, in their ſaid Quarter Seſſions aſſembled, are hereby authoriſed to direct the ſeveral Courts of Juſtice within their reſpective Juriſdictions to be properly ventilated; to order Cloaths to be provided for the Priſoners when they ſee Occaſion; to prevent the Priſoners from being kept under Ground, whenever they can do it conveniently; and to make ſuch other Orders, from Time to Time, for reſtoring or preſerving the Health of Priſoners, as they ſhall think neceſſary.

They are to make Orders as they ſhall think fit.

III. And be it further enacted by the Authority aforeſaid, That the Expences attending the Execution of the Orders of the ſaid Juſtices, made in purſuance of this Act, ſo far as the ſame ſhall reſpect County Gaols and Priſons, and Courts of Juſtice belonging to Counties, ſhall be borne and defrayed, at all Times, out of the reſpective County Rates; and ſo far as the ſame ſhall reſpect the Gaols and Priſons, and Courts of Juſtice, of particular Cities, Towns Corporate, Cinque Ports, Liberties, Franchiſes, or Places, that do not contribute to the Rates of the Counties in which they are reſpectively ſituated, ſuch Expences ſhall be defrayed out of the Publick Stock or Rates of ſuch Cities, Towns Corporate, Cinque Ports, Liberties, Franchiſes, or Places, having ſuch excluſive Juriſdictions, to which ſuch Gaols, or Priſons or Courts of Juſtice, ſhall reſpectively belong: And if any Gaoler or Keeper of any Priſon ſhall, at any Time, neglect or diſobey the Orders of ſuch Juſtices made in purſuance of this Act, he may be proceeded againſt in a ſummary Way, by Complaint made to the Judges of Aſſize, or to the Juſtices, in their Quarter Seſſions; and if he be found guilty of ſuch Neglect or Diſobedience, he ſhall pay ſuch Fine as the Judges of Aſſize, or Juſtices, ſhall impoſe, and ſhall be committed in caſe of Non-payment.

Expences how to be defrayed.

Gaolers diſobeying Orders to be proceeded againſt in a ſummary Way.

CAP. LX.

An Act for indemnifying the Innkeepers and Victuallers within the Hundred of *Godley*, in the County of *Surrey*, againſt the Penalties to which they are or may be liable, for ſelling Ale, Beer, Wine, or Spirituous Liquors, without proper Licences, upon certain Conditions.

Preamble.

'WHEREAS the ſeveral Innkeepers and Victuallers within the Hundred or Diviſion of *Godley*, in the County of *Surrey*, did, in Obedience to a Summons from the High Conſtable of the ſaid Hundred, attend at a Meeting of the Juſtices of the Peace, held at *Chertſey*, in the ſaid Hundred, on the firſt Day of *September*, one thouſand ſeven hundred and ſeventy-three, and obtained a Renewal of their Licences for ſelling of Ale and Beer in the uſual Form; and ſince the Renewal of ſuch Licences, ſeveral of the ſaid Innkeepers and Victuallers, whoſe Licences for Sale of Spirituous Liquors were expired, applied to the proper Officer of his Majeſty's Exciſe for the Renewal of ſuch Licences, who refuſed to renew the ſame, alleging that he was reſtrained by Law from ſo doing, the ſaid Licences for the Sale of Ale and Beer not having been ſigned by two Juſtices qualified by Law to ſign the ſame; and the Time appointed by Act of Parliament for renewing Licences for ſelling Ale and Beer being elapſed before the ſaid Innkeepers and Victuallers were acquainted with any Informality or Doubt concerning the Legality of ſuch Licences, no other Licences could be procured: And whereas it is doubtful, whe-

'ther the ſaid Innkeepers and Victuallers can at preſent carry on their Trades or Callings without incur-
'ring the Pains, Penalties, and Diſabilities impoſed and inflicted by ſeveral Acts of Parliament for ſell-
'ing Ale, Beer, Wine, and Spirituous Liquors, without Licences, which may involve themſelves and
'Families in utter Ruin, although they have not been guilty of any Fault or Neglect on their Part: To
'the End therefore that the ſaid Innkeepers and Victuallers may be indemnified, and carry on their ſaid
'Trades or Callings, without being ſubject to ſuch Pains, Penalties, and Diſabilities, as aforeſaid,' may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Licences granted to the Innkeepers and Victuallers of the Hundred or Diviſion of *Godley*, in the County of *Surrey*, on the ſaid firſt Day of *September*, one thouſand ſeven hundred and ſeventy-three, as aforeſaid, ſhall be, and the ſame are hereby declared to be good, valid, and effectual in the Law, for the ſeveral Purpoſes therein reſpectively expreſſed, and to all other Intents and Purpoſes whatſoever.

The Licences granted in 1773 to be valid, for the Purpoſes expreſſed.

II. And be it further enacted by the Authority aforeſaid, That all perſonal Actions and Suits, Indictments, Informations, and all Proſecutions and Proceedings whatſoever, which have been or ſhall be proſecuted or commenced againſt any of the ſaid Innkeepers or Victuallers, for ſelling Ale, Beer, Wine, or Spirituous Liquors, without a proper Licence, ſince the ſaid firſt Day of *September*, one thouſand ſeven hundred and ſeventy-three, be, are, and ſhall be, diſcharged and made void by virtue of this Act.

All Suits commenced againſt the Innkeepers of Godley, for ſelling Beer, Wines, &c. ſince 1773, are hereby made void.

III. Provided always, and be it further enacted by the Authority aforeſaid, that no Perſon ſhall be intitled to, or receive any Benefit or Indemnification from, this Act, unleſs he ſhall, before the tenth Day of *July*, one thouſand ſeven hundred and ſeventy-four, or before the Expiration of the Term for which their preſent Licences are reſpectively granted, apply for and obtain ſuch Licence or Licences as are by Law required for the ſelling of Wine or Spirituous Liquors; which Licence or Licences his Majeſty's Commiſſioners of Exciſe, and his Majeſty's Commiſſioners appointed for managing the Duties ariſing by Stamps on Vellum, Parchment, or Paper, and all other Perſons authoriſed and impowered by them reſpectively, are hereby authoriſed and required to grant, in the ſame Manner as the ſame ought to have been granted in caſe the ſaid Licences for ſelling Ale and Beer had been originally good, valid, and effectual in the Law as aforeſaid.

No Perſon to be intitled to this Benefit, unleſs he obtains a legal Licence before July 10, 1774; which the Commiſſioners of Exciſe and Stamp Duties are required to grant.

IV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons, without ſpecially pleading the ſame.

Publick Act.

CAP. LXI.

An Act to explain and amend two ſeveral Acts of Parliament, for erecting Hoſpitals and Workhouſes within the City and County of the City of *Exon*, for the better employing and maintaining the Poor there; and to raiſe further Sums of Money for the more effectually carrying the Purpoſes of the ſaid Acts into Execution.

CAP. LXII.

An Act for better governing and employing the Poor, and making and collecting the Poor's Rates, within the Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*, in the County of *Middleſex*.

CAP. LXIII.

An Act for building a Bridge croſs the River *Air*, at *Carlton*, in the Weſt Riding of the County of *York*.

CAP. LXIV.

An Act to explain ſo much of an Act, made in the laſt Seſſion of Parliament (intituled, *An Act to regulate the Importation and Exportation of Corn*), as relates to the Method of aſcertaining the Prices of Corn and Grain exported.

Preamble.

'WHEREAS by an Act, made in the laſt Seſſion of Parliament (intituled, *An Act to regulate the Importation and Exportation of Corn*), it is, amongſt other Things, enacted, That the ſeveral 'Prices at which certain Species of Corn and Grain, therein enumerated, ſhall be prohibited to be exported from this Kingdom, and alſo that the Prices at which the reſpective Bounties granted by the 'ſaid Act are to be allowed upon the Exportation of certain Species of Corn and Grain, ſhall be aſcertained according to the Methods directed by the ſeveral Acts of Parliament, for aſcertaining the Rates 'and Prices of Corn and Grain imported, or as directed by the ſaid recited Act: And whereas the 'Prices, with reſpect to Corn and Grain imported into that Part of *Great Britain* called *England*, *Wales*, 'and the Town of *Berwick upon Tweed*, are, by the ſeveral Acts now in Force, directed to be aſcertained 'at every Quarter Seſſions for the reſpective Counties within the ſame; which Prices being ſo aſcertained, 'cannot be altered until the next ſucceeding Quarter Seſſions, although the Prices of Corn and Grain may, 'in the mean Time, be either very much increaſed or diminiſhed: And whereas, by the aforeſaid Act, 'made in the laſt Seſſion of Parliament, the Prices of Corn and Grain, and Oat-meal, in that Part of *Great Britain* called *Scotland*, are to be aſcertained by the Sheriff or Steward Deputes, or their Subſtitutes, of 'the ſeveral Counties within which there are Ports, or Places, for the Importation and Exportation of 'Goods and Merchandiſes, four Times in the Year; that is to ſay, upon the firſt Day of *November*, firſt 'Day of *February*, firſt Day of *May*, and firſt Day of *Auguſt*, in Manner therein directed, which Prices

ſo

'ſo aſcertained cannot be altered until the Expiration of three Months from the Time of their Aſcertain-
'ment, although the Prices of Corn and Grain, and Oat-meal, may, in the mean Time, be either very
'much increaſed or diminiſhed; and it being expedient that the Exportation of Corn and Grain from
'this Kingdom, and the Allowance of the ſeveral Bounties thereon, ſhould be governed and regulated,
'according to the real Average Prices of ſuch Corn and Grain, and Oat-meal, at the reſpective Times
'when, and Places from whence, the ſame ſhall be ſhipped for Exportation:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-four, the Prices of Corn and Grain, and Oat-meal, exported from this Kingdom, ſhall be regulated and governed by the Average Prices at which ſuch Corn or Grain, and Oat-meal, ſhall be reſpectively ſold in the publick Market, at or neareſt to the Port or Place from whence ſuch Corn or Grain, or Oat-meal, ſhall be intended to be exported, on the laſt Market-day preceding the ſhipping of ſuch Corn or Grain, and the reſpective Bounties granted by the ſaid recited Act ſhall, in like Manner, be paid and allowed, according to ſuch Prices, by the ſame Rules and Regulations, and ſubject to the ſame Securities, Reſtrictions, Oaths, Penalties, and Forfeitures, as the former Bounties on Corn or Grain exported were paid and allowed, and were ſubject and liable to, before the making the ſaid recited Act of the laſt Seſſion of Parliament; any Thing therein contained to the contrary notwithſtanding.

After June 1. 1774, Prices of Corn and Grain how to be regulated.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That nothing herein-before contained ſhall extend, or be conſtrued to extend, to prohibit any Perſon from exporting any Corn or Grain, or Oat-meal, or from receiving the Bounty thereon, which ſhall be actually ſhipped or laid on Board any Ship or Veſſel, for that Purpoſe, within twenty Days from the Entry thereof at the Cuſtom-houſe for Exportation, although the Prices of Corn at ſuch Port may have ariſen above the Rates in the ſaid Act reſpectively ſpecified, after the Entry thereof, and before the Expiration of twenty Days from ſuch Entry; any Thing herein-before contained to the contrary notwithſtanding.

Nothing contained to prohibit the Exportation of Corn or Grain if ſhipped 20 Days from the Entry thereof.

CAP. LXV.

An Act to alter and amend an Act, paſſed in the twenty-fifth Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for annexing certain forfeited Eſtates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to eſtabliſh a Method of managing the ſame, and applying the Rents and Profits thereof for the better civilizing and improving the Highlands of* Scotland, *and preventing Diſorders there for the future)*; ſo far as the ſame relates to the granting Leaſes of the ſaid Eſtates.

'WHEREAS by an Act, made in the twenty-fifth Year of his late Majeſty's Reign (intituled, *An Act for annexing certain forfeited Eſtates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to eſtabliſh a Method of managing the ſame, and applying the Rents and Profits thereof for the better civilizing and improving the Highlands of* Scotland, *and preventing Diſorders there for the future)*; it is, amongſt other Things, enacted, That the Commiſſioners and Truſtees to be appointed by his Majeſty, his Heirs and Succeſſors, ſhall have Power to grant Leaſes of the ſaid Eſtates, or any Part thereof, in Manner therein ſpecified; but that no Perſon ſhall be capable of taking or enjoying any Lands or Tenements, other than Mines or Fiſhings, by virtue of ſuch Leaſe or Leaſes, of greater annual Rent than twenty Pounds at the utmoſt: And whereas the Commiſſioners and Truſtees, appointed by his Majeſty, finding that many Farms of the ſaid Eſtates, formerly let at or under twenty Pounds of yearly Rent, have, by Incloſing and other Improvements, and by the Increaſe of the Price of Horned Cattle, and other Produce of the ſaid Farms, become more valuable, ſo as they may afford Rent above twenty Pounds yearly, and which the Tenants or others are willing to pay, were the Commiſſioners enabled to grant Leaſes of ſuch Farms at a higher Rent than twenty Pounds: And whereas the dividing Farms, which have been let at the Rent of twenty Pounds, or under, and might now, or may hereafter, be let at a higher Rent than twenty Pounds, would be difficult and incommodious, eſpecially in the Caſe of incloſed Farms, and would create much Expence in building Houſes upon inconvenient Farms:' For Remedy whereof, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the ſaid Commiſſioners and Truſtees, and ſuch Commiſſioners and Truſtees as ſhall be from Time to Time nominated and appointed by his Majeſty, his Heirs and Succeſſors, or a Quorum of them, to let and grant Leaſes of Farms at a higher Rent than twenty Pounds, when they ſhall find it proper, and which Leaſes ſhall be good and effectual to the Leſſees; any Thing in the before-recited Act of the twenty-fifth Year of the Reign of his late Majeſty to the contrary notwithſtanding.

Preamble. Act 25 Geo. 2.

The Commiſſioners appointed by the ſaid Act to grant Leaſes of Farms at a higher Rent than 20l.

II. Provided always, That no ſuch Leaſe or Leaſes to be made or granted at a higher Rent than twenty Pounds, ſhall comprize Lands which were let for more Rent than twenty Pounds, at any Time preceding the Year one thouſand ſeven hundred and fifty-ſix.

No ſuch Leaſe to compriſe Lands let for more before 1756.

CAP. LXVI.

An Act for the Repeal of all former Acts concerning the Longitude at Sea, except ſo much thereof as relates to the Appointment and Authority of the Commiſſioners thereby conſtituted, and alſo ſuch Clauſes as relate to the conſtructing, printing, publiſhing, vending, and licenſing of Nautical Almanacks, and other uſeful Tables; and for the more effectual Encouragement and Reward of ſuch Perſon and Perſons as ſhall diſcover a Method for finding the ſame, or ſhall make uſeful Diſcoveries in Navigation; and for the better making Experiments relating thereto.

Preamble.

'WHEREAS an Act was made in the twelfth Year of the Reign of her late Majeſty Queen *Anne*,
Act 12 Annæ. 'intituled, *An Act for providing a publick Reward for ſuch Perſon or Perſons as ſhall diſcover the*
Act 14 Geo. 2. '*Longitude at Sea*; and alſo another Act was made in the fourteenth Year of the Reign of his late Majeſty
'King *George* the Second, intituled, *An Act for ſurveying the Chief Ports and Headlands on the Coaſts of*
'Great Britain *and* Ireland, *and the Iſlands and Plantations thereto belonging, in order to the more exact De-*
Act 26 Geo. 2. '*termination of the Longitude and Latitude thereof*; and alſo another Act was made in the twenty-ſixth
'Year of the Reign of his ſaid late Majeſty, intituled, *An Act to render more effectual an Act, made in the*
'*twelfth Year of the Reign of her late Majeſty Queen* Anne, *intituled*, An Act for providing a publick Re-
'ward for ſuch Perſon or Perſons as ſhall diſcover the Longitude at Sea, *with regard to the making Expe-*
'*riments of Propoſals made for diſcovering the Longitude*; *and to enlarge the Number of Commiſſioners for put-*
Act 2 Geo. 3. '*ting in Execution the ſaid Act*; and alſo another Act was made in the ſecond Year of the Reign of his
'preſent Majeſty, intituled, *An Act for rendering more effectual an Act, made in the twelfth Year of the Reign*
'*of her late Majeſty Queen* Anne, *intituled*, An Act for providing a publick Reward for ſuch Perſon or
'Perſons as ſhall diſcover the Longitude at Sea, *with regard to making Experiments of Propoſals made for*
Act 3 Geo. 3. '*diſcovering the Longitude*; and alſo another Act was made in the third Year of the Reign of his preſent
'Majeſty, intituled, *An Act for the Encouragement of* John Harriſon *to publiſh and make known his Inven-*
Act 5 Geo. 3. '*tion of a Machine or Watch, for the Diſcovery of the Longitude at Sea*; and alſo two other Acts were made
'in the fifth Year of the Reign of his preſent Majeſty, the one intituled, *An Act for rendering more effec-*
'*tual an Act, made in the twelfth Year of the Reign of her late Majeſty Queen* Anne, *intituled*, An Act for
'providing a publick Reward for ſuch Perſon or Perſons as ſhall diſcover the Longitude at Sea, *with*
'*regard to the making Experiments of Propoſals made for diſcovering the Longitude*; and the other, intituled,
'*An Act for explaining and rendering more effectual two Acts, one made in the twelfth Year of the Reign of*
'*Queen* Anne, *intituled*, An Act for providing a publick Reward for ſuch Perſon or Perſons as ſhall diſ-
'cover the Longitude at Sea; and the other in the twenty-ſixth Year of the Reign of King *George* the
'Second, intituled, *An Act to render more effectual an Act, made in the twelfth Year of the Reign of her*
'*late Majeſty Queen* Anne, *intituled*, An Act for providing a publick Reward for ſuch Perſon or Perſons
'as ſhall diſcover the Longitude at Sea, *with regard to the making Experiments of Propoſals made for diſ-*
'*covering the Longitude*; *and to enlarge the Number of Commiſſioners for putting in Execution the ſaid Act*;
Act 10 Geo. 3. 'and alſo another Act was made in the tenth Year of the Reign of his preſent Majeſty, intituled, *An Act*
'*for rendering more effectual ſeveral Acts, for providing a publick Reward for diſcovering the Longitude at Sea*;
'*for improving the Lunar Tables conſtructed by the late Profeſſor* Mayer; *and for encouraging Diſcoveries and*
'*Improvements uſeful to Navigation:* And whereas it is highly expedient to encourage, by further Re-
'wards, ſuch other Methods and Experiments as may conduce to the Diſcovery of the Longitude at Sea,
'and promote farther Improvements and Diſcoveries in Navigation; and to make more effectual Regu-
'lations for the examining, trying, and judging of all Propoſals, Experiments, and Improvements, re-
'lating thereunto;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,

After June 24, 1774, the recited Acts repealed, except two Clauſes.

That each and every of the ſaid recited Acts (ſave and except ſuch Clauſe and Clauſes in each or any of them as relate to the Appointment or Authority of all or any of the Commiſſioners thereby reſpectively conſtituted, and alſo ſuch Clauſe and Clauſes as relate to the conſtructing, printing, publiſhing, vending, and licenſing of Nautical Almanacks, and other uſeful Tables), ſhall, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, be, and are hereby repealed.

Sums, as Rewards, given to Authors,

'II. And, for a due and ſufficient Encouragement to any Perſon or Perſons who ſhall diſcover any Me-
'thod or Methods for finding the ſaid Longitude,' be it enacted by the Authority aforeſaid, That the firſt Author or Authors, Diſcoverer or Diſcoverers, of each and every ſuch Method or Methods, his or their Executors, Adminiſtrators, or Aſſigns, ſhall be intitled to, and have the Rewards or Sums of Money herein-after mentioned; that is to ſay, In caſe the Method propoſed ſhall be, by Means of a Time-keeper, the Principles whereof have not hitherto been made publick, to the Reward or Sum of five thouſand Pounds, if ſuch Method determines the ſaid Longitude to one Degree of a great Circle, or ſixty geographical Miles; to the Reward or Sum of ſeven thouſand five hundred Pounds, if it determines the ſame to Two-thirds of that Diſtance; and to the Reward or Sum of ten thouſand Pounds, if it determines the ſame to one Half of the ſaid Diſtance: Which reſpective Rewards ſhall be due and paid when ſuch Method ſhall have been ſufficiently tried by the following Experiments and Voyages to be made and performed by ſuch Perſons, and under ſuch Reſtrictions, as the ſaid Commiſſioners for the Diſcovery of Longitude at Sea, reſpectively conſtituted by the above-recited Acts, or the major Part of them, ſhall think fit to appoint and direct; (that is to ſay) When and ſo ſoon as two or more Time-keepers, of the ſame Conſtruction,

ſtruction, ſhall have been tried at the ſame Time, for the Space of twelve Months, at the Royal Obſervatory at *Greenwich*, then in two Voyages round the Iſland of *Great Britain*, in contrary Directions, and in ſuch other Voyages to different Climates as the ſaid Commiſſioners ſhall think fit to direct and appoint; and after their Return from ſuch Voyages, or any of them, for ſuch longer Time, at the ſaid Obſervatory, not exceeding twelve Months, as the ſaid Commiſſioners ſhall judge neceſſary; and alſo when and ſo ſoon as the ſaid Commiſſioners, or two-thirds of them, at the leaſt, ſhall, after ſuch Experiments and Voyages have been made and performed as aforeſaid, have declared and determined that ſuch Method is generally practicable and uſeful, and ſufficiently exact to determine the Longitude at Sea within the Degrees or Limits aforeſaid, in all Voyages for the Space of ſix Months (Impediments from cloudy and hazy Weather excepted); and alſo when and ſo ſoon as the Principles and Practice of ſuch Method are fully diſcovered and explained to the Satisfaction of the ſaid Commiſſioners, or two-thirds of them at leaſt; and ſuch Author or Authors, Diſcoverer or Diſcoverers, ſhall have delivered up and aſſigned over to the ſaid Commiſſioners, for the Uſe of the Publick, the abſolute Property of ſuch Time-keepers as ſhall have been tried by ſuch Experiments and Voyages as aforeſaid, together with all Places, Deſcriptions, Theories, and Explanations, belonging or relating to the ſame, and which ſhall contain the Whole of ſuch Diſcovery of the Longitude; and in caſe the Method propoſed ſhall be by Means of improved Solar and Lunar Tables; then, and in ſuch Caſe, the Author or Authors of ſuch improved Solar and Lunar Tables, their Executors, Adminiſtrators, or Aſſigns, ſhall be intitled to and have the Reward or Sum of five thouſand Pounds, if ſuch Solar and Lunar Tables ſhall prove ſufficiently exact to ſhew the Diſtance of the Moon from the Sun and Stars in the Heavens, within fifteen Seconds of a Degree, anſwering to about ſeven Minutes of Longitude, after making an Allowance of half a Degree for the Errors of Obſervation; and when it ſhall appear to the Satisfaction of the ſaid Commiſſioners, or two-thirds of them, at leaſt, that ſuch Tables are conſtructed entirely upon the Principles of Gravitation laid down by Sir *Iſaac Newton*, (except with reſpect to thoſe Elements which muſt neceſſarily be taken from aſtronomical Obſervations), and alſo when the Truth of ſuch Tables ſhall have been further confirmed and proved by Compariſon with a Series of aſtronomical Obſervations made during a Period of eighteen Years and a Half, which is deemed the Period of the Irregularities of the Lunar Motions; which Reward ſhall be due and paid, when the ſaid Commiſſioners, or two-thirds of them, at leaſt, ſhall have declared and determined, that ſuch Tables are ſufficiently exact, to ſhew the Diſtance of the Moon from the Sun and Stars in the Heavens, within the Limits above mentioned; and alſo when the Author or Authors of ſuch improved Solar and Lunar Tables, his or their Executors, Adminiſtrators, or Aſſigns, ſhall have delivered up, and aſſigned over to the ſaid Commiſſioners, for the Uſe of the Publick, the abſolute Right and Property to and in the ſame, together with the Theory relating thereunto; and in caſe any other Method ſhall be propoſed for finding the Longitude at Sea beſides thoſe before mentioned, that then, and in ſuch Caſe, the firſt Author or Authors, Diſcoverer or Diſcoverers, of any ſuch Method, his or their Executors, Adminiſtrators, or Aſſigns, ſhall be intitled to and have the Reward or Sum of five thouſand Pounds, if it ſhall determine the ſaid Longitude within one Degree of a great Circle, or ſixty geographical Miles; to the Reward or Sum of ſeven thouſand five hundred Pounds, if it ſhall determine the ſame to Two-thirds of that Diſtance; and to the Reward or Sum of ten thouſand Pounds, if it ſhall determine the ſame to one Half of the ſame Diſtance; which reſpective Rewards ſhall be due and paid, ſo ſoon as the ſaid Commiſſioners, or Two-thirds of them, at leaſt, ſhall, after proper Trial has been made by their Appointment and Direction, have determined that ſuch Method ſhall be generally practicable and uſeful for finding the Longitude at Sea within the reſpective Limits above mentioned.

when to be paid.

III. And be it further enacted by the Authority aforeſaid, That when and ſo ſoon as any ſuch Method or Methods, for the Diſcovery of the ſaid Longitude, ſhall be tried, as before mentioned, and found practicable and uſeful at Sea, and ſufficiently exact to determine the Longitude within any of the Degrees or Limits aforeſaid, the ſaid Commiſſioners, or Two-thirds of them, ſhall certify the ſame, under their Hands and Seals, to the Commiſſioners of the Navy for the Time being, together with the Name or Names of the Perſon or Perſons who ſhall be the Author or Authors of ſuch Method or Methods; and upon the Receipt of ſuch Certificate, the ſaid Commiſſioners of the Navy are hereby authoriſed and required to make out a Bill or Bills upon the Treaſurer of the Navy, for the reſpective Sum or Sums of Money to which the Author or Authors of ſuch Propoſals, his or their Executors, Adminiſtrators, or Aſſigns, ſhall be intitled by virtue of this Act; which Sum or Sums the ſaid Treaſurer is hereby required to pay to the ſaid Author or Authors, their Executors, Adminiſtrators, or Aſſigns accordingly, out of any Money that may be in Hands unapplied to the Uſe of the Navy, according to the true Intent and Meaning of this Act.

Treaſurer of the Navy to pay the Sums, or Rewards, to the Authors.

'IV. And whereas the ſeveral Sums of Money granted by the above now-recited Acts, towards making 'Experiments of Propoſals for diſcovering the Longitude at Sea, and for improving the Lunar Tables, 'and making other Diſcoveries or Improvements uſeful to Navigation, are, by reaſon of the ſeveral Pay-'ments made by the Treaſurer of the Navy, purſuant to the Directions of the ſaid Acts, not only ex-'pended, but, moreover, ſeveral Debts have been incurred, and are now growing due for Services tending 'to the Benefit of Navigation, and, more particularly, for defraying the Expence of the two Obſervers 'who have been ſent out to make nautical and aſtronomical Obſervations in the Southern Hemiſphere: 'And whereas it is highly neceſſary that the ſaid Debts ſhould be diſcharged, and that ingenious Perſons 'ſhould be encouraged to make further Diſcoveries and Improvements uſeful to Navigation;' be it further enacted by the Authority aforeſaid, That the above-mentioned Commiſſioners for the Diſcovery of Longitude at Sea ſhall and may certify the Amount of ſuch Debts, together with the Names of the Perſons to whom the ſame ſhall be reſpectively due, under their Hands and Seals, to the Commiſſioners of the Navy, who are hereby authoriſed and required to make out a Bill or Bills upon the Treaſurer of the Navy for ſuch Sum or Sums of Money, as may be neceſſary for diſcharging the ſaid Debts; which Sum or Sums

Commiſſioners of Longitude to certify Debts incurred by former Acts to the Commiſſioners of the Navy:

of

of Money the ſaid Treaſurer is hereby required to pay to the Perſon or Perſons to whom the ſame ſhall be reſpectively due, out of any Money which ſhall be in his the ſaid Treaſurer's Hands unapplied as aforeſaid.

They are alſo to receive Propoſals for diſcovering the Longitude,

V. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners for the Diſcovery of Longitude at Sea, or any five or more of them, ſhall have full Power and Authority to hear and receive any Propoſal or Propoſals that ſhall be made to them for diſcovering the ſaid Longitude, or for making any other uſeful Improvement in Navigation; and in caſe the ſaid Commiſſioners, or any five or more of them, ſhall be ſo far ſatisfied of the Probability of any ſuch Diſcovery or Improvement as to think it proper to cauſe Experiments to be made thereof, they ſhall certify the ſame, together with the Names of the Author or Authors of ſuch Propoſal or Propoſals, under their Hands and Seals, to the Commiſſioners of the Navy, who are hereby authoriſed and required to make out a Bill or Bills upon the Treaſurer of the Navy for any ſuch Sum or Sums of Money as the ſaid Commiſſioners for the Diſcovery of Longitude at Sea, or any five or more of them, ſhall think neceſſary for making ſuch Experiments; which Sum or Sums the Treaſurer of the Navy is hereby required to pay immediately to ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners to make thoſe Experiments out of any Money which ſhall be in his the ſaid Treaſurer's Hands unapplied as aforeſaid.

and certify the ſame, with the Names of the Authors, to the Commiſſioners of the Navy.

Perſons making uſeful Diſcoveries, to receive leſs Rewards, agreeable to the Judgment of the Commiſſioners.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall make any Diſcovery for finding the Longitude at Sea, which, though not of ſo great Uſe as to be intitled to any of the great Rewards above ſpecified, ſhall nevertheleſs be adjudged by the ſaid Commiſſioners for the Diſcovery of Longitude at Sea, or the major Part of them, to be of conſiderable Uſe to the Publick, or ſhall make any other Diſcovery or Diſcoveries, Improvement or Improvements, uſeful to Navigation; then, and in ſuch Caſe, ſuch Perſon or Perſons, his or their Executors, Adminiſtrators, or Aſſigns, ſhall, from Time to Time, have and receive ſuch leſs Reward or Sum or Sums of Money as the ſaid Commiſſioners, or the major Part of them, ſhall think reaſonable; and certify accordingly, under their Hands and Seals, to the Commiſſioners of the Navy, who are hereby authoriſed and required to make out a Bill or Bills upon the Treaſurer of the Navy for any ſuch Sum or Sums of Money which the ſaid Treaſurer is hereby authoriſed and required to pay immediately to ſuch Perſon or Perſons, his or their Executors, Adminiſtrators, or Aſſigns, out of any Money that ſhall be in his the ſaid Treaſurer's Hands unapplied as aforeſaid.

The Sums payable by the Treaſurers of the Navy not to exceed 5000 l.

VII. Provided always, That all ſuch Sum or Sums of Money as ſhall be paid by the Treaſurer of the Navy by virtue hereof, as well for the Purpoſe of diſcharging the ſeveral Debts which have been incurred, and are now growing due for Services tending to the Benefit of Navigation, as of making ſuch Experiments as aforeſaid, and of rewarding, in a leſſer Degree, leſſer Diſcoveries for finding the Longitude at Sea, and alſo other Diſcoveries and Improvements uſeful to Navigation, do not altogether exceed the Sum of five thouſand Pounds: And alſo provided, That in caſe any ſuch Reward, or Sums of Money, to be given for any of thoſe Purpoſes ſhall not exceed the Sum of one thouſand Pounds, that then, and in ſuch Caſe, it ſhall and may be certified to the Commiſſioners of the Navy as aforeſaid, under the Hands and Seals of the ſaid Commiſſioners for the Diſcovery of Longitude, or any five or more of them; but if it ſhall exceed the Sum of one thouſand Pounds, that then it ſhall be certified by the ſaid Commiſſioners, or the major Part of them.

No Perſon to receive more for Diſcoveries than the greateſt Sum hereby provided.

VIII. Provided alſo, and it is hereby further enacted, That in caſe any Perſon or Perſons who ſhall and may have received any Sum or Sums of Money, by virtue of this Act, as a Reward for any Method of diſcovering the Longitude at Sea, ſhall afterwards become intitled to any of the greater Rewards appointed by this Act, for or on account of the ſame Method; that then, and in ſuch Caſe, ſuch Sum or Sums of Money as they ſhall or may have received as aforeſaid, ſhall be conſidered as Part of ſuch greater Reward, and deducted therefrom accordingly; and that no Perſon ſhall receive more in the Whole for any one Method for diſcovering the Longitude at Sea than the greateſt Reward appointed for ſuch Method by this Act.

The Commiſſioners to adminiſter an Oath for carrying the Act into Execution.

IX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners for the Diſcovery of Longitude at Sea, or the major Part of them, and they are hereby authoriſed and impowered, for their better Satisfaction, if they ſee Occaſion, to adminiſter an Oath or Oaths to ſuch Perſon or Perſons as they ſhall think proper, for the Purpoſes of carrying this Act into Execution; which Oath or Oaths it ſhall and may be lawful to and for any two or more of the ſaid Commiſſioners to adminiſter accordingly; and in caſe any ſuch Perſon or Perſons ſhall wilfully ſwear falſely and untruly, every ſuch Perſon ſhall be liable to, and ſuffer the Pains and Penalties inflicted by the ſeveral Statutes made, and now in Force, againſt wilful Perjury.

CAP. LXVII.

An Act to continue the ſeveral Laws therein mentioned, for granting Liberty to carry Rice from his Majeſty's Provinces of *Carolina* and *Georgia*, in *America*, directly to any Part of *Europe*, Southward of *Cape Finiſterre*; for granting the like Liberty to export Rice from *South Carolina* and *Georgia* directly, to any Part of *America*, to the Southward of the ſaid Provinces; for granting the like Liberty in the Exportation of Rice from *Eaſt* and *Weſt Florida*, and from any Part of *America*, Southward of *South Carolina* and *Georgia*.

Preamble.

'WHEREAS the Laws herein-after mentioned are near expiring;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with

with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the third Year of the Reign of his late Majeſty, intituled, *An Act for granting Liberty for carrying Rice from his Majeſty's Province of* Carolina *in* America, *directly to any Part of* Europe, *Southward of* Cape Finiſterre, *in Ships built in and belonging to* Great Britain, *and navigated according to Law*, which was to be in Force for five Years, from the twenty-ninth Day of *September*, one thouſand ſeven hundred and thirty, and from thence to the End of the then next Seſſion of Parliament; and alſo an Act, made in the eighth Year of the Reign of his ſaid late Majeſty, to continue the ſaid Act from the Expiration thereof, until the twenty-ninth Day of *September*, one thouſand ſeven hundred and forty two, and from thence to the End of the then next Seſſion of Parliament, and to extend that Liberty to his Majeſty's Province of *Georgia* in *America*; which ſaid Acts, by ſeveral ſubſequent Acts made in the fifteenth, ſixteenth, twentieth, twenty-ſeventh, and thirty-third Years of his ſaid late Majeſty's Reign, and in the ſeventh Year of the Reign of his preſent Majeſty, were further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame is hereby further continued from the Expiration thereof, to the twenty-ninth Day of *September*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

Act 3 Geo. 2.

Act 8 Geo. 2.

further continued till Sept. 29, 1781.

II. And be it further enacted by the Authority aforeſaid, That an Act, made in the fourth Year of his preſent Majeſty's Reign, intituled, *An Act for granting, for a limited Time, a Liberty to carry Rice from his Majeſty's Provinces of* South Carolina *and* Georgia, *directly to any Part of* America *to the Southward of the ſaid Provinces, ſubject to the like Duty as is now paid on the Exportation of Rice from the ſaid Colonies to Places in* Europe *ſituate to the Southward of* Cape Finiſterre, which was to continue in Force for five Years, from the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſixty four, and from thence to the End of the then next Seſſion of Parliament; and alſo a Clauſe in an Act, paſſed in the fifth Year of his ſaid Majeſty's Reign, which gave Liberty to export Rice from *North Carolina*, in the ſame Manner, and under the like Entries, Securities, Reſtrictions, Regulations, Limitations, Duties, Penalties, and Forfeitures, as were enacted by the ſaid Act, made in the fourth Year of his preſent Majeſty's Reign, with reſpect to carrying Rice to *South Carolina* and *Georgia*, which have Continuance until the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame are hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

Act 4 Geo. 3.

and a Clauſe in Act 5 Geo. 3.

further continued till June 24, 1781.

III. And be it further enacted by the Authority aforeſaid, That an Act, made in the tenth Year of the Reign of his preſent Majeſty, intituled, *An Act for extending like Liberty in the Exportation of Rice from* Eaſt *and* Weſt Florida *to the Southward of* Cape Finiſterre *in* Europe, as is granted by former Acts of Parliament to *Carolina* and *Georgia*, which was to continue in Force from the firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy, until the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament; and which Act was amended by an Act, made in the eleventh Year of the Reign of his ſaid Majeſty, ſhall be, and the ſame are hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

Act 10 Geo. 3.

further continued till Sept. 29, 1781.

CAP. LXVIII.

An Act to prevent Frauds in the buying and ſelling of Hops.

Preamble.

'WHEREAS divers Frauds are practiſed in the packing or bagging of Hops;' for Remedy whereof, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, when any Officer of Exciſe ſhall attend for the Purpoſe of bagging any Hops purſuant to the Directions of an Act, paſſed in the ninth Year of the Reign of Queen *Anne* (intituled, *An Act for laying a Duty on Hops*), ſuch Officer ſhall, upon Pain of forfeiting for every Neglect the Sum of five Pounds, weigh the Bags or Pockets intended by the Planters, Growers, or Owners of the Hops to be uſed for the bagging thereof; and ſhall, before the Hops ſhall be put therein, mark, or cauſe to be marked, on the Outſide of each ſuch Bag or Pocket, in plain and legible Letters or Characters, with Ink or Paint, the true Weight or Tare thereof; and that the Exciſe Officer ſhall alſo mark, or cauſe to be marked, on each ſuch Bag or Pocket, in Manner aforeſaid, the Planter or Planters Name or Names, in full Length, and the Place of his or their Abode, together with the Date of the Year in which ſuch Hops were grown: And if any Exciſe Officer ſhall put his Mark of the Weight of the Hops upon any Bag, before ſuch Bag, and Hops therein contained, ſhall have been weighed by him, he ſhall, for each Offence, forfeit the Sum of forty Shillings.

Officers to weigh the Bags for Hops, on Penalty of 5 l. for every Neglect;

and ſhall, before Hops be put therein, mark on the Outſide the Weight thereof; the Planters Names; and when ſuch Hops were grown.

II. And it is hereby declared, That the Marks of the Exciſe Officer, hereby directed to be made, ſhall be Proof ſufficient that the Planter, Grower, or Owner of Hops, has conformed to the Directions of this Act.

Officers Marks to be ſufficient Proof.

III. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures for Offences againſt this Act, ſhall, upon Information and Proof of the Offences reſpectively, before any one Juſtice of the Peace for the County or Place where the Offence ſhall be diſcovered, or wherein the Offender ſhall be or reſide, either by the Confeſſion of the Party or Parties offending, or by the Oath of

Penalties to be levied by Diſtreſs and Sale of Offenders Goods;

one or more Witneſs or Witneſſes (which Oath ſuch Juſtice of the Peace is hereby impowered and required to adminiſter without Fee or Reward), be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant or Warrants under the Hand and Seal of ſuch Juſtice (which Warrant or Warrants ſuch Juſtice is hereby impowered to grant), and the Overplus, after ſuch Penalties and Forfeitures, and the Charges of ſuch Diſtreſs and Sale, are recovered and deducted, ſhall be returned upon Demand, unto the Owner or Owners of ſuch Goods and Chattels; and one Half of the Penalties and Forfeitures, when ſo paid or levied, ſhall, from Time to Time, be paid to the Perſon who ſhall give Information of any ſuch Offence; and the other Half ſhall be paid to the Overſeer or Overſeers of the Poor of the Pariſh or Place where the Offence ſhall be committed, and applied to the Uſe of the Poor thereof reſpectively.

one Half to the Informer, and the other to the Poor.

IV. And be it further enacted, That if any Perſon or Perſons ſhall forge, counterfeit, alter, or wilfully obliterate any Mark, by this Act directed to be put by the Officers of Exciſe upon any ſuch Bag or Pocket; every ſuch Perſon ſo offending, and being thereof legally convicted before a Juſtice of the Peace, ſhall be ſubject to a Penalty of ten Pounds; to be levied, paid, and applied in Manner and Form above directed: And in Default of Payment thereof, ſhall ſuffer ſix Months Impriſonment, or until he ſhall have paid the ſaid Penalty.

Perſons forging Marks to forfeit 10 l.

V. Provided always, and it is hereby declared, That no Perſon ſhall be liable to be proſecuted for any Penalty for any Offence againſt this Act, unleſs Complaint ſhall be made thereof to ſome Juſtice of the Peace for the County or Place where the Cauſe of Complaint ſhall ariſe, or be diſcovered within ſix Calendar Months next after the Sale of any ſuch Hops; any Thing herein contained to the contrary notwithſtanding.

Complaint to be made to ſome Juſtice, or no Perſon liable to be proſecuted.

VI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Publick Act.

CAP. LXIX.

An Act for raiſing a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-four. 1,250,000 *l.*

CAP. LXX.

An Act for applying a certain Sum of Money, for calling in, and recoining, the deficient Gold Coin of this Realm; and for regulating the Manner of receiving the ſame at the Bank of *England*; and of taking, there, an Account of the Deficiency of the ſaid Coin, and making Satisfaction for the ſame; and for authoriſing all Perſons to cut and deface all Gold Coin, that ſhall not be allowed to be current by his Majeſty's Proclamation.

Preamble.

'WHEREAS the Gold Coin of this Realm has been greatly diminiſhed by clipping, filing, and other evil Practices, particularly of late Years, in Violation of the Laws of this Realm; and it has been a Practice to export and melt down the new and perfect Coin, ſoon after it has been iſſued for private Advantage, to the great Detriment of the Publick, and the like Practice will continue while Pieces differing greatly in Weight are current under the ſame Denomination, and at the ſame Rate and Value: And whereas, for preventing the Miſchiefs to which the Publick are expoſed, it is proper, in the firſt place, that all Guineas weighing leſs than five Pennyweights, eight Grains; and all Half Guineas, weighing leſs than two Pennyweights, ſixteen Grains; and all Quarter Guineas, weighing leſs than one Pennyweight, and eight Grains; ſhould be called in, and recoined, according to the eſtabliſhed Standard of the Mint, both as to Weight and Fineneſs; and it is proper likewiſe that the ſame ſhould be called in by Degrees, and as faſt as the Occaſions of Circulation will allow, and as the Officers of the Mint are able to recoin the ſame: And whereas the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, have, in their Addreſs, moſt humbly beſought your Majeſty, that your Majeſty would be graciouſly pleaſed to iſſue your Royal Proclamation or Proclamations, and thereby appoint ſuch Days as to Your Majeſty ſhould ſeem meet, after which the ſaid Guineas, Half Guineas, and Quarter Guineas, ſhould not be allowed in Payment, or to paſs, except only to the Collectors or Receivers of the Publick Revenues, or to ſuch Perſons as your Majeſty ſhall authoriſe to receive and exchange the ſame; and that your Majeſty would appoint certain other Days, after which the ſaid Guineas, Half Guineas, and Quarter Guineas, ſhould not be allowed to paſs in any Payment whatſoever, or to be exchanged in Manner aforeſaid;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Tellers in the Receipt of his Majeſty's Exchequer, and the ſeveral Receivers General, and their Deputies, and the particular Receivers and Collectors, and Officers, who are or ſhall be intruſted with the Receipt or Collection of his Majeſty's Revenues, Impoſitions, Duties, Taxes, Aids, or Supplies, within the Kingdom of *Great Britain*, and the Vice Treaſurer and Receiver General, and Paymaſter General, of all his Majeſty's Revenues in the Kingdom of *Ireland*, and his or or their Deputy or Deputies, and the Teller of the Exchequer there, and all Collectors or Receivers, and other Officers, who are or ſhall be intruſted with the Receipt or Collection of the ſaid Revenues, ſhall, and by this Act they are ſeverally required and enjoined, to accept and take, for his Majeſty's Uſe, for or upon account of any of the ſaid Revenues, Impoſitions, Duties, Taxes, Aids,

Collectors of the Revenues, &c. to receive the diminiſhed Gold Coin:

Aids, or Supplies reſpectively, during ſuch Time or Times as ſhall be appointed and limited in his Majeſty's Proclamation or Proclamations, to be iſſued in Manner aforeſaid, ſuch Guineas, Half Guineas, and Quarter Guineas, being the Gold Coin of this Realm, at the Rates they were reſpectively coined, ſo as the Deficiency in Weight of any of them does not exceed the Deficiency at which they ſhall be allowed reſpectively to paſs in Payment to the ſaid Tellers, Vice Treaſurer, Receivers or Collectors, by the ſaid Proclamation or Proclamations.

Who are to convey the ſame to the Governor and Company of the Bank of England;

'II. And whereas the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, have, in 'their ſaid Addreſs to your Majeſty, delivered it as their Opinion, that the Publick do bear the Loſs 'ariſing from the Deficiency and Recoinage of the ſaid Guineas, Half Guineas, and Quarter Guineas, 'provided ſuch Deficiency doth not exceed the Rates ſettled by the Order of the Commiſſioners of your 'Majeſty's Treaſury of the twenty-third Day of *July*, one thouſand ſeven hundred and ſeventy-three, 'and provided ſuch Guineas, Half Guineas, and Quarter Guineas, be offered in Payment to the Receivers 'or Collectors of the Publick Revenue, or are brought to ſuch Perſon or Perſons as ſhall be authoriſed to 'receive and exchange the ſame, within certain Times to be appointed by your Majeſty's Proclamation or 'Proclamations: And whereas the Governor and Company of the Bank of *England* have conſented and 'agreed to receive and exchange all the ſaid Guineas, Half Guineas, and Quarter Guineas, that ſhall be 'brought to their Office in *London*, on Condition that the Deficiency of the ſaid Monies be made good 'to them, and that they be paid the neceſſary Charge of melting down and caſting the ſame into Ingots, 'and aſſaying the ſame: Now, in order that an Account may be more eaſily ſettled, and exactly adjuſted, 'for the Purpoſes before mentioned,' be it further enacted by the Authority aforeſaid, That the Tellers of his Majeſty's Exchequer, and the Receivers General of the ſeveral Revenues, Impoſitions, Duties, Taxes, Aids, or Supplies, in *Great Britain*, reſident within the Cities of *London* and *Weſtminſter*, do, and they are hereby ſtrictly enjoined and required, to convey, or cauſe to be conveyed, all and every the ſaid deficient Gold Coin, received or taken by them, as ſoon as conveniently may be, and within fourteen Days after the Receipt thereof, at fartheſt, to the Office of the Governor and Company of the Bank of *England*, in *London*, there to be exchanged for ſuch other Coin as ſhall from thenceforth be allowed to paſs in Payment, and be current; and that the Vice Treaſurer and Receiver General, and Paymaſter General of all his Majeſty's Revenues in the Kingdom of *Ireland*, and his or their Deputy or Deputies, and Teller of his Majeſty's Exchequer there, do, and they are hereby ſtrictly enjoined and required, in like Manner, to convey, or cauſe to be conveyed, all and every the ſaid deficient Gold Coin received or taken by them, as ſoon as conveniently may be, and within forty Days after the Receipt thereof at fartheſt, to the ſaid Office of the Governor and Company of the Bank of *England*, in *London*, there to be exchanged for ſuch other Coin as ſhall from thenceforth be allowed to paſs in Payment, and be current; and the Coin which the ſaid Tellers or Vice Treaſurer, or his or their Deputy or Deputies, or Receivers General, ſhall receive in Exchange for the ſaid deficient Coin, ſhall be placed by them to the reſpective Accounts of the ſaid particular Revenues, Taxes, Loans, or other Branches to which the deficient Coin did belong, and ſhall be iſſued and applied to the ſame Uſes and Purpoſes reſpectively to which the ſaid deficient Gold Coin was appropriated, and ought to have been iſſued and applied, without being diverted or divertible to any other Uſe or Purpoſe, or being miſapplied, under the Penalty of incurring the ſame Forfeitures and Diſabilities by the Officers, or other Perſons concerned therein, as they would have incurred for diverting or miſapplying the Money of ſuch Taxes, Revenues, Loans, or other Branches, in caſe the ſame were not exchanged in Manner before mentioned.

there to be exchanged for other current Coin.

Receivers appointed when to remit the deficient Coin.

III. And be it further enacted by the Authority aforeſaid, That all Perſons who ſhall be appointed by his Majeſty, within the Kingdoms of *Great Britain* and *Ireland*, to receive and exchange the ſaid deficient Gold Coin, do, and they are hereby reſpectively required, and ſtrictly enjoined, from Time to Time, to remit or ſend, or cauſe to be remitted or ſent, all and every the ſaid deficient Coin, received or taken, or coming to their Hands, according to his Majeſty's Proclamation or Proclamations, as ſoon as conveniently may be after the Receipt thereof, to the Office of the Governor and Company of the Bank of *England*, in *London*, and in like Manner to ſend, or cauſe to be ſent, to the ſaid Office, the Reſidue of ſuch deficient Coin ſo by them received, if received within that Part of *Great Britain* called *England*, within the Space of twenty-one Days at fartheſt; and if within that Part of *Great Britain* called *Scotland*, within the Space of twenty-eight Days at fartheſt; and if within the Kingdom of *Ireland*, within the Space of forty Days at fartheſt, next after the Day on which his Majeſty's ſaid Proclamation or Proclamations ſhall have declared that ſuch Monies ſhall not be allowed to paſs in any Payment whatſoever, in order that the ſaid deficient Coin may be exchanged by the ſaid Governor and Company, in Manner before mentioned, for any other Coin allowed from thenceforth to paſs in Payment, or be current; and the ſaid Governor and Company, of the Bank of *England*, upon Tender of any ſuch deficient Gold Coin, by any of the Perſons before mentioned, ſhall give, and they are hereby authoriſed and required to give in Exchange for ſuch deficient Gold Coin, any other Coin from thenceforth allowed to paſs in Payment, and be current.

Examiners to be appointed by the Governor of the Bank, and the Lords of the Treaſury.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Governor and Company of the Bank of *England* to conſtitute and appoint two or more Perſons; which ſaid Perſons, together with two or more Perſons, to be appointed by the Lord High Treaſurer, or Lords Commiſſioners of his Majeſty's Treaſury for the Time being, ſhall, and they are hereby reſpectively authoriſed and required, under the Direction of the Warden, Maſter, and Comptroller of his Majeſty's Mint, and their Deputies, one of whom ſhall always be preſent, and of the Governor and Directors of the ſaid Bank of *England*, one of whom ſhall always be preſent, from Time to Time, to take and ſtate an exact Account, as well of all the ſaid deficient Guineas, Half Guineas, and Quarter Guineas, then remaining in the Bank of *England*, as of all ſuch Guineas, Half Guineas, and Quarter Guineas, which ſhall be received by the ſaid Governor and Company of the Bank of *England*, or be paid into the ſaid Bank, by the ſeveral Perſons before mentioned, or by any Perſon or Perſons whomſoever, and to examine

whether the ſame is or are the Gold Coin of this Realm, and not of leſs Weight than is or ſhall be allowed at ſuch Times reſpectively, in and by his Majeſty's ſaid Proclamation or Proclamations; and to cauſe all Monies as ſhall be found to be the Gold Coin of this Realm, and not of leſs Weight than is or ſhall be allowed as aforeſaid, to be exactly numbered or told, and carefully weighed, and to ſet down and ſtate an exact Account of the Deficiency found therein, and then to cauſe all the ſaid Pieces to be cut, broken, or defaced; and then, with all convenient Speed, to deliver, or cauſe to be delivered, an Account and Particular of all the ſeveral Matters aforeſaid, under the Hands of the Perſons by and before whom ſuch Account or Accounts ſhall be taken, to the Lord High Treaſurer, or Lords Commiſſioners of his Majeſty's Treaſury for the Time being.

Treaſury to iſſue ſuch Sums as ſhall appear to be the Amount of all Deficiences,

'V. And whereas the Commons of *Great Britain*, in Parliament aſſembled, have reſolved, that a Sum 'not exceeding two hundred and fifty thouſand Pounds, be granted to your Majeſty, towards defraying the 'Expence which ſhall be incurred in calling in and recoining the ſaid deficient Gold Coin, in purſuance of 'the Reſolutions of the Houſe of Commons of the tenth Day of *May*, one thouſand ſeven hundred and 'ſeventy-four;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lord High Treaſurer of *Great Britain*, or Lords Commiſſioners of his Majeſty's Treaſury for the Time being, or any three or more of them, and he and they is and are hereby authoriſed and required to iſſue and apply, or cauſe to be iſſued, paid, and applied, from Time to Time, and as they ſhall ſee Occaſion, out of the ſaid Sum of two hundred and fifty thouſand Pounds, granted in this preſent Seſſion of Parliament, ſuch Sum and Sums of Money, to the Governor and Company of the Bank of *England*, as ſhall appear to be the Amount of ſuch Deficiency and Deficiencies, to be taken and ſtated in Manner aforeſaid; and likewiſe ſuch Sum and Sums of Money as ſhall appear to them to be requiſite to defray all Charges and Expences in melting down ſuch deficient Money, and caſting the ſame into Ingots, and aſſaying the ſame; and alſo to advance ſuch Sum and Sums of Money as they ſhall ſee Occaſion, from Time to Time, to the Maſter and Worker of his Majeſty's Mint, for and towards the ſeveral Expences to be incurred in and about the Recoinage of the ſame, into the Standard current Money of this Realm; and alſo to grant a reaſonable Reward to the Governor and Company of the Bank of *England*, and to ſuch Exchangers of the ſaid Monies as his Majeſty ſhall appoint for that Purpoſe, and to all other Officers, Clerks, and Perſons employed in and about the ſeveral Matters herein contained, and to diſcharge all ſuch other incidental Expences as ſhall neceſſarily attend the Execution of this Act.

and towards the Expence of recoining the ſame into ſtandard current Money.

Commiſſioners of the Treaſury to iſſue (out of 250,000l. hereby granted) ſuch Sums as are neceſſary to the Vice Treaſurer, &c. of Ireland;

VI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lord High Treaſurer, or Lords Commiſſioners of his Majeſty's Treaſury for the Time being, or any three or more of them, and he and they is and are hereby impowered by Warrant under their reſpective Hands, by and out of the ſaid Sum of two hundred and fifty thouſand Pounds, to iſſue, pay, and advance, ſuch Sum and Sums of Money, as he or they, in his or their Diſcretion, ſhall think fit, to the Vice Treaſurer and Receiver General, and Paymaſter General of all his Majeſty's Revenues in the Kingdom of *Ireland*, and his or their Deputy or Deputies, or to the Teller of the Exchequer there, or to ſuch Perſon or Perſons as ſhall or may be appointed by his Majeſty in *Great Britain* and *Ireland*, for the Purpoſe of exchanging, in Manner before mentioned, the ſaid deficient Guineas, Half Guineas, and Quarter Guineas, ſo as the ſaid Vice Treaſurer and Receiver General, and Paymaſter General, or his or their Deputy or Deputies, and the ſaid Teller of the Exchequer, and the Perſon or Perſons to be appointed as aforeſaid, firſt give Security, to the Satisfaction of the Lord High Treaſurer, or Lords Commiſſioners of his Majeſty's Treaſury for the Time being, or any three or more of them, duly to account for the ſame, and alſo for applying the ſame in getting in ſuch deficient Coin as aforeſaid, and for conforming himſelf and themſelves to the Rules and Regulations herein-before mentioned, or ſuch as ſhall be directed by his Majeſty's Proclamation or Proclamations, to be obſerved and performed concerning the receiving and exchanging ſuch deficient Coin, and the Payment thereof, into the Bank within the reſpective Times appointed for that Purpoſe.

who are to give Security to the Lords of Treaſury, for exchanging and paying the ſame.

Perſons authoriſed to cut and deface light Gold Coin.

VII. And be it further enacted by the Authority aforeſaid, That the Tellers in the Receipt of his Majeſty's Exchequer in *Great Britain*, and the Vice Treaſurer and Receiver General, and Paymaſter General of all his Majeſty's Revenues in the Kingdom of *Ireland*, and his or their Deputy or Deputies, and the Teller of the Exchequer there, and all Receivers, Collectors, and other Officers of all his Majeſty's Revenues whereſoever, and all other Perſons whatſoever, are hereby authoriſed and required to cut, break, or deface, or cauſe to be cut, broken, or defaced, every Piece of Gold Coin of this Realm that ſhall be tendered to them, or any of them, in Payment after ſuch Time and Times as any ſuch Piece of Gold Coin ſhall, by virtue of any Proclamation of his Majeſty in Council, be declared not to be allowed to paſs in any Payment whatſoever, any Law or Statute to the contrary thereof in any-wiſe notwithſtanding; and the Perſon tendering the ſame ſhall bear the Loſs; but if any ſuch Piece ſo cut, broken, or defaced, ſhall be of due Weight, and appear to be lawful Money, the Perſon that cut, broke, or defaced the ſame, ſhall and is hereby required to take and receive the ſame at the Rate it was coined for: And if any Queſtions or Diſputes ſhall ariſe whether the Piece ſo cut be lawful Coin, within the Intent and Meaning of his Majeſty's Proclamations, it ſhall be heard and finally determined by the Mayor, Bailiff or Bailiffs, or other chief Officer of any City or Town-corporate where ſuch Tender ſhall be made; and if ſuch Tender ſhall be made out of any City or Town-corporate, then by ſome Juſtice of the Peace of the County inhabiting or being near the Place where ſuch Tender ſhall be made; and the ſaid Mayor, or other Chief Officer and Juſtice of the Peace, ſhall have full Power and Authority to adminiſter an Oath, as he ſhall ſee convenient, to any Perſon for determining any Queſtions relating to the Weight and lawful Currency of the ſaid Piece of Coin.

Perſon aggrieved to receive

VIII. And be it further enacted by the Authority aforeſaid, That, in all Caſes where any Matter or Thing is by this Act enjoined to be done by any of his Majeſty's Officers of the Exchequer in *Great Britain*

or

or *Ireland*, or by any Receiver General, or any other Officer of his Majeſty's Revenues there, and ſuch Officer ſhall make wilful Default in the Performance thereof, by which any Perſon or Perſons whatſoever ſhall be grieved, or ſuffer any Loſs or Damage; then, and in every ſuch Caſe, the Officer or Officers making ſuch Default ſhall be liable, by virtue of this Act, to anſwer and pay double Damages to the Party grieved or injured; and that all Penalties and Forfeitures ariſing by this Act, in all Caſes where no ſpecial Remedy is before appointed for Recovery thereof, ſhall and may be recovered by Action of Debt, Bill, Suit, or Information, in any of his Majeſty's Courts of Record in *Great Britain* or *Ireland* reſpectively, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be granted.

double Damages from Defaulters.

Forfeitures recoverable by Action of Debt.

CAP. LXXI.

An Act to prevent the Exportation to foreign Parts of Utenſils made uſe of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom.

'WHEREAS the Exportation of the ſeveral Tools or Utenſils made uſe of in preparing, working up, and finiſhing, the Cotton and Linen Manufactures of this Kingdom, or any or either of them, or any other Goods wherein Cotton and Linen, or either of them, are uſed, will enable Foreigners to work up ſuch Manufactures, and thereby greatly diminiſh the Exportation of the ſame from this Kingdom:' Therefore, for preſerving as much as poſſible to his Majeſty's *Britiſh* Subjects the Benefits ariſing from thoſe great and valuable Branches of Trade and Commerce, be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if at any Time after the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-four, any Perſon or Perſons, in *Great Britain* or *Ireland*, ſhall, upon any Pretence whatſoever, load or put on board, or cauſe to be laden or put on board, of any Ship, Veſſel, or Boat, which ſhall not be bound directly to ſome Port or Place in *Great Britain* or *Ireland*, any ſuch Tools or Utenſils as are commonly uſed in, or are proper for the preparing, working up, or finiſhing, of the Cotton or Linen Manufactures, or any or either of them, or any other Goods wherein Cotton and Linen, or either of them, are uſed, or any Parts or Parcels of ſuch Tools or Utenſils, by what Name or Names the ſame ſhall or may be called or known; the Perſon or Perſons ſo offending ſhall, for every ſuch Offence, not only forfeit and loſe all ſuch Tools and Utenſils, or Parts or Parcels thereof, which ſhall be ſo laden or put on board as aforeſaid, but alſo the Sum of two hundred Pounds of lawful Money of *Great Britain*; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Seſſion in *Scotland*, or in any of the four Courts of *Dublin* reſpectively, wherein no Eſſoin, Protection, Privilege, or Wager of Law, ſhall be allowed, or more than one Imparlance.

Preamble.

After July 1, 1774, Perſons ſhipping Tools or Utenſils uſed in the Cotton or Linen Manufactures, in order to export the ſame, to forfeit all ſuch Tools, &c. and 200l.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *July*, it ſhall and may be lawful to and for any Officer of his Majeſty's Cuſtoms in *Great Britain*, and for any Officer of the Revenue in *Ireland*, to ſeize and ſecure, in ſome or one of his Majeſty's Warehouſes, all ſuch Tools or Utenſils, or Parts or Parcels thereof, by this Act prohibited to be exported, as ſuch Officer ſhall find or diſcover to be laid or put on board of any Ship, Veſſel, or Boat, which ſhall not be bound directly to ſome Port or Place in *Great Britain* or *Ireland*, and that every Officer who ſhall ſeize and ſecure any of the ſaid Tools or Utenſils, or Parts or Parcels thereof, ſhall be fully and abſolutely indemnified for ſo doing; and all Tools and Utenſils, or Parts or Parcels thereof, ſo ſeized and ſecured as aforeſaid, ſhall, after Condemnation thereof in due Courſe of Law, be publickly ſold to the beſt Bidder, and one Moiety of the Produce ariſing by the Sale of ſuch Tools and Utenſils ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Officer who ſhall ſeize and ſecure the ſame as aforeſaid.

Officers of Cuſtoms to ſeize all Tools, &c. on board ſuch Veſſels;

which may be publickly ſold; One Moiety to his Majeſty, and the other to the Officer.

III. And be it further enacted by the Authority aforeſaid, That, from and after the ſaid firſt Day of *July*, if the Captain or Maſter of any Ship, Veſſel, or Boat, in *Great Britain* or *Ireland*, ſhall knowingly permit any Tools or Utenſils, by this Act prohibited to be exported as aforeſaid, to be put on board his ſaid Ship, Veſſel, or Boat, every ſuch Captain or Maſter ſhall, for every ſuch Offence, forfeit the Sum of two hundred Pounds of lawful Money of *Great Britain*; to be ſued for and recovered in ſuch Manner as the Penalties by this Act upon Perſons exporting the ſaid Tools and Utenſils are to be ſued for and recovered: And if the ſaid Ship, Veſſel, or Boat, belongs to his Majeſty, his Heirs or Succeſſors, then the Captain or Maſter thereof ſhall not only forfeit the Sum of two hundred Pounds, to be ſued for and recovered as aforeſaid, but ſhall alſo forfeit his Employment, and be incapable of any Office or Employment under his Majeſty, his Heirs or Succeſſors.

Maſter of a Ship permitting ſuch Tools or Utenſils to be exported, forfeits 200l;

and if the Ship belongs to his Majeſty, the Captain forfeits 200l. and his Commiſſion.

IV. And be it further enacted by the Authority aforeſaid, That if any Cuſtomer, Comptroller, Surveyor, Searcher, Waiter, or other Officer of the Cuſtoms in *Great Britain*, or any Officer of the Revenue in *Ireland*, ſhall take, or knowingly or willingly ſuffer to be taken, any Entry outward, or ſhall ſign any Cocket, Warrant, or Sufferance, for the ſhipping or exporting of any of the ſaid Tools or Utenſils by this Act prohibited to be exported, or ſhall knowingly or willingly permit or ſuffer the ſame to be done, directly or indirectly, contrary to the true Intent and Meaning of this Act, every ſuch Cuſtomer, Comptroller, Surveyor, Searcher, Waiter, or other Officer of the Cuſtoms of *Great Britain*, or Officer of the Revenue in *Ireland*, ſhall, for every ſuch Offence, forfeit the Sum of two hundred Pounds of lawful Money of *Great Britain*, to be ſued for and recovered, as aforeſaid, and ſhall alſo forfeit his Office, and be incapable of holding any Office or Employment under his Majeſty, his Heirs or Succeſſors.

Officer of Cuſtoms allowing an Entry outward of ſuch prohibited Utenſils, to forfeit 200l. and his Office.

V. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, from and after the ſaid firſt Day of *July*, ſhall collect, obtain, or have, in his, her, or their Cuſtody or Poſſeſſion any ſuch Tools or Implements as aforeſaid, or any Tools or Implements uſed in the Woollen or Silk Manufactures

Any Perſon collecting ſuch Tools or Implements, in order

to export the same, on Complaint of Witneſſes,

factures of this Kingdom, or any Parts or Parcels thereof, and Complaint ſhall be made upon the Oath of one or more credible Witneſs or Witneſſes before any Juſtice or Juſtices of the Peace, that there is reaſon to believe ſuch Perſon or Perſons have or hath collected, obtained, or got into his, her, or their Cuſtody or Poſſeſſion, ſuch Tools or Implements as aforeſaid, or Parts or Parcels thereof, with Intent to export the ſame to ſome other Port or Place than *Great Britain* or *Ireland*; then, and in ſuch Caſe, it ſhall and may be lawful to and for the Juſtice or Juſtices of the Peace, unto whom ſuch Complaint ſhall be made, to iſſue his Warrant or Warrants, not only to ſeize all ſuch Tools or Implements, and Parts or Parcels thereof, but alſo to bring the Perſon and Perſons ſo complained of before him or them, or ſome other of his Majeſty's Juſtices of the Peace for the ſame County, Riding, Diviſion, or City; and if, when ſuch Perſon or Perſons ſhall be ſo brought before ſuch Juſtice or Juſtices, he, ſhe, or they, ſhall not give ſuch an Account of the Uſe or Purpoſe to which ſuch Tools or Utenſils, or Parts or Parcels thereof, are intended to be appropriated, as ſhall be ſatisfactory to the Juſtice or Juſtices before whom he, ſhe, or they, ſhall be brought as aforeſaid, then, and in ſuch Caſe, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices, not only to cauſe all ſuch Tools or Utenſils, or Parts or Parcels thereof, which ſhall have been ſeized as aforeſaid, to be detained, but alſo to bind the Perſon or Perſons ſo charged to appear at the next Aſſizes, General Gaol Delivery, or Quarter Seſſions of the Peace for the County, City, Riding, or Diviſion, where ſuch Offence ſhall be committed, with reaſonable Sureties for his, her, or their Appearance; and in caſe ſuch Perſon or Perſons ſhall refuſe or neglect to give ſuch Security, then, and in ſuch Caſe, it ſhall and may be lawful to and for ſuch Juſtice and Juſtices to commit the Perſon or Perſons ſo refuſing to the County Gaol, there to be kept until the next Aſſizes, or next Quarter Seſſions of the County, City, Riding, or Diviſion, where ſuch Commitment ſhall be, at the Election of ſuch Juſtice of the Peace, and until he, ſhe, or they, ſhall be delivered by due Courſe of Law: And in caſe any ſuch Perſon or Perſons ſhall be convicted upon any Indictment or Information againſt him, her, or them, at ſuch Aſſize or General Gaol Delivery, or Quarter Seſſions of the Peace as aforeſaid, of collecting, obtaining, or getting into his, her, or their Cuſtody or Poſſeſſion, ſuch Tools or Utenſils, or Parts or Parcels thereof, with ſuch Intent as aforeſaid; then, and in ſuch Caſe, the Perſon or Perſons ſo offending, ſhall, for every ſuch Offence, not only forfeit and loſe all ſuch Tools and Utenſils, and Parts and Parcels thereof, which ſhall be ſo ſeized and detained, but alſo the Sum of two hundred Pounds of lawful Money of *Great Britain*; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Seſſion in *Scotland*, or in any of the four Courts at *Dublin* reſpectively, wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed.

Juſtices may grant Warrants to ſeize them, and the Perſon;

and if not able to give a ſatisfactory Account of the Uſe of ſuch Utenſils,

Juſtices, for want of proper Security, may commit the Offender:

And in caſe ſuch Perſon be convicted at any Aſſize, &c. he ſhall loſe all ſuch Utenſils, and forfeit 200l.

One Moiety of Forfeitures to go to his Majeſty, and the other to the Proſecutor.

VI. And be it further enacted by the Authority aforeſaid, That one Moiety of the reſpective Forfeitures by this Act inflicted upon Offenders againſt the ſame, ſhall, when recovered, go and be applied to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of the Perſon or Perſons who ſhall ſue and proſecute for the ſame reſpectively.

Limitation of Actions.

VII. And be it further enacted by the Authority aforeſaid, That if any Suit or Action ſhall be commenced againſt any Perſon, for what he ſhall do in purſuance of this Act, ſuch Action ſhall be commenced within ſix Months after the Fact committed; and the Perſon, ſo ſued, may file common Bail, or enter a common Appearance, and plead the General Iſſue, Not Guilty; and may give this Act, and the Special Matter, in Evidence; and if the Plaintiff or Proſecutor ſhall become nonſuit, or ſuffer Diſcontinuance, or if a Verdict paſs againſt him or her, or if, upon Demurrer, Judgment be given againſt the Plaintiff, the Defendant ſhall recover Treble Coſts.

General Iſſue.

Treble Coſts.

CAP. LXXII.

An Act for aſcertaining the Duty on printed, painted, ſtained, or died Stuffs, wholly made of Cotton, and manufactured in *Great Britain*, and for allowing the Uſe and Wear thereof, under certain Regulations.

Preamble.

'WHEREAS a new Manufacture of Stuffs, wholly made of Raw Cotton Wool (chiefly imported from the *Britiſh* Plantations), hath been lately ſet up within this Kingdom, in which Manufacture many Hundreds of poor Perſons are employed: And whereas the Uſe and Wear of printed, painted, ſtained, or dyed Stuffs, wholly made of Cotton, and manufactured in *Great Britain*, ought to be allowed under proper Regulations: And whereas Doubts have ariſen whether the ſaid new-manufactured Stuffs ought to be conſidered as Callicoes, and as ſuch, if printed, painted, ſtained, or dyed with any Colour or Colours (ſuch as ſhall be dyed throughout of one Colour only excepted), liable to the Inland or Exciſe Duties laid on Callicoes, when printed, painted, ſtained, or dyed, with any Colour or Colours (except as aforeſaid), by the Statutes made, and now in Force, concerning the ſame; and whether the Wearing or Uſe of the ſaid new-manufactured Stuffs, when the ſame are printed, painted, ſtained, or dyed, are not prohibited by an Act, paſſed in the ſeventh Year of the Reign of his late Majeſty King *George* the Firſt, intitled, *An Act to preſerve and encourage the Woollen and Silk Manufactures of this Kingdom, and for more effectual employing the Poor, by prohibiting the Uſe and Wear of all printed, painted, ſtained, or dyed Callicoes, in Apparel, Houſhold Stuff, Furniture, or otherwiſe, after the twenty-fifth Day of* December, *one thouſand ſeven hundred and twenty-two* (except as therein is excepted):' For obviating all ſuch Doubts for the future, may it pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no greater or higher Duty than Three-pence for every Yard in Length, reckoning Yard wide, and after that Rate for a greater or leſſer Quantity, ſhall be impoſed, raiſed, levied, collected, or paid, unto and for the Uſe of his Majeſty,

Act 7 Geo. 1.

No higher Duty than 3d. for every Yard in

Majeſty, his Heirs and Succeſſors, on the ſaid new-manufactured Stuffs, wholly made of Cotton ſpun in *Great Britain*, when printed, ſtained, painted, or dyed, with any Colour or Colours.

Length, Yard wide, to be levied on the new-manufactured Stuffs.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons to uſe or wear, within the Kingdom of *Great Britain*, either as Apparel, Houſhold Stuff, Furniture, or otherwiſe, any new-manufactured Stuffs, wholly made of Cotton ſpun in *Great Britain*, when printed, ſtained, painted, or dyed, with any Colour or Colours; any Thing in the ſaid recited Act of the ſeventh Year of the Reign of his late Majeſty King *George* the Firſt, or any other Act or Acts of Parliament to the contrary hereof in any-wiſe notwithſtanding.

All Perſons may wear and uſe the ſame.

'III. And, to the End it may be known that ſuch Stuffs were manufactured in *Great Britain*,' be it further enacted, That in each Piece of the ſaid new-manufactured Stuffs, wholly made of Cotton Wool, ſpun in *Great Britain*, there ſhall be wove in the Warp, in both Selvages, through the whole Length thereof, three blue Stripes, each Stripe of one Thread only; the firſt of which ſaid Stripes ſhall be the firſt or outermoſt Thread of the Warp of each Selvage; the Second of which ſaid Stripes ſhall be the third Thread; and the third of which ſaid Stripes, ſhall be the fifth Thread of the Warp from each Selvage; and that each Piece of the ſame Stuffs, when printed, ſtained, painted, or dyed, in *England*, *Wales*, or *Berwick upon Tweed*, be ſtamped at each End with a Stamp, to be provided for that Purpoſe by the Commiſſioners of Exciſe in *England* for the Time being, or by the Officers employed or to be employed under them, and inſtead of the Word *Callico*, which ſtands for Foreign Callicoes, each Piece be marked with the Words, *Britiſh Manufactory*; and that each Piece of the ſame Stuffs, when printed, ſtained, painted, or dyed, in *Scotland*, be ſtamped at each End with a Stamp, to be provided for that Purpoſe by the Commiſſioners of Exciſe in *Scotland* for the Time being, or by the Officers employed or to be employed under them, and inſtead of the Word *Callico*, which ſtands for foreign Callicoes, each Piece be marked with the Words, *Britiſh Manufactory*.

Marks, to know that ſuch Stuffs are manufactured in Britain, to be wove in the Warp.

IV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, Body or Bodies Corporate, ſhall expoſe, or cauſe to be expoſed, to Sale, or have in his, her, or their Cuſtody or Poſſeſſion, in *Great Britain*, any Stuffs wholly made of Cotton, and printed, painted, ſtained, or dyed (Muſlins, Neckcloths, and Fuſtians excepted), wherein ſhall not be woven in the Warp, in both Selvages, only through the whole Length of each Piece three blue Stripes (unleſs for Exportation), then ſuch Perſon or Perſons, Body or Bodies Corporate ſo offending, ſhall not only forfeit all and every ſuch laſt-mentioned Stuffs ſo expoſed, or cauſed to be expoſed, to Sale, or which ſhall be in his, her, or their Cuſtody or Poſſeſſion, but ſhall alſo forfeit for every Piece thereof the Sum of fifty Pounds, to be recovered and divided in Manner herein-after mentioned; ſave only ſuch Stuffs as are wholly made of Cotton Wool, and which have been, or ſhall be, manufactured in *Great Britain*, and which ſhall be marked or ſtamped on or before the ſeventeenth Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-four, by ſome Officer to be appointed by the Commiſſioners of Exciſe; all which laſt-mentioned Stuffs, ſo manufactured and marked or ſtamped, it ſhall and may be lawful to expoſe, or cauſe to be expoſed, to Sale, or for any Perſon or Perſons, Body or Bodies Corporate, to have in his, her, or their Cuſtody or Poſſeſſion; any Thing in this Act contained to the contrary thereof in any-wiſe notwithſtanding.

Perſons expoſing ſuch to Sale without the Mark,

(unleſs for Exportation),

ſhall forfeit the Stuffs, and 50l. for every Piece.

Exception.

V. Provided always, That nothing in this Act contained ſhall extend to Cotton Velvets, Velverets, or other Fuſtians, manufactured in *Great Britain*.

Cotton Velvets, or Fuſtians, excepted

VI. And be it further enacted by the Authority aforeſaid, That none of the Penalties in the ſaid recited Act, which may have been incurred for the wearing or uſing any Sort of the ſaid new-manufactured Stuffs, wholly made of Cotton Wool, ſpun in *Great Britain*, and printed, painted, ſtained, or dyed, within the Kingdom as aforeſaid, ſhall be recovered or levied, unleſs ſome Proſecution for the ſame hath been already commenced, and Judgment already obtained thereupon; any Thing in the ſaid recited Act contained to the contrary hereof in any-wiſe notwithſtanding.

No future Recovery of Penalties to be made by virtue of act 7 Geo. 1.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Duty of Three-pence for every Yard in length, reckoning Yard wide, and after that Rate for a greater or leſſer Quantity, to be impoſed, raiſed, levied, collected, and paid, upon the ſaid new-manufactured Stuffs wholly made of Cotton, ſpun in *Great Britain*, when printed, ſtained, painted, or dyed, in *England*, *Wales*, or *Berwick upon Tweed*, ſhall be under the Management of the Commiſſioners of Exciſe in *England* for the Time being, and the Officers employed, or to be employed, under them; and that the ſaid Duty upon the ſame Stuffs, when printed, ſtained, painted, or dyed, in *Scotland*, ſhall be under the Management of the Commiſſioners of Exciſe in *Scotland* for the Time being, and the Officers to be employed under them; and that the ſaid reſpective Commiſſioners of Exciſe in *England* and *Scotland* for the Time being ſhall, from Time to Time, pay, or cauſe to be paid, all the Monies that they ſhall reſpectively receive for the ſaid Duty of Three-pence for every ſuch Yard as aforeſaid, upon the ſame Stuffs, when printed, ſtained, painted, or dyed, as the ſame ſhall ariſe into the Receipt of his Majeſty's Exchequer in *England*, under the like Penalties, Forfeitures, and Diſabilities, as are to be inflicted under or by virtue of any Act, Statute, or Law made, and now in Force, for diverting or miſapplying any Monies by any ſuch Act, Statute, or Law, appropriated or appointed for any the Purpoſes therein expreſſed.

Duty to be levied in England by the Commiſſioners of Exciſe,

and by the ſaid Commiſſioners in Scotland; and to be paid into the Receipt of Exchequer.

VIII. And be it further enacted by the Authority aforeſaid, That the reſpective Commiſſioners to be appointed for managing the ſaid Duty upon the ſaid new-manufactured Cotton Stuffs, when printed, ſtained, painted, or dyed, in *Great Britain*, as aforeſaid, ſhall, on or before the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-four, provide proper Seals or Stamps, for marking ſuch of the ſaid new-manufactured Cotton Stuffs to be printed, ſtained, painted, or dyed, in *Great Britain*, as aforeſaid, as are to be ſtamped and marked, for and in order to the charging of the ſaid Duty for the ſame; and ſhall cauſe the ſaid Seals or Stamps to be diſtributed to the reſpective Officers, for the ſeveral Purpoſes before mentioned; which

Commiſſioners to provide proper Seals or Stamps before July 5, 1774.

which Officers are hereby enjoined and required, in uſing the ſame, to do as little Hurt or Damage as may be to the Stuffs to be ſo marked or ſtamped: And the ſaid reſpective Commiſſioners, in providing the ſaid reſpective Seals or Stamps, ſhall take care that they be ſo contrived that the Impreſſion thereof may be durable, and ſo as the ſame may be leaſt liable to be forged or counterfeited; and that the ſaid Seals or Stamps, or any of them, ſhall or may be allowed or renewed, from Time to Time, as his Majeſty, his Heirs or Succeſſors, ſhall think fit: And if any Perſon or Perſons whomſoever ſhall, at any Time or Times hereafter, counterfeit or forge any Stamp or Seal, to reſemble any Stamp or Seal which ſhall be provided or made in purſuance of this Act, or ſhall counterfeit or reſemble the Impreſſion of the ſame upon any of the Stuffs chargeable by this Act, thereby to defraud his Majeſty, his Heirs or Succeſſors, of the ſaid Duty thereupon to be chargeable or payable in reſpect thereof, then every ſuch Perſon ſo offending, and being thereof convicted in due Form of Law, ſhall be adjudged a Felon, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy.

which may be renewed.

Perſons counterfeiting Stamps to ſuffer Death.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, Body or Bodies Corporate, ſhall import or bring into *Great Britain*, or into any Port, Harbour, Haven, or Creek thereof, any Callicoes, Muſlins, or any other Goods or Stuffs whatſoever made of Linen Yarn only, or of Linen Yarn and Cotton Wool mixed, or made wholly of Cotton Wool, wherein ſhall be wove in the Warp in either or both Selvages only, through the whole or any Part of the Length of each Piece, one or more blue Stripe or Stripes of one or more Thread or Threads; ſuch Perſon or Perſons, Body or Bodies Corporate, ſhall not only forfeit and loſe all and every ſuch Callicoes, Muſlins, Goods, or Stuffs, which ſhall be ſo imported or brought into *Great Britain*, or into any Port, Harbour, Haven, or Creek thereof, but ſhall alſo forfeit the Sum of ten Pounds for each Piece thereof; to be recovered and applied in Manner hereinafter mentioned.

Perſons importing ſuch Stuffs to forfeit ſuch, and 10l. for every Piece.

X. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times hereafter, ſell any printed, painted, ſtained, or dyed Stuffs, wholly made of Cotton, with a counterfeit Stamp thereon, knowing the ſame to be counterfeited, and with an Intent to defraud his Majeſty, his Heirs or Succeſſors, all and every ſuch Offender and Offenders, their Aiders, Abettors, and Aſſiſtants, being thereof convicted in due Form of Law, ſhall be adjudged a Felon, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy.

Perſons ſelling counterfeited Stuffs to ſuffer Death.

XI. And be it further enacted by the Authority aforeſaid, That at any Time or Times hereafter, upon Oath made by any credible Perſon or Perſons, that he, ſhe, or they, have reaſon to ſuſpect or believe that any printed, painted, ſtained, or dyed Stuffs, wholly made of Cotton, for which a Duty ought to have been paid or charged, as aforeſaid, are or ſhall be in the Cuſtody or Poſſeſſion of any Draper, or other Perſon or Perſons trading or dealing therein, or for any Perſon or Perſons for the Uſe or Account of ſuch Draper or other Trader or Dealer for Sale, without having thereupon ſuch Marks or Stamps as are by this Act required to denote the Payment, or Charging, of the ſaid Duties thereupon; it ſhall and may be lawful to and for the Commiſſioners who ſhall be appointed for the Duties upon Silk, Callicoes, Linens, or Stuffs, printed, ſtained, painted, or dyed in *Great Britain*, or the major Part of them, within the Limits of the weekly Bills of Mortality, or any two Juſtices of the Peace in any other Parts of the Kingdom of *Great Britain*, from Time to Time, to iſſue their reſpective Warrants or Orders, thereby authoriſing and requiring any Officer or Officers for the ſame Duties (with the Aſſiſtance of a Conſtable, or other Officer of the Peace), in the Day-time, to ſearch for the ſame, and to open Doors, Trunks, Cheſts, and Package, and to ſeize ſuch Goods, and to bring them to the Office for the ſaid Duties, next to the Place where they ſhall be ſo ſeized, in order to a further Proceeding thereupon, according to this Act; and that every ſuch Warrant and Order ſhall and may be obeyed and executed accordingly.

Upon Information of unſtamped Stuffs being in Cuſtody of any Draper;

Commiſſioners, or two Juſtices, may cauſe the ſame to beſeized,

XII. And be it further enacted by the Authority aforeſaid, That one Moiety of the Penalties and Forfeitures, which ſhall be incurred as aforeſaid, ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to the Uſe of ſuch Perſon or Perſons who ſhall inform or ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*, wherein no Eſſoin, Protection, or Wager in Law, or more than one Imparlance, ſhall be allowed; ſuch Information or Informations, to be entered, filed, and proſecuted in the Name of his Majeſty's Attorney General, or in the Name or Names of ſome Officer or Officers of his Majeſty's Revenue of the Cuſtoms or Exciſe, according to the true Intent and Meaning of an Act, paſſed in the twelfth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for the Improvement of his Majeſty's Revenues of Cuſtoms, Exciſe, and Inland Duties.*

One Moiety of the Penalties to the King, and the other to the Informer.

XIII. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Directions, Rules, Penalties, Forfeitures, Clauſes, Matters and Things, which in and by any Act, Statute, or Law made, and now in Force, relating to his Majeſty's Revenue of Exciſe, are provided and eſtabliſhed for managing, raiſing, levying, collecting, mitigating, or recovering, adjudging, or aſcertaining the Exciſe or Inland Duty or Duties, for and upon any Callicoes or Stuffs whatſoever, when printed, ſtained, painted, or dyed, with any Colour or Colours, within the Kingdom of *Great Britain*, ſhall be practiſed, uſed, and put in Execution, in and for the managing, raiſing, levying, collecting, mitigating, recovering, and paying the ſaid Duty of Three-pence for every ſuch Yard as aforeſaid, upon the ſaid new-manufactured Stuffs, as fully and effectually as if all and every the ſaid Powers, Rules, Directions, Penalties, Forfeitures, Clauſes, Matters, and Things, were particularly repeated and re-enacted in the Body of this preſent Act.

Powers, Rules, and Penalties now in Force, in Exciſe Laws, to be uſed relative to this Act.

XIV. And be it further enacted and declared by the Authority aforeſaid, That if any Queſtion ſhall ariſe, whether any of the ſaid new-manufactured Stuffs, wholly made of Cotton, have been manufactured in *Great Britain*, the Proof of their having been manufactured in *Great Britain* ſhall lie upon the Owner or Owners of ſuch Stuffs, and not upon the Proſecutor; any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

Proof of the Stuff being manufactured in Britain to lie on the Owner,

CAP.

CAP. LXXIII.

An Act to extend ſo much of an Act, paſſed in the twelfth Year of the Reign of his preſent Majeſty, as relates to Diſtillers or Makers of Low Wines and Spirits from Corn, to every Kind of Diſtiller; and for the more effectual ſecuring the Revenue of Exciſe ariſing from Low Wines and Spirits; and for aſcertaining the Allowance to be made to the Manufacturers of Wool and Linen, in reſpect to the Duties on Soap imported and uſed in the Woollen and Linen Manufactures.

Preamble. Act 12 Geo. 3. recited.

'WHEREAS by an Act, paſſed in the twelfth Year of the Reign of his preſent Majeſty, intituled, 'An Act for the more effectual preventing of Frauds in the Revenue of Exciſe, with reſpect to Tea, 'Soap, Low Wines, and Spirits, it was, amongſt other Things, enacted, That the Stills and Utenſils of 'Diſtillers and Makers of Low Wines and Spirits from Corn or Grain ſhould be ſecured by Locks and 'Faſtenings, as in and by the ſaid recited Act is provided; which Proviſion has been found advantageous 'to the fair Trader and the Revenue, and the extending the like Powers and Regulations to all Diſtillers 'of Low Wines and Spirits for Sale, from whatever Materials ſuch Low Wines and Spirits ſhall or may 'be drawn, is likely to produce the ſame good Effect;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, the ſaid recited Act, and every Clauſe, Matter, and Thing therein contained, ſo far as relates to Diſtillers and Makers of Low Wines and Spirits from Corn or Grain (other than ſuch as are hereby altered, amended, or enlarged), ſhall be, and are hereby re-enacted and declared to extend to all and every Diſtiller and Maker of Low Wines and Spirits, Rectifiers and Compounders of Spirits, from whatſoever Material or Materials, Preparation or Preparations, the ſame Low Wines or Spirits ſhall be extracted, drawn, made, rectified, or compounded.

After June 24, 1774, ſo far as relates to Diſtillers of Low Wine, hereby re-enacted.

'II. And, for the better remedying the Evils which the ſaid recited Act was intended to prevent, 'and for rendering the Proviſions thereof more effectual,' be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, no Diſtiller or Maker of Low Wines or Spirits for Sale ſhall have in his, her, or their Cuſtody or Poſſeſſion, or in the Cuſtody or Poſſeſſion of any other Perſon or Perſons, in Truſt, or for the Uſe or Benefit of him, her, or them, any Still or Stills but of the Content herein-after mentioned; that is to ſay, Every Still for diſtilling any Sort of fermented Worts or Waſh, and commonly called *The Waſh Still*, ſhall contain at leaſt four hundred Gallons in the Body of ſuch Still, excluſive of the Head, and every Still for diſtilling Low Wines, and commonly called *The Low Wine Still*, ſhall contain in the Body thereof, and excluſive of the Head, at leaſt one hundred Gallons, on Pain to forfeit, for every Still containing reſpectively a leſs Number of Gallons than as above mentioned, the Sum of one hundred Pounds.

After June 24, 1774, Diſtillers to have their Stills of the Dimenſions mentioned; viz. Waſh Still to contain 400 Gallons, Low Wine Still 100 Gallons, on Penalty of 100 l.

III. And be it further enacted by the Authority aforeſaid, That every Diſtiller and Maker of Low Wines and Spirits for Sale, and every Rectifier and Compounder of Spirits, ſhall, on or before the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, and every Perſon who ſhall thereafter ſo diſtil or make Low Wines or Spirits, or ſhall rectify or compound Spirits, ſhall, before he, ſhe, or they, begin ſo to diſtil, rectify, or compound, make, or cauſe to be made (with the Approbation of the reſpective Surveyors or Supervifors of Exciſe, of the Diſtrict or Diviſion in which their Workhouſes are or may be ſituate), in the Breaſt of every Still by him, her, or them, uſed, a Hole or Opening, to the Intent that the Gaugers and Officers of Exciſe may take Gauges and Samples at the Time, and in the Manner, herein-after directed; which Hole or Opening in the Waſh Still ſhall not be more than five Inches ſquare, and ſo contrived, that the Officers of Exciſe may take a Gauge or Gauges thereof with a Cork and Rule, and in every other Still, not being a Waſh Still, the Hole or Opening ſhall not be leſs than one Inch and half an Inch in Diameter, and ſo contrived that the Officers may take a Sample or Samples from the Still with a Phial, to be drawn perpendicularly through the ſame; and the ſaid Holes or Openings ſhall be locked and ſecured in like Manner, and under the ſame Rules, Regulations, and Penalties, as by the ſaid recited Act are directed for ſecuring the Still Heads, and other Conveyances thereinto, of Diſtillers and Makers of Low Wines and Spirits from Corn or Grain.

Diſtillers to make Holes or Openings in the Breaſt of their Stills for the Uſe of Gaugers; which ſhall not be above five Inches ſquare in a Waſh Still, &c. under the Regulations of 12 Geo. 3.

'IV. And, the more effectually to prevent Diſtillers, Rectifiers, and Compounders, from working in 'the Abſence of the Officers of Exciſe,' be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, every Diſtiller and Maker of Low Wines or Spirits for Sale, Rectifiers and Compounders, ſhall, at his, her, or their own Expence, find, provide, and affix, ſufficient Locks, Keys, and Faſtenings (to be approved of in Writing by and under the Hands of the reſpective Surveyors or Supervifors of Exciſe of the Diviſion or Diſtrict in which ſuch Diſtiller or Maker of Low Wines or Spirits ſhall reſpectively reſide), to the Furnace Door of each and every Still reſpectively by him, her, or them, uſed; and the Officers of Exciſe ſhall be permitted to lock and ſecure the ſaid Furnace Doors of each and every Still reſpectively, under their Survey, at any Time when ſuch Stills are not at work; and whenever ſuch Diſtiller or Maker of Low Wines or Spirits ſhall be deſirous to light a Fire under ſuch Still or Stills, and to have the ſaid Furnace Doors opened, and ſhall have given Notice in Manner as herein-after is directed; then, and in every ſuch Caſe, the Officers of Exciſe ſhall attend to open the ſame.

Diſtillers to affix ſufficient Locks, &c. to the Furnace Doors of Stills; and the Officers to ſecure the ſame, and attend to open them.

V. And

Locks and Keys to be affixed to the Diſcharge Cocks of Waſh Stills, &c.

V. And be it further enacted by the Authority aforeſaid, That every Diſtiller and Maker of Low Wines or Spirits for Sale, ſhall, at his, her, and their own Expence, find, provide, and affix, ſufficient Locks, Keys, and Faſtenings, to be approved of as aforeſaid, to the Diſcharge Cock of every Waſh Still, and of every Low Wine Still, by him, her, or them uſed; and the Officers of Exciſe ſhall be permitted, if they ſee Cauſe, to lock and ſecure ſuch Diſcharge Cocks at any Time when ſuch Still or Stills ſhall be at work: And if any ſuch Diſtiller or Maker of Low Wines or Spirits, Rectifier or Compounder, ſhall, after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, preſume to diſtil, or to make Low Wines or Spirits, or to rectify or compound Spirits, before he, ſhe, or they, ſhall have cauſed ſuch Holes or Openings to be made, with the Approbation of the Surveyor or Superviſor as aforeſaid, and before he, ſhe, or they, ſhall have found, provided and affixed, ſufficient Keys, Locks, and Faſtenings, to be approved of as aforeſaid, to every ſuch Furnace Door, and to every ſuch Diſcharge Cock reſpectively to each Still, to him, her, or them belonging, or by him, her, or them uſed, according to the Directions herein given, or ſhall refuſe to pay for ſuch Locks, Keys, and Faſtenings, in purſuance of the Directions of this Act; he, ſhe, or they, ſhall, for each Offence, forfeit fifty Pounds.

Diſtillers refuſing to comply are to forfeit 50l.

Officers to attend to open Furnace Doors, upon Notice given by Diſtillers.

VI. And be it further enacted by the Authority aforeſaid, That whenever any Diſtiller or Maker of Low Wines or Spirits from Corn or Grain ſhall be deſirous to have the Furnace Door of his, her, or their Still or Stills unlocked, and ſhall have given the like Notice and in the Manner as by the above-recited Act is directed to be given for opening the Stills of ſuch Diſtillers and Makers of Low Wines and Spirits from Corn or Grain; then, and in every ſuch Caſe, the Officers of Exciſe ſhall attend to open the ſame; and when any Diſtiller or Maker of Low Wines or Spirits from Molaſſes, or other Material (not being Corn or Grain), or any Rectifier or Compounder of Spirits, ſhall be deſirous to have the Furnace or Furnaces of his Still or Stills opened, he, ſhe, or they, if within the weekly Bill of Mortality, ſhall, twelve Hours at leaſt, and in other Parts of *Great Britain*, twenty-four Hours at leaſt, before the particular Hour or Time of the Day or Night when he, ſhe, or they, intend to have the ſame opened, give Notice, in Writing, to the Officer of Exciſe who ſurveys his, her, or their Stillhouſe, who, on receiving ſuch Notice, ſhall attend accordingly: And when ſuch Diſtiller and Maker of Low Wines or Spirits from Molaſſes, or other Material (not being Corn or Grain), ſhall be deſirous to charge his, her, or their Waſh Still or Waſh Stills, he, ſhe, or they, if within the weekly Bills of Mortality, ſhall give Notice, in Writing, to the Officer of Exciſe under whoſe Survey he, ſhe, or they, then is or are, four Hours at leaſt, or in other Parts of *Great Britain*, eight Hours at leaſt, of the particular Hour or Time of the Day when he, ſhe, or they, intend to charge ſuch Waſh Still or Waſh Stills; which Notices for opening the Furnace Doors of Diſtillers from Molaſſes, or other Material (not being Corn or Grain), and alſo for charging the Waſh Stills of ſuch Diſtillers, ſhall be given at the Times herein mentioned; that is to ſay, from the twenty-ninth Day of *September* to the twenty-fifth Day of *March*, yearly, between the Hours of Seven in the Morning and Five in the Evening; and from the twenty-fifth Day of *March* to the twenty-ninth Day of *September*, yearly, between the Hours of Five in the Morning and Five in the Evening; and in caſe ſuch Diſtiller and Maker of Low Wines or Spirits from Molaſſes, or other Material (not being Corn or Grain), ſhall not begin to charge his, her, or their Waſh Still at the Time mentioned in ſuch Notice, or within one Hour after, ſuch Notice ſhall, in every Caſe reſpectively, be null and void; and the Diſtiller and Maker, in ſuch Caſe reſpectively, ſhall be obliged to give another like Notice, in Writing, before the Officer ſhall be obliged to attend the charging of ſuch Still or Stills, as aforeſaid.

What Time requiſite to give Notice to Officers when Diſtillers intend to charge their Stills.

The Number and Mark of Waſhbatches to be ſignified in the Notice to be given;

or ſuch Notice ſhall be void.

VII. And be it further enacted by the Authority aforeſaid, That when and ſo often as any Diſtiller and Maker of Low Wines or Spirits for Sale ſhall give Notice, in Writing, to the Officers of Exciſe, of his Intention to charge his Waſh Still or Waſh Stills, as by this and the ſaid recited Act is directed and required; every ſuch Diſtiller or Maker of Low Wines or Spirits ſhall expreſs, in ſuch Notice, the particular Waſhbatch and Waſhbatches, from which he intends to charge his Waſh Still or Waſh Stills, and ſhall, in ſuch Notice, deſcribe the Number and Mark of ſuch Waſhbatch and Waſhbatches; and if ſuch Diſtiller or Maker of Low Wines or Spirits, ſhall neglect to expreſs the particular Waſhbatch or Waſhbatches, with the Number and Mark, every ſuch Notice ſhall be null and void; and every ſuch Diſtiller or Maker of Low Wines or Spirits ſhall be obliged to give freſh Notice.

Penalty for charging Waſh Stills not mentioned in the Notice, 100l.

VIII. And be it further enacted by the Authority aforeſaid, That if any ſuch Diſtiller or Maker of Low Wines or Spirits ſhall at any Time charge his Waſh Still or Waſh Stills from any Waſhbatch or Waſhbatches not particularly mentioned or deſcribed in the Notice, as aforeſaid, or ſhall diſcharge from, or take out of, any Still any Feints or ſpent Waſh, contrary to the Directions of this Act; then, and in every ſuch Caſe, he, ſhe, or they, ſhall, for each Offence, forfeit the Sum of one hundred Pounds.

Officers of Exciſe may take Still Gauges, and Samples of the ſame, paying 1s. 6d. for the Waſh, and 4d. for the Spent Waſh per Gallon. If any more Waſh has been put in the Still than what can be accounted for, Diſtiller to pay double Duty for the ſame;

IX. And be it further enacted, That the Officers of Exciſe ſhall be permitted, and they are hereby impowered, to take Still Gauges, as well of ſpent Waſh and Feints as of the Charge of the Waſh Still and Waſh Stills, at any Time or Times after the Still or Stills are charged, and before the Still or Stills come to work, and to take Samples of the ſame, at any Time or Times after the Still or Stills are charged, and before the Still or Stills come to work, and alſo after the Still or Stills are off, paying, if demanded, after the Rate of one Shilling and Sixpence *per* Gallon for the Waſh, and Four-pence *per* Gallon for ſpent Waſh and Feints ſo taken: And if the Officer, in taking ſuch Gauge or Gauges, Sample or Samples, ſhall diſcover that any Waſh has been put into any Still except the known Waſh Still, or into the Waſh Still without the Notice herein mentioned and required; or ſhall find any Increaſe in ſuch Still or Stills more than can be accounted for by the Compare with the Decreaſe, from the Waſhbatch or Waſhbatches particularly mentioned and expreſſed in the Notices to be given, as above directed; or if ſuch Officer, on comparing the Quantity of Low Wines charged with the ſpent Waſh remaining in the Waſh Still, ſhall find a greater Proportion than could ariſe from the Quantity of Waſh taken Account of in the Waſhbatches pumped into ſuch Waſh Still; then, and in each and every ſuch Caſe, ſuch Increaſe ſhall be deemed and taken to be made from ſome Waſhbatch or Waſhbatches not mentioned in ſuch Notice, and the Officer ſhall, in every ſuch Caſe,

Caſe, and he is hereby required and directed to charge ſuch Diſtiller or Maker of Low Wines or Spirits with double the Duty from the preſumptive Charge; and ſuch Diſtiller or Maker of Low Wines or Spirits ſhall pay ſuch double Duty accordingly; and no Allowance ſhall be made to any ſuch Diſtiller or Maker of Low Wines or Spirits, for any Feints, Water, or other Liquor whatſoever, on any Pretence put into ſuch Waſh Still or Waſh Stills, but ſuch as ſhall have been put into ſuch Still or Stills in the Sight and View of the proper Officer of Exciſe.

and no Allowance for Feints, &c. to be made, but what is put into Stills in the View of the Officer.

X. And be it further enacted, That if the Officer of Exciſe ſhall at any Time diſcover, at the Still-houſe of any ſuch Diſtiller or Maker of Low Wines or Spirits, Rectifier or Compounder, in any Still or Stills, other than the known Waſh Stills, any Waſh put into or mixed with the Low Wines or Spirits in ſuch Still or Stills, every ſuch Diſtiller or Maker, Rectifier or Compounder, ſhall, for every ſuch Offence, forfeit one hundred Pounds.

If the Officer diſcovers, in any Still, other than the known Waſh Still, Waſh mixed with Low Wines, &c. the Diſtiller to pay 100 l.

'XI. And whereas it may frequently happen, that Notices given under the Directions of this and of 'the above-recited Act may be given by more than one Diſtiller or Maker of Low Wines and Spirits, 'Rectifier or Compounder, in the ſame Diviſion or Diſtrict, and each of thoſe Notices may expreſs the ſame 'Hour or Time for the Officer of Exciſe to attend for the Purpoſes of the ſaid Act, whereby the Officers 'may be greatly haraſſed;' be it further enacted by the Authority aforeſaid, That if the Officer of Exciſe ſhall attend at the Workhouſe of any Diſtiller or Maker of Low Wines or Spirits, Rectifier or Compounder of Spirits, according to the Notice, or within one Hour after the particular Hour or Time mentioned in any ſuch Notice, it ſhall be ſufficient.

How the Officer may act when ſeveral Notices are given at one Hour.

XII. And be it further enacted by the Authority aforeſaid, That if by any Means, Device, or Contrivance whatſoever, any Perſon ſhall open any Furnace Door, Diſcharge Cock, or any Faſtening on the Holes or Openings in the Breaſts of any Still or Stills, after the ſame ſhall have been locked or ſecured by the Officer of Exciſe; or ſhall wilfully hurt or damage any Lock, or other Faſtening; every ſuch Perſon ſhall, for every ſuch Offence reſpectively, forfeit and loſe the Sum of two hundred Pounds.

Any Perſon opening Furnace Doors, Diſcharge Cocks, &c. after being faſtened by the Officer, forfeits 200 l.

XIII. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall obſtruct, hinder, or oppoſe any of the ſaid Officers, in the Execution of the Powers given to him by this Act, the Perſon or Perſons offending therein, ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds.

Perſons obſtructing Officers forfeit 100 l.

XIV. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures, impoſed by this Act, ſhall be ſued for, recovered, levied, or mitigated, by ſuch Ways, Means, and Methods, as any Fine, Penalty, and Forfeiture, is or may be recovered or mitigated, by any Law or Laws of Exciſe, or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Exchequer in *Scotland*; and that one Moiety of every ſuch Fine, Penalty, or Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

Fines, Forfeitures, &c. how to be ſued for, and how to be applied.

'XV. And whereas by an Act, paſſed in the Tenth Year of her late Majeſty Queen *Anne*, it was enacted, 'That there ſhould be raiſed, levied, collected, and paid, unto her Majeſty, her Heirs and Succeſſors, for 'and upon all Soap which at any Time or Times within or during the Term of thirty-two Years, ſhould 'be imported into the Kingdom of *Great Britain*, over and above all former Cuſtoms or Subſidies, the 'Sum of Two-pence for every Pound Weight Avoirdupois; and for and upon all Soap which, during the 'ſaid Term ſhould be made within the ſaid Kingdom, the Sum of one Penny for every ſuch Pound Weight 'Avoirdupois: And whereas by one other Act, made in the Twelfth Year of the Reign of her ſaid late 'Majeſty, it was enacted, That the further Duty of one Penny, for and upon every Pound Weight 'Avoirdupois of ſuch Soap ſo to be imported or brought into this Kingdom, and the further Duty of 'one Halfpenny for every ſuch Pound Weight of Soap to be made in the ſaid Kingdom, ſhould be raiſed, 'levied, collected, and paid, for the Term of thirty-two Years, to be reckoned from the Time therein 'mentioned: And whereas by the ſaid firſt-recited Act, it being judged reaſonable to give an Eaſe or 'Encouragement to Perſons employed in making or finiſhing Woollen Manufactures, it was therefore 'further enacted, That there ſhould be paid to the ſaid Manufacturers ſo much as one-third Part of the 'Duty granted by the ſaid Act, for all Soap employed, ſpent, and conſumed, in the making, finiſhing, 'or preparing any Manufacture of Sheep or Lambs Wool, upon Proof thereof made, as in and by the 'ſaid Act is directed and required: And whereas by the ſaid recited Act of the twelfth of her ſaid late 'Majeſty, it was provided and enacted, That during the Continuance of the Duties on Soap by that Act 'granted, there ſhould be paid to all Perſons who ſhould employ, ſpend, or conſume, any Quantity of 'Soap in any Manufacture of Sheep or Lambs Wool only, or Manufactures whereof the greateſt Part 'of the Value of the Materials ſhall be Wool, or in Whitening of new Linen in the Piece, upon Proof 'thereof, as in and by the ſaid laſt recited Act is directed, ſo much as the whole Duties by the ſaid Act 'granted: And whereas the ſaid ſeveral above recited Acts, and the Duties, Allowances, and Payments 'thereby granted and given, have been made perpetual: And whereas great Quantities of *Britiſh*-made 'Soap have of late been ſold to the ſaid Manufacturers of Wool and Linen, as and for Foreign Soap 'imported into this Kingdom, and ſuch Manufacturers having employed, ſpent, and conſumed the ſaid 'Soap ſo purchaſed in the Manufacture of Wool and Linen, have applied to the proper Officers of Exciſe in their ſeveral Collections and Diſtricts for the Allowance by the ſaid ſeveral Statutes granted, and 'have claimed Payment of the Duties as for Soap imported, whereby the Revenue has been greatly 'leſſened:' For Remedy thereof, be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, there ſhall be paid to every ſuch Manufacturer of Wool or Linen, as aforeſaid, for all Soap employed, ſpent, or conſumed, by him, her,

Act 10 Annæ recited, relating to Importation and making of Soap.

Act 12 Annæ recited, reſpecting Manufacturers who make uſe of Soap.

After 24 June, 1774, there ſhall be paid to every Manufacturer of

Wool the Duties paid for Soap made in this Kingdom, Payments to be made as directed by the recited Acts.

her, or them, in ſuch Manufactory, whether ſuch Soap be imported into, or made in this Kingdom only, ſo much of the ſaid Duties as are now paid for Soap made in this Kingdom; any Law, Statute, or Uſage, notwithſtanding.

XVI. And be it further enacted by the Authority aforeſaid, That the ſaid Payment ſhall be made on the like Proofs, and under the ſame Rules, Regulations, Oaths, Affirmations, Pains, and Penalties, as in and by the ſaid above-recited Acts are directed and required.

Perſons proſecuted for any Thing done by this Act may plead the General Iſſue.

XVII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted, or proſecuted, for any Thing done by virtue or in purſuance of this Act, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, in his or their Defence or Defences; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his or their Action or Actions, or be nonſuited, or Judgment ſhall be given againſt him, her, or them, on Demurrer, or otherwiſe, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him, her, or them, againſt any ſuch Plaintiff or Plaintiffs.

Treble Coſts.

CAP. LXXIV.

An Act for reducing the Rates and Duties payable upon the Importation of Great Raiſins.

Preamble, reciting the Duties payable by the Book of Rates, 12 Car. 2. and 11 Geo. 1.

'WHEREAS in and by the Book of Rates referred to by the Act of Tonage and Poundage, made in the twelfth Year of the Reign of King *Charles* the Second, Raiſins Great the Hundred Weight, containing one hundred and twelve Pounds, are rated at one Pound ten Shillings; and in and by the additional Book of Rates referred to by an Act, made in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, Raiſins of *Alicant*, *Denia*, and other Raiſins not otherwiſe rated, the Hundred Weight, containing one hundred and twelve Pounds, are rated at no more than ten Shillings: And whereas it has been found, by Experience, that the Duties payable upon Great Raiſins, according to the Rate herein-before mentioned, are too high in Proportion to the real and true Value of ſuch Raiſins, which has been a great Diſcouragement to the Importation thereof, to the Prejudice of the Revenue and Trade of this Kingdom:' For Remedy whereof, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *July*, one thouſand ſeven hundred and ſeventy-four, the Duties payable upon the Importation of Great Raiſins, according to the ſaid Rate of one Pound ten Shillings *per* Hundred Weight, ſhall ceaſe, determine, and be no longer paid.

After 24 June, 1774, Duties payable by the ſaid Rate, on the Importation of Raiſins, to ceaſe.

Great Raiſins to pay the old Subſidy by 12 Car. 2.

II. And be it further enacted by the Authority aforeſaid, That, in lieu of the ſaid former Rates and Duties repealed by this Act, all Great Raiſins, or Raiſins uſually entered under that Denomination, which, from and after the ſaid firſt Day of *July*, one thouſand ſeven hundred and ſeventy-four, ſhall be imported or brought into this Kingdom, ſhall be rated to, and pay the old Subſidy granted by the Act of Tonage and Poundage, made in the twelfth Year of the Reign of King *Charles* the Second, according to the Rate and Value of ten Shillings for every Hundred Weight, containing one hundred and twelve Pounds, and after that Rate for any greater or leſs Quantity of ſuch Raiſins; and the ſeveral further Subſidies, additional Duties, and all other Impoſts and Duties whatſoever, to which ſuch Raiſins were ſubject and liable before the making of this Act, ſhall, in like Manner, be paid proportionably, according to the Rate or Value herein-before ſet thereon for the old Subſidy, and not according to any former Rate or Value; any Thing in any other Act to the contrary notwithſtanding.

How the Subſidies and Impoſitions are to be raiſed and applied.

III. And be it further enacted by the Authority aforeſaid, That the ſeveral Subſidies, Impoſitions, and Duties, made payable by this Act upon ſuch Raiſins, ſhall be raiſed, levied, collected, recovered, paid, and applied, in ſuch Manner and Form, and by ſuch Ways and Means, and under the like Penalties and Forfeitures, and with ſuch Diſcounts, Allowances, and Drawbacks, as the ſaid former Subſidies, and other Duties, were raiſed, levied, collected, recovered, paid, and applied, and were ſubject and liable to, and all the Powers, Penalties, Proviſions, Articles, and Clauſes, contained in the ſeveral Acts of Parliament, which granted or continued the ſame reſpectively, ſhall continue in full Force and Effect, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, recovering, paying, and applying, the ſaid reſpective Subſidies, Impoſitions, and other Duties, according to the true Intent and Meaning of this preſent Act, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Clauſes, Matters, and Things, had been repeated and enacted in the Body of this preſent Act.

CAP. LXXV.

An Act for enlarging the preſent, or providing a new Workhouſe, for the Uſe of the Pariſh of *Saint Saviour Southwark*, and for regulating the Poor in ſuch Workhouſe; for widening *King Street*, at the Entrance into the *High Street*, *Southwark*; for making a Carriage Way from the ſaid *High Street*, through the *Greyhound Inn*, into *Queen Street*, and for improving the Paſſage from thence into *Gravel Lane*, leading towards the *Black Friars Bridge* Road, in the Pariſh of *Chriſt Church*.

CAP. LXXVI.

An Act for redeeming the Sum of one Million of the Capital Stocks of three Pounds *per Centum* Annuities, in the Manner and on the Terms therein mentioned; and for eſtabliſhing a Lottery.

CAP.

CAP. LXXVII.

An Act for the Relief of Insolvent Debtors; and for the Relief of Bankrupts, in certain Cases.

Preamble.

'WHEREAS many Persons, by Losses and other Misfortunes, are rendered incapable of paying their whole Debts; and though they are willing to make the utmost Satisfaction they can, and many of them are able to serve his Majesty by Sea or Land, yet are detained in Prison by their Creditors, or have been forced to go into foreign Parts out of this Realm: And whereas such unhappy Debtors have always been deemed the proper Objects of publick Compassion, and, by several Acts of Parliament, have been discharged on the Conditions in such Acts mentioned; for the Relief, therefore, of Insolvent Prisoners and Fugitives, who shall comply with the Terms contained in this Act, to be respectively observed by them, and faithfully discover upon Oath, and deliver up and assign, all their Effects and Estates whatsoever, for the Benefit of their Creditors, and to prevent, as far as possible, the many Frauds and Abuses, which, in a great Measure, have obstructed the good Ends of such Acts;' be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That, from and after the passing of this Act, all and every Gaoler or Keeper of any Prison, in any County, Riding, Division, City, Town, Place, or Liberty, within this Kingdom, shall, is, and are hereby required to make a true, exact, and perfect List, alphabetically, of the Name or Names of all and every Person or Persons, who, upon the twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, was or were, or, at any Time since, have been, and at the Time of making out every such List shall be, really an actual Prisoner or Prisoners, in the Custody of any Gaoler, or Gaolers, or Keeper of any Prison respectively, upon any Process whatsoever, for or by reason of any Debt, Damage, Costs, Sum or Sums of Money, Contempt, or otherwise, and an Account of the Time when such Prisoner or Prisoners was or were respectively charged in Custody, or received in Prison, together with the Name or Names of the Person or Persons at whose Suit or Prosecution such Prisoner or Prisoners is or are detained; and shall deliver the same to the Justices of the Peace, at their first or second General Quarter Sessions of the Peace, to be held after the passing of this Act, or at some Adjournment thereof, for such County, Riding, Division, City, Town, Place, or Liberty respectively.

Alphabetical Lists to be made out of Prisoners in Custody for Debt on April 28, 1774, or since that Date; with the Time when charged, and at whose Suit.

The same to be delivered to the Quarter Sessions.

II. And be it further enacted, That the Warden of his Majesty's Prison of the *Fleet*, and Marshal of the *King's Bench Prison*, shall severally, on the delivering in of any such List of Prisoners in their respective Custody, take an Oath, in the Open Court of such General Quarter Session of the Peace, or at some Adjournment thereof, to the Effect following; (that is to say:)

The Warden of the Fleet, and Marshal of the King's Bench Prison, to take the following Oath on delivering in their Lists.

'I *A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, profess, and declare, That all and every Person and Persons, whose Name or Names is or are inserted and contained in the first Part of the List by me now delivered in and subscribed, was and were, to the best of my Knowledge and Belief, upon the twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, really and truly Prisoners, in actual Custody, in the Prison or Gaol of *(insert the Name of the Prison)*, at the Suit or Suits of the several Person or Persons therein respectively mentioned; and also, that all and every Person and Persons, whose Name or Names is or are inserted or contained in the second Part of the said List, now by me delivered in and subscribed as aforesaid, have, since the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, been committed or surrendered to the said Gaol or Prison of *(insert the Name of the Gaol or Prison)*, at the Suit or Suits of the several Person or Persons therein respectively mentioned; except such Person or Persons who is or are in such List particularly mentioned and described to have died, been discharged, or removed to some other Prison, by Process of Law, since the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four; and also except such Person or Persons who is or are in such List particularly mentioned and described to have been permitted to have gone out of the said Prison, by Day Rules of the Court of *(Common Pleas, or King's Bench, as the Case shall be)*, since the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, to transact their Affairs; and also except such Person or Persons who is or are therein also particularly mentioned and described to have, upon the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, or since, been in the Rules of the said Prison *(of the Fleet, or King's Bench, as the Case shall be)*, by Leave of the *(Warden, or Marshal of the said Prison, as the Case shall be)*; and have, to the best of my Knowledge and Belief, really and truly, ever since, continued and remained in actual Custody in the said Prison *(of the Fleet, or King's Bench, as the Case shall be)*, or the Liberties thereof, at the Suit or Suits of the several Persons in the said List respectively mentioned; *(and if any Prisoner or Prisoners hath or have, since the said Twenty-eighth Day of* April, *one thousand seven hundred and seventy-four, escaped out of either of the said Prisons, then insert)*, except *(insert the Name or Names of the Prisoner or Prisoners who have escaped)*, who, without my Knowledge, Privity, or Consent, hath or have escaped out of the said Prison of and that the said List is a true, exact, perfect, and just List of all such Persons who were really and truly Prisoners in actual Custody in the said Gaol or Prison of on the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, and who, since the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, have been committed to, and really have been, and now is or are, Prisoner or Prisoners, in actual Custody, in the said Gaol or Prison of or the Liberties thereof; and that none of such Prisoners, to my Knowledge, or with my Privity, have voluntarily, or

'with Deſign, or in Expectation to take any Benefit from or under any Act of Parliament, to be made 'for Relief of Inſolvent Debtors, ſurrendered themſelves, or been committed to the ſaid Priſon, or got 'their Names entered as Priſoners in the Books of the ſaid Priſon, or ſince the ſaid twenty-eighth Day of 'April, one thouſand ſeven hundred and ſeventy-four, to my Knowledge, or with my Privity, have re- 'ſided out of the ſaid Priſon of or the Rules thereof, *(but if any have ſo done, add,* except *naming ſuch by Name)*'

Other Gaolers, on delivering in their Liſts, to take the following Oath.

And that every other Gaoler and Keeper of any other Priſon or Priſons, in any County, City, Town, Riding, Diviſion, Place, or Liberty, ſhall ſeverally, on the delivering in of any ſuch Liſt reſpectively, take an Oath, in the open Court of the General Quarter Seſſions of the County, City, Town, Diviſion, Liberty, or Place, for which he or ſhe ſhall deliver in any ſuch Liſt, and ſwear to the Effect following; (that is to ſay):

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, do ſolemnly ſwear, profeſs, and de- 'clare, That all and every Perſon and Perſons, whoſe Name or Names are inſerted or contained in the 'firſt Part of the Liſt by me now delivered in and ſubſcribed, was and were, to the beſt of my Know- 'ledge and Belief, upon the twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, 'really and truly Priſoners in actual Cuſtody, in the Priſon or Gaol of 'at the Suit or Suits of the ſeveral Perſons therein reſpectively mentioned, and alſo that all and 'every Perſon and Perſons, whoſe Name or Names is or are inſerted or contained in the ſecond Part of 'the ſaid Liſt now by me delivered in, and ſubſcribed, as aforeſaid, have, ſince the ſaid twenty-eighth 'Day of *April*, one thouſand ſeven hundred and ſeventy-four, been committed or ſurrendered to the ſaid 'Gaol or Priſon of *(if any ſuch Priſoner or Priſoners hath or have, ſince the* '*ſaid twenty-eighth Day of* April, *one thouſand ſeven hundred and ſeventy-four, been committed or ſurren-* 'dered to ſuch Gaol or Priſon), at the Suit or Suits of the ſeveral Perſon or Perſons therein reſpectively 'mentioned, except *(if any Exception is neceſſary)* ſuch Perſons as are therein particularly mentioned and 'deſcribed to have died, been diſcharged, or removed to ſome other Priſon by Proceſs of Law, or to have 'eſcaped out of ſuch Priſon, without my Privity, Knowledge, or Conſent, ſince the ſaid twenty-eighth 'Day of *April*, one thouſand ſeven hundred and ſeventy-four; and that all and every of them, whoſe 'Name and Names is and are contained in the firſt Part of the ſaid Liſt (except as before excepted), to 'the beſt of my Knowledge and Belief, have really and truly continued in actual Cuſtody in the ſaid 'Gaol or Priſon of ever ſince the ſaid twenty-eighth Day of *April*, one thouſand 'ſeven hundred and ſeventy-four; and that the ſaid Liſt is a true, exact, perfect, and juſt Liſt of all ſuch 'Perſons as were really and truly Priſoners in actual Cuſtody in the ſaid Gaol or Priſon of 'on the ſaid Twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, and 'who, ſince the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, have been 'really and truly committed, or ſurrendered to the ſaid Gaol, or Priſon of (except 'as before excepted), to the beſt of my Knowledge and Belief; and that none of ſuch Priſoners, to my 'Knowledge, or with my Privity, have voluntarily, or with Deſign, or in Expectation, to take any Be- 'nefit, from or under any Act of Parliament to be made for Relief of Inſolvent Debtors, ſurrendered or 'been committed to the ſaid Priſon of or got his, her, or their Name or Names 'entered as Priſoner or Priſoners in the Books of the ſaid Priſon, or, ſince their Commitment, have, 'to my Knowledge, or with my Privity, reſided out of the ſaid Priſon of '[*if any have ſo done, then add,* except *inſerting their Names*].'

The Oath to be adminiſtered by the Juſtices in Court,

and entered and ſubſcribed at the Bottom of each Liſt.

Liſt to be kept by the Clerk of the Peace,

Which ſaid reſpective Oaths the ſaid Juſtices, at the firſt or ſecond General Quarter Seſſion aforeſaid, or at ſome Adjournment thereof, within their reſpective Juriſdictions, are hereby impowered and required to adminiſter in open Court; and the Words of the ſaid Oath herein-before directed to be taken by the ſaid Warden and Marſhal reſpectively, ſhall be entered or written at the End or Bottom of the Liſt which ſhall be delivered in by them reſpectively, and ſhall be ſubſcribed and ſworn to by them reſpectively in open Court; and the Words of the Oath, to be taken by every other Gaoler or Keeper reſpectively, ſhall be entered or written at the End or Bottom of the Liſt which ſhall be delivered by them reſpectively, and ſhall be ſubſcribed and ſworn to by them reſpectively, in open Court: And every ſuch Liſt which ſhall be ſo delivered in, ſubſcribed, and ſworn to, in purſuance of this Act, ſhall be kept by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every ſuch County, Riding, Diviſion, City, Town, Place, or Liberty reſpectively, in which any ſuch Liſt as aforeſaid ſhall be ſworn to, for the better Satisfaction of the ſaid Juſtices, and Information of all or any Priſoner or Priſoners therein named; and ſo as the ſame may, from Time to Time, be ſeen and examined by any Creditor or Creditors of Priſoner or Priſoners, without Fee or Reward.

Copies of the Liſts to be delivered in to be fixed up in the Priſons, and on the Gates thereof.

III. And be it further enacted by the Authority aforeſaid, That all and every Goaler and Gaolers, and Keeper of any Gaol or Priſon, is and are hereby required, ten Days at leaſt before the firſt or ſecond General Quarter Seſſions of the Peace ſhall be held, after the paſſing of this Act, for the County, Riding, Diviſion, City, Town, Place, or Liberty, in which any Gaol or Priſon ſhall be, or to which the ſame belong, to fix up, in ſome conſpicuous Place or Places in every ſuch Priſon, and at the moſt frequented and uſual Gate, Door, or Entrance, into every ſuch Priſon, three or more true Copies of the Liſt or Liſts propoſed or intended to be delivered in by any ſuch Gaoler or Keeper at the ſaid General or Quarter Seſſions, or at ſome Adjournment thereof.

Perſons inſerted in the Liſts being Priſoners,

IV. And be it further enacted, That all and every Perſon and Perſons, whoſe Name or Names ſhall be inſerted in any ſuch Liſt to be delivered in as aforeſaid, who, upon the ſaid Twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, were really and truly Priſoners in the actual Cuſtody of

of any Gaoler or Gaolers, or Keeper of any Priſon reſpectively of this Kingdom, and did not come into, or get his, her, or their Names entered in the Book of any Gaol or Priſon as a Priſoner or Priſoners there, with a View or Deſign to take the Benefit of ſome Act for Relief of Inſolvent Debtors, and who ſhall take the Oath herein-after mentioned, and ſhall perform, on his or her Part, what is required to be done by him or her by this Act, ſhall be for ever releaſed and diſcharged from his or her Impriſonment, in ſuch Manner as hereafter is provided.

without a fraudulent Intention, on April 28, 1774, conforming to the Regulations of this Act, ſhall be diſcharged.

V. Provided always, and be it enacted by the Authority aforeſaid, That any Priſoner or Priſoners who ſhall be in actual Cuſtody at the Time of paſſing this Act, and was or were, on or before the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, arreſted, and in actual Cuſtody of an Officer, for any Sum or Sums of Money, by virtue of any Writ or Proceſs iſſuing out of any Court of Record, and held to Bail thereon, and did, on or before the ſixteenth Day of *May*, one thouſand ſeven hundred and ſeventy-four, ſurrender him, her, or themſelves, or was or were ſurrendered in Diſcharge of his, her, or their Bail, and thereupon committed to Priſon, and has or have continued therein, until the paſſing of this Act, by virtue of ſuch Commitment; every ſuch Priſoner or Priſoners ſhall, upon due Proof of the Premiſes upon Oath, be diſcharged from ſuch Debt or Demand, in like Manner as if ſuch Priſoner or Priſoners had been actually in Priſon upon the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, and continued therein as aforeſaid; ſubject nevertheleſs to the ſame Reſtrictions and Proviſions, and a Compliance with the like Terms, Conditions, and Qualifications, herein-before impoſed upon Priſoners actually in Cuſtody upon the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four; and alſo ſubject to the ſame Terms and Proviſions relating to the Eſtate and Effects of every ſuch Priſoner as aforeſaid.

Priſoners in Cuſtody at the Time of paſſing this Act, who were arreſted for Debt on or before April 28, 1774, and held to Bail, and ſurrendered on or before May 16, 1774, on conforming to the Regulations of this Act ſhall be diſcharged.

VI. And be it further enacted, That it ſhall be lawful for any Juſtice or Juſtices of the Peace of any County, Riding, Diviſion, City, Town, Place, or Liberty, within this Kingdom, upon the Petition of any ſuch Priſoner or Priſoners to any Juſtice or Juſtices of the Peace, within his or their reſpective Juriſdictions, upon every ſuch Priſoner or Priſoners ſo petitioning, and, at the Time of his or her ſo petitioning, leaving with the Juſtice or Juſtices of the Peace who ſhall be ſo petitioned a true Copy of the Schedule, containing his or her intended Diſcovery of his or her Real and Perſonal Eſtate, to be ſworn to at the firſt or ſecond General Quarter Seſſion next enſuing after every ſuch Petition, or ſome Adjournment thereof, by Warrant under his Hand and Seal, or their Hands and Seals, to require the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any ſuch Priſon, within the Juriſdiction of any ſuch Juſtice or Juſtices, to bring before the Juſtices, at the firſt or ſecond next General Quarter Seſſion of the Peace, or any Adjournment thereof, to be held, as the Caſe ſhall happen to be, next after the Expiration of ten Days from the Date of ſuch Warrant for ſuch reſpective County, Riding, Diviſion, City, Town, Place, or Liberty, the Body of any Perſon being in the ſaid Priſon as aforeſaid, with the Warrant or Warrants of his or her Detainer, together with a Copy or Copies of the Cauſe or Cauſes which he, ſhe, or they, is or are charged with in any ſuch Gaol or Priſon as aforeſaid, at the Time aforeſaid; which Warrant of every ſuch Juſtice or Juſtices, every ſuch Sheriff and Sheriffs, Gaoler, or Keeper, is and are hereby commanded to obey.

Juſtices, upon the Petition of the Priſoner, and his delivering a Schedule of his Eſtate,

are to iſſue their Warrant for bringing the Priſoner to the Quarter Seſſions, &c.

with the Warrant of Detainer and Copy of the Writ, &c.

Gaoler, &c. to obey ſuch Warrant.

VII. And be it alſo enacted, That the Copy of every Schedule which ſhall be left with any ſuch Juſtice or Juſtices, ſhall, within ten Days after the ſame ſhall be ſo left, be tranſmitted by the Juſtice or Juſtices, with whom the ſame ſhall be ſo left, to the Clerk of the Peace, Town Clerk, or other Officer, acting as Clerk of the Peace for the County, Riding, Diviſion, City, Town, Place, or Liberty, in which the ſame ſhall have been ſo left, there to remain and be inſpected, from Time to Time, as Occaſion ſhall require, by any Creditor of any ſuch Priſoner who ſhall deſire to inſpect the ſame.

Schedule of the Priſoner's Eſtate to be tranſmitted to the Clerk of the Peace, for Inſpection of the Creditors.

VIII. And be it alſo enacted, That every ſuch Juſtice or Juſtices who ſhall refuſe or omit, for the Space of ſix Days, to tranſmit the Copy of the Schedule, ſo left with him as aforeſaid, to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace for the County, Riding, Diviſion, City, Town, Place, or Liberty, in which the ſame ſhall have been ſo left, ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds; which ſhall and may be ſued for and recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, together with Coſts of Suit, in the Name of any Perſon who ſhall proſecute for the ſame; and one Moiety of which Money forfeited ſhall, when recovered, go to the Party who proſecutes for the ſame, and the other Moiety thereof to the Poor of the Pariſh in which the Offence ſhall be committed.

Juſtices refuſing or omitting for ſix Days to tranſmit a Copy of the Schedule to the Clerk of the Peace, ſhall forfeit 10l.

IX. And be it further enacted, That all and every Priſoner and Priſoners, who ſhall intend to petition to be diſcharged under this Act, as aforeſaid, ſhall firſt cauſe publick Notice to be inſerted in three ſeveral *London Gazettes*, previous to ſuch General Quarter Seſſions, and the Adjournment thereof, at which the ſaid Priſoner or Priſoners ſhall apply to be diſcharged from any Gaol in *London*, or within the weekly Bills of Mortality; and if ſuch Priſoner ſhall be in Cuſtody in any Gaol out of *London*, or the weekly Bills of Mortality, then alſo in ſome Newſpaper, which ſhall be publiſhed in or near the County, Riding, Diviſion, City, Town, Liberty, or Place, in the Gaol whereof he or ſhe ſhall be ſo in Cuſtody; containing the Name, Trade, and Occupation, and two laſt Places of Abode, if ſo many, of every ſuch Priſoner and Priſoners, and the Priſon wherein he, ſhe, or they, is or are confined, and of his, her, or their Intention to take the Benefit of this Act; and mentioning ſuch Notice in each *Gazette* or Newſpaper, to be the firſt, ſecond, or third Notice, according to the Time of publiſhing each of ſuch Notices; and for the inſerting of each of which ſaid ſeveral Notices in the ſaid *Gazette*, or in any other Newſpaper, there ſhall be paid, each Time, by every ſuch Priſoner, Two-pence, and no more: The firſt of which ſaid Notices ſhall be ſo inſerted in the ſaid *Gazette*, or in the ſaid other Newſpapers, as the Caſe may require, thirty Days at leaſt, and the laſt of the ſaid Notices ten Days at leaſt, before any ſuch firſt or ſecond General Quarter Seſſion, and Adjournment thereof, ſhall be held as aforeſaid; ſo that as well all the Creditors who have not charged the ſaid Priſoner or Priſoners in Cuſtody as thoſe Creditors who have charged

Priſoners intending to petition for their Diſcharge, are to give previous Notice thereof thrice in the Gazette, &c.

Contents of the Notice.

2 d. each Time, and no more, to be paid for inſerting Notices.

Firſt Notice to be inſerted 30 Days, and the laſt 10 Days, before the Quarter Seſſions, &c.

charged ſuch Priſoner or Priſoners in Execution, or on meſne Proceſs, or otherwiſe, may have ſufficient Notice thereof.

Priſoner being brought into Court, due Publication of the Notices required being proved, &c.

X. And be it further enacted, That every ſuch Priſoner as aforeſaid, who, in purſuance of any ſuch Warrant as aforeſaid, ſhall be brought to the General Quarter Seſſion, or any Adjournment thereof, ſhall, in caſe it ſhall be proved upon Oath, or by producing the ſaid three *Gazettes* and Newſpapers before mentioned to the ſaid Juſtices, at any ſuch Seſſion or the Adjournment thereof, that ſuch Notices were inſerted in the *London Gazette*, and other Newſpapers, were required, in Manner as herein-before is directed, and that the Perſon or Perſons ſo petitioning was or were actually a Priſoner or Priſoners on the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, or ſince, in the Gaol or Priſon in which his, her, or their Name or Names is or are ſpecified in the Liſt of Priſoners there, delivered in at any ſuch firſt or ſecond Seſſion, or any Adjournment thereof, as aforeſaid, in purſuance of this Act, ſhall, in open Court, at the ſaid General Quarter Seſſion, or any Adjournment thereof, ſubſcribe and deliver in a true Schedule or Account of all his or her real Eſtate, either in Poſſeſſion, Reverſion, Remainder, or Expectancy; and alſo of the whole of his or her perſonal Eſtate, which he or ſhe, or any Perſon or Perſons in Truſt for him or her, or for his or her Uſe, Benefit, or Advantage, is or are ſeiſed of, intereſted in, or entitled to, or was or were in his or her Poſſeſſion, at any Time ſince his or her Commitment to Priſon, with the Names of his or her ſeveral Debtors, and where they reſpectively live, or may be met with; and the ſeveral Sums of Money from them reſpectively owing, and how the ſame reſpectively became due, and are ſecured; and if by Mortgage, Specialty, Contract, Note, or other Writing, than the Name and Names, and Places of Abode of the ſeveral Witneſſes who can prove ſuch Debts or Contracts (if there be any ſuch), and ſhall alſo make Oath and ſwear to the Effect following; (that is to ſay,)

Is to deliver in a Schedule of his Eſtate, Debts, and Creditors.

Priſoner's Oath on delivering in the ſaid Schedule.

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, do ſolemnly ſwear, proteſt, and declare, That on the twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, I was a Priſoner, or elſe [*as the Caſe may be*], that ſince the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, I have ſurrendered, or have been committed to the Priſon of in Diſcharge of my Bail, or for Want of Bail [*as the Caſe ſhall be*]; and that I was actually arreſted, and in Cuſtody of an Officer, before the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, in the Action or Suit, Actions or Suits, in which I ſurrendered, or was committed as aforeſaid, to the ſaid Gaol or Priſon of and that I have, ever ſince my ſaid Surrender or Commitment, continued a Priſoner within the Priſon of in the actual Cuſtody of the Gaoler or Keeper of the ſaid Priſon of or within the Liberties thereof, at the Suit of and without any Fraud or Colluſion whatſoever, and that the Schedule now delivered by me, and ſubſcribed, doth contain, to the beſt of my Knowledge, Remembrance, and Belief, a full, juſt, true, and perfect Account and Diſcovery of all the Goods, Effects, and Eſtates, Real and Perſonal, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, which I, or any Perſon in Truſt for me, or for my Benefit or Advantage, am ſeiſed or poſſeſſed of, intereſted in, or intitled to, or was or were in my Poſſeſſion at any Time, ſince my Commitment to Priſon; and of all Debts as are to me owing, or to any Perſon or Perſons in Truſt for me; and of all the Securities and Contracts whereby any Money now is, or will or may hereafter become payable, or any Benefit or Advantage may accrue to me, or to my Uſe, or to any Perſon or Perſons in Truſt for me; and the Names and Places of Abode of the ſeveral Perſons from whom ſuch Debts are due and owing; and of the Witneſſes that can prove ſuch Debts or Contracts [*if any ſuch there be*]; and that neither I, nor any other Perſon or Perſons in Truſt for me, or for my Uſe, have any Lands, Money, Stock, or any Eſtate, Real or Perſonal, in Poſſeſſion, Reverſion, or Remainder, or Expectancy, other than what are in the ſaid Schedule contained, except Wearing Apparel, and Bedding for myſelf and Family, Working Tools, and neceſſary Implements for my Occupation and Calling, together with a Sum of Money not exceeding forty Shillings, and theſe in the whole not exceeding the Value of twenty Pounds; and that I have not, nor any Body for me hath, directly or indirectly, ſold, leſſened, or otherwiſe conveyed, diſpoſed of in Truſt, or concealed, all or any Part of my Lands, Money, Goods, Chattels, Stock, Debts, Securities, Contracts, or Eſtate, Real or Perſonal, whereby to ſecure the ſame, or to receive or expect any Profit or Advantage thereof, or with Intent to defraud or deceive any Creditor or Creditors, to whom I am or was indebted in any-wiſe howſoever.

So help me GOD.'

Schedule and Oath to be ſubſcribed in the Court, and lodged with the Clerk for the Examination of the Creditors.

And the ſaid Schedule and Oath ſhall be, by every ſuch Priſoner ſubſcribed in the Preſence of the Juſtices in open Seſſion of the Peace, as hereby is directed, and ſhall be kept by, and remain with, the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, for the County, City, Liberty, Diviſion, Town, or Place, where the ſame ſhall be ſubſcribed and taken, for the better Information of all the Creditors of ſuch Priſoner who ſhall deſire, or may have Occaſion, to reſort thereto; and every ſuch Creditor ſhall be at Liberty, at ſeaſonable Times in the Day-time, to peruſe and examine the ſame.

Court; if required by the Creditor, may adminiſter an Oath to the Gaoler, or any other Perſon, touching any of the Matters preſcribed to be ſworn to.

XI. And be it further enacted, That the Juſtices within their reſpective Juriſdictions, at any ſuch General Quarter Seſſion, or Adjournment thereof, at the Requeſt of any Creditor or Creditors of any ſuch Priſoner, are hereby authoriſed to cauſe the Deputy Warden and Marſhal of the *Fleet* and *King's Bench* Priſon, and any other Under Officer, Tipſtaff, and Turnkey, of any Gaol or Priſon, and any other Perſon, to come before them, and to examine them reſpectively on Oath, touching any of the Matters contained in any of the Oaths preſcribed by this Act to be taken, and the Truth thereof; and if the Oath which ſhall have been taken in open Court by any Priſoner or Priſoners ſhall not be diſapproved by good Teſtimony of any credible Perſon or Perſons on Oath, and ſuch Juſtices, or the major Part of them, preſent at any ſuch General Quarter Seſſion, ſhall be ſatisfied with the Truth of the Oath taken by any ſuch reſpective Priſoner,

Priſoner, then ſuch Juſtices ſhall, in ſuch Seſſion, or ſome Adjournment thereof, command the ſaid Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of ſuch Priſon or Priſons, forthwith to ſet at Liberty ſuch Priſoner or Priſoners, without having or taking any Fee or Reward, other than one Shilling for his or their Attendance with every ſuch Priſoner at ſuch General Quarter Seſſion, or any Adjournment thereof, in order for his, her, or their Diſcharge (and which every ſuch Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers, of ſuch Priſon or Priſons, is and are hereby authoriſed to receive and take for every ſuch Order): And every ſuch Order ſhall be a ſufficient Diſcharge to the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of ſuch Priſon or Priſons, and ſhall indemnify him or them againſt any Eſcape or Eſcapes, or Action or Actions whatſoever for Eſcape, which ſhall or may be brought, commenced, or proſecuted againſt him or them.

The Priſoner's Oath not being diſproved, the Court is to diſcharge him, upon paying a Fee of 1s. to the Gaoler. Gaoler indemnified for the Eſcape.

XII. And be it further enacted by the Authority aforeſaid, That all the Eſtate, Right, Title, Intereſt, and Truſt, of ſuch Priſoner, of, in, and unto, all the real Eſtate, as well Freehold and Copy as Cuſtomary-hold, and to all the perſonal Eſtate, Debts, and Effects, of every ſuch Priſoner, ſhall, immediately after the Diſcharge of any ſuch Priſoner, be, and the ſame is hereby veſted in the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, of and for the County, Riding, City, Town Corporate, Diviſion, Liberty, or Place, where any ſuch Priſoner ſhall be reſpectively diſcharged; and every ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, is hereby directed and required to make an Aſſignment and Conveyance of every ſuch Priſoner's Eſtate and Effects, veſted in ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforeſaid, to ſuch Creditor or Creditors of the ſaid Priſoner, as the Juſtices at any General Quarter Seſſion of the Peace, or at any Adjournment thereof, which ſhall be held by them within their reſpective Juriſdictions, ſhall order and direct (which Aſſignment and Conveyance ſhall be good and effectual in Law to all Intents and Purpoſes whatſoever, without being wrote on Parchment or Paper ſtamped); and to veſt the Eſtates thereby aſſigned and conveyed in the Party or Parties to whom the ſame ſhall be ſo aſſigned and conveyed, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, according to the Eſtate and Intereſt the Priſoner had therein; and for the preparing, ingroſſing, and executing of which Aſſignment and Conveyance, no Clerk of the Peace, Town Clerk, or other Officer, acting as Clerk of the Peace, ſhall take any greater Fee than two Shillings; and every ſuch Aſſignment and Conveyance ſhall be in Truſt for the Benefit of the Creditor or Creditors of every ſuch Priſoner to whom the ſame ſhall be made, and the reſt of the Creditors of ſuch Priſoner, in reſpect or in proportion to their reſpective Debts; and every Perſon or Perſons to whom any ſuch Aſſignment and Conveyance as aforeſaid ſhall be made, is and are hereby fully impowered to ſue, from Time to Time, as there may be Occaſion, in his, her, or their own Name or Names, for the Recovery and attaining any Eſtate or Effects of any ſuch Priſoner, and alſo to execute any Truſt or Power veſted in, or created for, the Uſe or Benefit of any ſuch Priſoner, but in Truſt for the Benefit of him or themſelves, and the reſt of the Creditors of every ſuch Priſoner; and to give Diſcharge and Diſcharges to any Debtor or Debtors of any ſuch Priſoner, as ſhall be requiſite: And every ſuch Aſſignee or Aſſignees ſhall, with all convenient Speed, after his or their accepting any ſuch Aſſignment or Conveyance, uſe his and their beſt Endeavours to receive and get in the Eſtate and Effects of every ſuch Priſoner; and ſhall, with all convenient Speed, make Sale of all the Eſtates of ſuch Priſoner veſted in ſuch Aſſignee or Aſſignees; and if any ſuch Priſoner ſhall be intereſted in, or intitled to, any real Eſtate, either in Poſſeſſion, Reverſion, or Expectancy, the ſame, within the Space of two Months after every ſuch Aſſignment and Conveyance, ſhall be ſold by publick Auction, in ſuch Manner, and at ſuch Place, as the major Part of the Creditors of any ſuch Priſoner who ſhall aſſemble together on any Notice in Writing publiſhed in the *London Gazette*, or in ſome Daily Paper, if the Priſoner before his going to Gaol reſided in *London*, or in the Weekly Bills of Mortality, and if elſewhere, then in ſome Newſpaper which ſhall be publiſhed in or near the County, Riding, Diviſion, City, Town, Liberty, or Place, in which ſuch Priſoner dwelt before he or ſhe was committed to Gaol, thirty Days before any ſuch Sale ſhall be made, ſhall, under his Hand, or their Hands, agree on: And every ſuch Aſſignee or Aſſignees, at the End of three Months at fartheſt from the Time of his or their accepting any ſuch Aſſignment or Conveyance as aforeſaid, ſhall make a juſt and fair Dividend of all ſuch Priſoner's Eſtates and Effects, which ſhall have been then in amongſt his or her Creditors, in proportion and in regard to each Creditor's reſpective Debts; but before any ſuch Dividend ſhall be made, ſuch Aſſignee or Aſſignees ſhall make up an Account of ſuch Priſoner's Eſtate, and make Oath in Writing, before one or more Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, Town, Liberty, or Place, in which any ſuch Priſoner ſhall have been diſcharged, that every ſuch Account contains a juſt and fair Account of the Eſtate and Effects of every ſuch Priſoner got in by or for ſuch Aſſignee or Aſſignees, and of all Payments made in reſpect thereof, and that all Payments in every ſuch Account charged were truly and *bona fide* made and paid; and Notice of the making of every ſuch Dividend ſhall be publiſhed in like Manner as a Meeting of Creditors is herein-before directed to be publiſhed, thirty Days at leaſt before the ſame ſhall be made; and no Creditor ſhall be allowed to receive any Share of ſuch Dividend, until he ſhall have made out the Juſtneſs and Identity of his reſpective Debt by Oath, or due Proof in Writing, before ſome ſuch Juſtice or Juſtices: And if any Creditor of ſuch Priſoner ſhall be diſſatisfied with the Reality or Fairneſs of any Debt claimed by any other Creditor, then the ſame, at the Requeſt of any ſuch Creditor or Creditors ſo diſſatisfied, ſhall be examined into by the Juſtices of the County, Riding, Diviſion, City, Liberty, or Place, in which ſuch Priſoner ſhall have been diſcharged, at their next General Quarter Seſſion, and what they ſhall there determine in the Premiſes ſhall be concluſive to all Parties: And if, after Payment of all ſuch Priſoner's Creditors, there ſhall any of his Eſtate and Effects remain, after Payment of all reaſonable Charges, the ſame ſhall be paid to ſuch Priſoner, his Executors or Adminiſtrators.

Eſtate and Effects of the Priſoner, upon his Diſcharge, to veſt in the Clerk of the Peace, who is to make over the ſame to the Aſſignees named by the Court;

for which he is to be paid 2s. and no more.

Aſſignees impowered to ſue,

and execute any Truſt or Power in the Priſoner's Behalf; and give Diſcharges:

They are alſo to get in with all Speed the Eſtate and Effects of the Priſoner,

and make Sale, within two Months, of Priſoner's real Eſtate, in Manner agreed upon at a Meeting of the Creditors ſummoned for that Purpoſe;

and make a Dividend within three Months; firſt making up their Accounts, and verifying the ſame upon Oath.

30 Days Notice to be given of making any Dividends;

and none to receive any Share thereof but ſuch as ſhall prove their Debts.

Debts entered to be examined into and determined by the Court.

Surplus of the Priſoner's Eſtate, after ſatisfying all Claims thereon, to go to the Priſoner.

XIII. Pro-

No Suit in Equity to be commenced, but by Conſent of the Majority in Value of the Creditors.

XIII. Provided further, and be it alſo enacted, That no Suit in Equity ſhall be commenced by any Aſſignee or Aſſignees of any ſuch Priſoner's Eſtate and Effects, without the Conſent of the major Part in Value of the Creditors of ſuch Priſoner, who ſhall meet together purſuant to a Notice to be given in the *London Gazette* for that Purpoſe.

Clerk of the Peace to exhibit to the Creditor, or his Attorney, upon Payment of 1s. the Schedule of the Priſoner's Eſtate and Effects.

Atteſted Copy thereof to be granted,

which ſhall be Evidence in all Courts.

Clerk of the Peace refuſing to produce ſuch Schedule, or to deliver a Copy thereof, or taking exorbitant Fees for the ſame, forfeits 10l. and Treble Coſts; One Moiety to the Proſecutor, and the other to the Poor of the Pariſh.

XIV. And be it further enacted by the Authority aforeſaid, That the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every reſpective County, City, and County Town, and County Riding, Diviſion, Cinque Port, Liberty, and Place, with whom any Schedules of the Eſtates of any Inſolvent Debtor or Debtors, Fugitive or Fugitives, ſhall be left, and his Succeſſors, Clerk of the Peace, Town Clerk, or other Officer, acting as Clerk of the Peace as aforeſaid, ſhall, on the reaſonable Requeſt of any Creditor or Creditors of ſuch Inſolvent Debtor or Debtors, Fugitive or Fugitives, or his or their Attorney, produce and ſhew to ſuch Creditor or Creditors, or his or their Attorney, in the Day-time, the Schedule of the Eſtates of any ſuch Inſolvent Debtor or Debtors, Fugitive or Fugitives, which ſhall be left with any ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or his Predeceſſor in that Office; the Perſon ſo requiring to ſee and peruſe any ſuch Schedule paying or tendering to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whoſe Cuſtody any ſuch Schedule ſhall be, or his Deputy, the Sum of one Shilling for his Trouble in ſearching for, and looking out, ſuch Schedule, and attending whilſt the ſame ſhall be peruſed by the Party or Parties requiring to have the ſame looked out, and to peruſe the ſame: And that a true Copy of every ſuch Schedule, ſigned by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whoſe Cuſtody the ſame ſhall be, or his Deputy, purporting the ſame to be a true Copy of ſuch Schedule, without being wrote on ſtamped Paper (and for which Copy no more ſhall be paid than Sixpence by the Sheet, each Sheet to contain ſeventy-two Words, and ſo in proportion for a leſs Number of Words in any Sheet), ſhall, at all Times, be admitted, in all Courts whatſoever, as legal Evidence of the ſame: And if any Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, ſhall, on reaſonable Requeſt as aforeſaid, neglect or refuſe to produce to any ſuch Creditor or Creditors as aforeſaid, or his or their Attorney, any ſuch Schedule as aforeſaid, and to permit the ſame to be inſpected as aforeſaid, in the Day-time, on ſuch Payment or Tender as aforeſaid being made to him; or ſhall aſk or take more than after the Rate of Sixpence by the Sheet, each Sheet to contain ſeventy-two Words, and ſo in proportion for leſs than ſeventy-two Words in a Sheet; or ſhall refuſe to make and deliver a Copy of any ſuch Schedule, on being requeſted as aforeſaid ſo to make the ſame, and having the Money tendered to him for Payment of ſuch Copy, after the Rate aforeſaid; ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds; which ſhall and may be ſued for and recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, together with Treble Coſts of Suit, in the Name of any Perſon who ſhall proſecute for the ſame: And one Moiety of which Money forfeited ſhall, when recovered, go to the Party who proſecutes for the ſame, and the other Moiety thereof to the Poor of the Pariſh in which the Offence ſhall be committed.

Aſſignees of Copyhold and Cuſtomary Eſtates to compound with the Lord of the Manor, and to be admitted Tenants thereupon.

XV. Provided always, and be it enacted, That before ſuch Time as any Aſſignee or Aſſignees as aforeſaid ſhall enter on, or take any Profit from, any Copyhold or Cuſtomary Eſtate as aforeſaid, he or they ſhall agree and compound with the Lord or Lords of the Manor or Manors of whom the ſame ſhall be holden, for the Payment of ſuch Fine or Income as, upon any Surrender and Admiſſion thereto, hath heretofore been moſt uſually accuſtomed to be paid; and that upon every ſuch Agreement or Compoſition, the ſaid Lord or Lords for the Time being, at the next Court, or ſome ſubſequent Court, which ſhall be holden for the ſaid Manor or Manors, after ſuch Agreement made, ſhall admit ſuch Aſſignee or Aſſignees Tenant to ſuch Copyhold or Cuſtomary Premiſes, according to the Cuſtom of the ſaid Manor or Manors of which the ſame ſhall be holden, for and during ſuch Eſtate and Intereſt as the Priſoner had therein at the Time of his or her being diſcharged as aforeſaid, reſerving the Rents, Duties, Heriots, Cuſtoms, and Services, payable and to be rendered in reſpect of the ſaid Copyhold or Cuſtomary Premiſes.

The Priſoner's Right and Intereſt, &c. only to be affected by this Act.

XVI. Provided alſo, That nothing herein contained ſhall extend to prejudice or affect any Eſtate or Intereſt, or Right whatſoever, of any other Perſon or Perſons, other than the ſaid Priſoner or Fugitive which may be expectant upon, or ſubject unto, the Eſtate or Intereſt of the ſaid Priſoner or Fugitive hereby veſted in the ſaid Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace; but that the Eſtate, Intereſt, and Right whatſoever, of every other Perſon and Perſons, ſhall remain, continue, and be ſaved to them, in the ſame Manner as if this Act had not been made.

All Mortgages, Statutes, &c. are to take place preferable to Claims of an inferior Nature.

XVII. Provided alſo, and be it enacted by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to hinder or prevent, any Mortgage or Mortgages upon the Eſtate of ſuch Priſoner or Priſoners, or any Part thereof, to take place upon the Lands, Tenements, or Hereditaments, compriſed in ſuch Mortgage or Mortgages reſpectively; nor to prevent any Statute-ſtaple, Statute-merchant, Recognizance, or Judgment, acknowledged by or obtained againſt any ſuch Priſoner or Priſoners, to take place upon the Lands, Tenements, or Real Eſtate of ſuch Priſoner or Priſoners; and alſo where any Inquiſition ſhall have been taken upon any ſuch Statute or Recognizance, or any Writ or Execution ſhall have been taken out and delivered to the Sheriff or proper Officer, upon any ſuch Judgment, before ſuch Diſcharge ſhall be given in open Seſſion to any ſuch Perſon as aforeſaid, the perſonal Eſtate of every ſuch Priſoner reſpectively ſhall be ſubject thereto, in the firſt place, for ſo much as ſhall remain due upon ſuch Mortgage, Statute, Recognizance, or Judgment reſpectively, in like Manner as ſuch Mortgagees and Creditors, by Statute, Recognizance, or Judgment, would have been preferred to other Creditors of an inferior Nature, againſt the real or perſonal Eſtate of ſuch Priſoner and Priſoners reſpectively, if this Act

Act had not been made; any Thing herein-before contained to the contrary thereof in any-wise notwithstanding.

Power in the Prisoner of leasing Lands, &c. to vest in the Assignees.

'XVIII. And whereas many Persons who may be intitled to, and claim the Benefit of, this Act, are 'seised and possessed of Lands, Tenements, and Hereditaments, to hold to such Prisoners for the Term of 'their natural Lives, with Power of granting Leases, and taking Fines, reserving small Rents on such 'Estates, for one, two, or three Lives, in Possession or Reversion, or for some Number of Years deter-'minable upon Lives, which said Powers ought to be executed for the Benefit of the Creditors of such 'Prisoners;' be it therefore enacted by the Authority aforesaid, That in every such Case, all and every the Powers of leasing such Lands, Tenements, and Hereditaments, which are or shall be vested in any such Prisoner or Prisoners, as aforesaid, shall be, and are hereby vested in the Assignee or Assignees of the real and personal Estate of such Prisoner, by virtue of this Act, to be by such Assignee or Assignees executed for the Benefit of all and every the Creditors of such Prisoners as aforesaid.

The acting Gaoler at the Time of delivering the Lists, only liable to be sworn.

'XIX. And whereas, in some Gaols or Prisons in this Kingdom, the Office of Gaoler or Keeper is held 'in Fee for Life, or otherwise, by Persons who never act as Gaolers or Keepers themselves, or know any 'Thing of the Prisoners therein, but depute or employ some Person or Persons under them as Gaolers or 'Keepers of such Gaols or Prisons;' be it therefore enacted, That, in every such Case, the Person who shall have been actually employed, and acted as deputed Gaoler or Keeper of any such Gaol or Prison, at the Time of the delivering in the Lists, hereby directed to be delivered in, of Prisoners in any such Gaol or Prison, at any General Quarter Session of the Peace, or some Adjournment thereof, and not the principal Gaoler or Keeper (unless where such principal Gaoler or Keeper shall act as Gaoler or Keeper himself), shall take the Oath herein-before appointed to be taken by the Gaoler or Keeper of every such Gaol or Prison.

Court, if required by a Creditor opposing the Prisoner's Discharge, is to administer the following Oath to the Gaoler.

XX. And be it further enacted by the Authority aforesaid, That the Justices, at any General Quarter Session of the Peace, or Adjournment thereof, to which any Prisoner shall be brought in pursuance of this Act, shall, if required by any Creditor or Creditors of any such Prisoner or Prisoners, who shall oppose his or her Discharge, administer, and give to the Gaoler, or the Person who acts as Gaoler or Keeper of any such Prison, at the Time of bringing up any such Prisoner, in order to be discharged under this Act, an Oath to the following Effect; (that is to say,)

The Oath.

'I *A. B.* do swear, That was really and truly a Prisoner in my Custody, in the Prison 'of to the best of my Knowledge and Belief, at or upon the twenty-eighth Day of '*April*, one thousand seven hundred and seventy-four; and that the Copy or Copies of the Cause or Causes 'of his or her Commitment or Detainer, now by me brought with the Body of the said 'and produced to this Court, is or are a true Copy or Copies of the Cause or Causes of such Detainer or 'Commitment, without any Fraud or Deceit by me, or any other Person whatsoever, to the best of my 'Knowledge and Belief.

'*So help me* GOD.'

If such Person shall not have been the Gaoler on April 28, 1774, &c. then the following Oath is to be administered to him.

And if any Person who was Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison on the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, or since, shall not happen to be the Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison, at the Time any such List as aforesaid is hereby required to be delivered in, then the Justices, at any such Session, or at any Adjournment thereof, may and are hereby required to administer, and give to the respective Person or Persons who shall be Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison, and deliver in any such List as aforesaid, at any such General or Quarter Session, or any Adjournment thereof, an Oath, touching the Commitments, or Books of Commitment of any such Prison, to the Effect following; (that is to say,)

The Oath

'I *A. B.* do swear, That I have examined the Commitments, or Books kept of or concerning the Com-'mitment of Prisoners to the Prison of in the [*County*, *Riding*, *Division*, *City*, '*Town*, *Place*, *or Liberty of* *as the Case shall be*]; and that I do verily believe that the 'said Commitments, or Books of Commitment, are really true, and not fictitious, nor calculated for this 'Purpose; and by them it doth appear, that was on the twenty-eighth 'Day of *April*, one thousand seven hundred and seventy-four, really and truly a Prisoner in the actual 'Custody of the then Gaoler or Keeper, or deputed Gaoler or Keeper, 'of the said Prison, without Fraud or Deceit by me, or any other Person or Persons to my Knowledge and 'Belief.

'*So help me* GOD.'

Court, if required by a Creditor, may summon the Person who acted as Gaoler on April 28, 1774, or since, and examine him touching the Commitment and Continuance in Cus-

'XXI. And, in order to discover any fraudulent Entries or Commitments of Prisoners in any Gaol 'Books,' be it further enacted by the Authority aforesaid, That the Justices, at any General or Quarter Session of the Peace, or any Adjournment thereof, are hereby authorised, at the Request of any Creditor or Creditors of any Prisoner, to convene before them, at some certain Time to be appointed by them, any Person or Persons who was or were Gaoler or Keeper, or deputed Gaoler or Keeper, of any Gaol or Prison within their respective Jurisdictions, on the said twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, or at any Time since; and to examine every such Gaoler or Keeper, or deputed Gaoler or Keeper, on Oath, touching the Commitment and Continuance in Custody of any such Prisoner, as the Justices, at any such General or Quarter Session, or Adjournment thereof, shall think fit: And if any Sheriff, Gaoler, or Keeper, or deputed Gaoler or Keeper, shall neglect or refuse to bring before such Justices, at any Session of the Peace, or Adjournment thereof, any Prisoner, as shall be directed and required

tody of the Priſoner.

quired by Warrant of any Juſtice or Juſtices as aforeſaid, or to attend on being ſummoned for that Purpoſe; or if any Gaoler or Keeper attending ſhall refuſe to make Anſwer and Diſcovery in the Premiſes, as ſhall be reaſonably required at ſuch General or Quarter Seſſion, or any Adjournment thereof, he, ſhe, or they, ſo offending in the Premiſes, ſhall, for every ſuch Offence, forfeit and pay the Sum of one hundred Pounds; to be recovered by, and in the Name, and for the Uſe of, the Party injured, by Action of Debt, to be brought in his or her Name, in any of his Majeſty's Courts of Record at *Weſtminſter*, together with Treble Coſts of Suit.

Gaoler diſobeying the Warrant or Order of the Court, &c. forfeits 100l. with Treble Coſts.

'XXII. And whereas a great Number of Workmen, ſkilful in the ſeveral Trades and Manufactures of 'this Kingdom, and alſo many able Seamen and Mariners, finding themſelves unable to ſatisfy the Whole 'of their reſpective Debts, and dreading the Miſeries of a Gaol, have choſe to leave their Employments 'and Native Country, and have entered themſelves in Foreign Service: And whereas their Continuance 'abroad muſt be of great Prejudice to the Trade of this Kingdom;' in order therefore to induce and enable ſuch Perſons to return, be it enacted by the Authority aforeſaid, That all and every Debtor and Debtors, who was or were actually beyond the Seas, in Foreign Parts, on the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, and did not go into ſuch Foreign Parts with the View or Intent to gain or have the Benefit of an Inſolvent Debtors Act, who ſhall return and ſurrender himſelf or themſelves, within fourteen Days next immediately after his or their landing in *England*, unto the Gaoler or Gaolers, Keeper or Keepers, of the Priſons of the *King's Bench*, *Marſhalſea*, or *Fleet*, or to the Goaler or Keeper, or deputed Gaoler or Keeper, of the Priſon or Priſons of ſuch County, City, Town, Riding, Diviſion, Liberty, or Place, where ſuch Debtor or Debtors laſt dwelt for the Space of ſix Months (which ſaid Gaoler or Gaolers, Keeper or Keepers, is and are hereby required and impowered to receive and detain ſuch Debtor or Debtors, ſurrendering as aforeſaid, in order to their Diſcharge, as herein-after mentioned), and who, from and immediately after ſuch Surrender, do continue in actual Cuſtody of ſuch Gaoler and Gaolers, Keeper or Keepers, until the Time of his Diſcharge, ſhall be deemed a Priſoner or Priſoners within, and be, to all Intents and Purpoſes, intitled to the Benefit of, this Act; and ſhall upon due Proof of the ſaid Premiſes, by the Oath of ſuch Debtor or Debtors (not diſproved by any credible Witneſs), be diſcharged in the ſame Manner as if he, ſhe, or they, had been actually in Priſon on the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, and continued therein as aforeſaid; ſubject nevertheleſs to the ſame Reſtrictions and Proviſions, and a Compliance with the like Terms, Conditions, and Qualifications, herein-before impoſed upon the ſaid Priſoners actually in Cuſtody upon the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, and alſo ſubject to the Terms and Proviſions relating to the Eſtate and Effects of ſuch Priſoner, as aforeſaid; excepting only ſuch Particulars thereof as require the Name of a Priſoner to be inſerted in the Gaoler's or Keeper's Liſt, as aforeſaid, or relate to the Oaths of ſuch Gaoler or Keeper herein-before appointed to be taken; which Particulars cannot poſſibly be applied to the Caſe of Perſons ſurrendering themſelves as aforeſaid; and alſo except the ſaid Oath herein-before appointed to be taken by Priſoners in Cuſtody upon the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four; inſtead whereof the Perſon or Perſons ſo ſurrendering ſhall take an Oath, in open Court, at ſome General or Quarter Seſſion of the Peace, or ſome Adjournment thereof, of the County, City, Town, Riding, Diviſion, Place, or Liberty, in the Priſon of which any ſuch Fugitive or Debtor ſhall be held, after the Surrender of any ſuch Fugitive or Debtor, to the Effect following; which the ſaid Juſtices, authoriſed to put this Act in Execution, are hereby required and impowered to adminiſter, in ſuch Manner as the Oaths herein-before mentioned are to be adminiſtered,

Debtors who were beyond the Seas on April 28, 1774, ſurrendering themſelves, may take the Benefit of this Act,

upon the ſame Terms as other Priſoners;

excepting ſuch Particulars wherein the Caſes of both differ.

Fugitive's Oath.

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, ſolemnly ſwear, proteſt, and de-'clare, That I was actually, on the twenty-eighth Day of *April*, one thouſand ſeven hundred and 'ſeventy-four, beyond the Seas in Foreign Parts; *videlicet*, at and that 'I did, within fourteen Days next immediately after my landing, ſurrender myſelf to the Cuſtody of the 'Keeper of [*as the Caſe may be*]; and that I have ever ſince ſuch my 'Surrender continued a Priſoner in his Cuſtody; and that the Schedule now delivered, and by me ſub-'ſcribed, doth contain, to the beſt of my Knowledge, Remembrance, and Belief, a full, juſt, true, and 'perfect Account and Diſcovery, of all the real Eſtate, Goods, Effects, and other perſonal Eſtate, in any-'wiſe belonging to me; and alſo of all ſuch Debts as are to me owing, or to any Perſon or Perſons in Truſt 'for me; and of all the Securities and Contracts whereby any Money now is, or will or may hereafter 'become payable, or whereby or wherefrom any Benefit or Advantage may accrue to me, or to my Uſe, 'or to any other Perſon or Perſons in Truſt for me; and the Names and Places of Abode of the ſeveral 'Perſons from whom ſuch Debts are due and owing; and of the Witneſſes that can prove ſuch Debts or 'Contracts [*if any ſuch there be*]; and that neither I, nor any Perſons in Truſt for me, is or are ſeiſed of 'any real Eſtate in Poſſeſſion, Reverſion, or Remainder, or Expectancy, or of any perſonal Eſtate of any 'Kind whatſoever, other than what are in the ſaid Schedule contained; except my wearing Apparel, and 'Bedding for myſelf and Family, my Working Tools, and neceſſary Implements for my Occupation and 'Calling, together with a Sum of Money not exceeding forty Shillings, and not exceeding in the Whole 'the Value of twenty Pounds; and that I have not, directly or indirectly, ſold, leſſened, or otherwiſe 'conveyed, diſpoſed of in Truſt, or concealed, all or any Part of my real Eſtate, Money, Goods, Chat-'tels, Stocks, Debts, Securities, Contracts, or perſonal Eſtate whatſoever, whereby to ſecure the ſame, 'ſo as to receive or expect any Profit or Advantage therefrom to myſelf or Family, or with any View, 'Intent, or Deſign, to defraud or deceive any Creditor or Creditors, to whom I am indebted in any-wiſe 'howſoever, or prevent their recovering or attaining their reſpective Debts.

'*So help me* GOD.'

XXIII. Pro-

Fugitives arrested, intending to ſurrender, to be intitled to the Benefit hereof.

XXIII. Provided alſo, and be it enacted, That if any Fugitive intending to ſurrender to the Terms of this Act, ſhall, within the Space before mentioned of fourteen Days, be arreſted in any Suit or Action, whoſe Cauſe of Action accrued before the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, ſuch Fugitive giving Notice (as before directed) to any Juſtice of the Peace at the next General Quarter Seſſions, and in all other Reſpects complying with the Terms and Conditions of this Act, ſhall be intitled to the Benefit of the ſame; and every Sheriff, Bailiff, or Officer, Gaoler or Keeper of a Priſon, in whoſe Cuſtody ſuch Fugitive ſhall be detained, ſhall conform him or themſelves to the Directions of this Act, in like Manner as before mentioned.

Gaoler, and Printer of the Gazette, or other News-paper, not complying with the Regulations in this Act, forfeit 100l. to the Priſoners, with Treble Coſts of Suit.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Gaoler or Keeper of any Priſon, or his Deputy or Deputies, ſhall, without juſt Cauſe, to be approved of by the Juſtices at ſome General Quarter Seſſion of the Peace, or Adjournment thereof, within their reſpective Juriſdictions, refuſe or delay to bring any ſuch Priſoner or Priſoners as aforeſaid to any ſuch General Quarter Seſſion, or ſome Adjournment thereof, in order to his or her Diſcharge; or ſhall neglect, refuſe, or deſignedly omit to inſert, in any ſuch Liſt, the Name or Names of any ſuch Priſoner or Priſoners who was or were actually in Cuſtody in his or their reſpective Gaol or Priſon on the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, or ſince; or ſhall neglect or refuſe to make out, fix up, or deliver ſuch Liſts as aforeſaid; or if any ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall neglect or refuſe to take any of the ſaid Oaths before mentioned, and hereby required to be taken by him; or ſhall, upon any Account or Pretence whatſoever, take or receive more than the ſaid Sum of one Shilling herein-before allowed for his or her Attendance, in order to be diſcharged of ſuch Priſoner or Priſoners as aforeſaid; or ſhall detain any ſuch Priſoner after he or ſhe ſhall be diſcharged as aforeſaid; or if the Printer of the *London Gazette*, or other News-paper, as aforeſaid, ſhall wilfully refuſe or neglect to inſert therein the Name, Trade, Occupation, and laſt Place of Abode, of ſuch Priſoner, on reaſonable Requeſt to him made for that Purpoſe, and Tender of the Money hereby directed to be paid; or ſhall take or receive any Fee or Gratuity more than Two-pence, as aforeſaid, for doing thereof; every ſuch Gaoler and Keeper of ſuch Priſon or Priſons, his Deputy or Deputies, and every ſuch Printer as aforeſaid, ſhall reſpectively forfeit and pay to each Priſoner, in any ſuch Caſe injured, the Sum of one hundred Pounds; which ſhall and may be recovered, with Treble Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Gaoler convicted of Perjury, forfeits 500 l. with full Coſts of Suit, &c.

XXV. And be it further enacted by the Authority aforeſaid, That if any ſuch Gaoler or Gaolers, or Keeper or Keepers, or any deputed Gaoler or Keeper, of any Priſon, ſhall, in taking of the afore-mentioned Oaths, forſwear or purjure himſelf, and ſhall thereof be lawfully convicted, ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, of ſuch Priſon or Priſons (over and above ſuch Penalties as may be inflicted on Perſons convicted of Perjury), ſhall, upon every ſuch Conviction, forfeit and pay the Sum of five hundred Pounds; to be recovered, with full Coſts, by Bill, Plaint, or Information, or Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed, by and in the Name of ſuch Perſon or Perſons, his or their Executors and Adminiſtrators, to whom any Aſſignment or Conveyance, in purſuance of this Act, ſhall be made of the Eſtate and Effects of ſuch Priſoner or Priſoners; and if no ſuch Aſſignee or Aſſignees ſhall be living, then in the Name or Names of any other Creditor or Creditors who ſhall ſue for the ſaid Penalties; to be applied, one Moiety to the Informer or Informers, and the other Moiety towards Satisfaction of the Debts of ſuch his Creditor or Creditors.

One Moiety to go to the Informer, and the other towards ſatisfying the Debts of the Creditors.

Clerk of the Peace refuſing the Priſoner a Copy of his Diſcharge; or taking exorbitant Fees for the ſame; or for aſſigning over the Priſoner's Eſtate and Effects; forfeits 20l. to the Priſoner.

XXVI. And be it further enacted, That if any Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, ſhall delay or refuſe to give every or any ſuch Priſoner, ſo diſcharged as aforeſaid, within fourteen Days after his or her Diſcharge, a Copy of the Order of his or her Diſcharge, on the Payment of two Shillings and Sixpence; or ſhall take more than the ſaid Sum of two Shillings and Sixpence for ſuch Copy; or ſhall take more than one Shilling for an Aſſignment or Conveyance of ſuch Priſoner's Eſtate or Effects; every ſuch Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, who ſhall ſo offend, and who ſhall be convicted at any ſuch General or Quarter Seſſion of the Peace, or any Adjournment thereof, of any ſuch Offence, ſhall, for every ſuch Offence, forfeit and pay to every ſuch Priſoner the Sum of twenty Pounds, as the Juſtices of the Peace, at any ſuch General Quarter Seſſion of the Peace, or Adjournment thereof, ſhall order; and who are hereby impowered to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods of any ſuch Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, ſo offending.

Priſoner convicted of Perjury to ſuffer as a Felon.

XXVII. And be it further enacted by the Authority aforeſaid, That if any Priſoner as aforeſaid, or any other Perſon or Perſons who ſhall take the Benefit of this Act, ſhall forſwear or perjure himſelf, herſelf, or themſelves, in any Oath to be taken under this Act, and ſhall be lawfully convicted thereof, he, ſhe, or they, ſo offending, ſhall be adjudged a Felon, and ſuffer as ſuch, without Benefit of Clergy.

Perſon diſcharged by this Act, not liable to Arreſt of Debts, &c. contracted before 28 April, 1774.

XXVIII. And be it further enacted by the Authority aforeſaid, That no Perſon to be diſcharged by this Act ſhall, at any Time hereafter, be impriſoned by reaſon of any Judgment or Decree obtained for Payment of Money only, or for any Debt, Damages, Contempts, Coſts, Sum or Sums of Money, contracted, incurred, occaſioned, owing, or growing due, before the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four; but that upon every Arreſt upon every Judgment, or ſuch Decree, or for ſuch Debts, Damages, Contempts, Coſts, Sum and Sums of Money, it ſhall and may be lawful for any Judge of the Court where the Proceſs iſſued, upon ſhewing the Copy of the Order of ſuch Priſoner's Diſcharge or Diſcharges, to releaſe and diſcharge out of Cuſtody ſuch Priſoner or Priſoners as aforeſaid; and

every ſuch Judge is hereby impowered ſo to do, on ſuch Priſoner's cauſing a common Appearance to be entered for him in every ſuch Action and Suit.

But no Priſoner to be diſcharged of Debts ſubſequent to April 28, 1774.

'XXIX. And whereas, under former Acts of this Kind, Doubts have ariſen, what was to be done with 'ſuch Priſoners who applied at any Seſſion to be diſcharged, who owed and ſtood charged with Debts, as 'well previous as ſubſequent to the Day limited by the reſpective Acts;' to remedy which, be it therefore enacted by the Authority aforeſaid, That no Priſoner or Priſoners ſhall be diſcharged of any Debts ſubſequent to the twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four; and if it ſhall appear to the Juſtices, in any Seſſion, or Adjournment, that any Priſoner or Priſoners, then applying to them to be diſcharged, ſhall ſtand charged as well with Debts previous to as ſubſequent to the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, that, in ſuch Caſes, it ſhall and may be lawful to and for the Juſtices to diſcharge him or her of all Debts previous to the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, and to remand him or her back to the Cuſtody of the Keeper of the Priſon from whence he or ſhe was brought, for all Debts with which he or ſhe ſtands charged with in his Cuſtody, ſubſequent to the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four.

Juſtices, Sheriffs and Gaolers, may plead this Act to any Action of Eſcape, or Suit brought againſt them, and recover Treble Coſts. Perſons diſcharged may plead generally, &c. to all Actions or Judgments brought againſt them before April 28, 1774, &c.

XXX. And be it further enacted by the Authority aforeſaid, That if any Action of Eſcape, or any Suit or Action, be brought againſt any Juſtice or Juſtices of the Peace, Sheriff, Gaoler, or Keeper of any Priſon, for performing their Office, in purſuance of this Act, they may plead the General Iſſue, and give this Act in Evidence; and if the Plaintiff be nonſuited, or diſcontinue his Action, or Verdict paſs againſt him, or Judgment upon Demurrer, the Defendant ſhall have Treble Coſts.

and in other Suits, may plead in Diſcharge of their Perſons from Execution.

XXXI. And be it further enacted by the Authority aforeſaid, That if any *Scire Facias*, or Action of Debt, or upon Judgment, ſhall be brought againſt any Priſoner, his or her Heirs, Executors, or Adminiſtrators, upon any Judgment obtained againſt any ſuch Priſoner, or on any Statute or Recognizance acknowledged by him or her, before the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, with reſpect to Priſoners in actual Cuſtody, or with reſpect to Debtors beyond the Seas, as aforeſaid, upon the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, it ſhall be lawful for any ſuch Priſoner, his or her Heirs, Executors, or Adminiſtrators, to plead generally that ſuch Priſoner was actually a Priſoner in ſuch Priſon at ſuch a Perſon's Suit, or was or were beyond the Seas in Foreign Parts on the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, and was or were duly diſcharged, according to this Act, at the General Quarter Seſſion, or Adjournment thereof, held at ſuch Time and Place, for ſuch County, Riding, Diviſion, Liberty, City, Town, or Place (as his, her, or their Caſe is), without pleading any Matter ſpecially; and in caſe any other Suit or Action ſhall be commenced againſt him, her, or them, for any other Debt, Sum or Sums of Money, due before the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, to plead in Diſcharge of his or her Perſon from Execution (over and above ſuch Matters as aforeſaid), that ſuch Debt or Sum of Money (as the Caſe ſhall happen) was contracted or due before the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, without pleading any other Matter ſpecially; whereto the Plaintiff ſhall or may reply generally, and deny the Matters pleaded as aforeſaid, or reply any other Matter or Thing which may ſhew the ſaid Defendant not to be intitled to the Benefit of this Act, or not duly diſcharged according to it, in the ſame Manner as the Plaintiff might have replied, in caſe the Defendant had pleaded this Act, and his Diſcharge by virtue of this Act, ſpecially; and if the Plaintiff be nonſuited, diſcontinue his Action, or Verdict paſs againſt him, or Judgment on Demurrer, the Defendant to have Treble Coſts.

Plaintiff may reply generally, &c.

but if nonſuited, is to pay Treble Coſts.

Attornies or Servants embezzling Money, &c. excluded the Benefit of this Act.

XXXII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to releaſe or diſcharge any Attorney at Law, or Solicitor, or any other Perſon or Perſons acting or pretending to act as ſuch, with regard to any Debt with which he or they ſhall ſtand charged, for any Money, or other Effects, recovered and received by him or them, for the Uſe of any Perſon or Perſons, Bodies Corporate or Politick, and by any Attorney, Solicitor, or other Perſon or Perſons acting as ſuch, embezzled, concealed, or converted, to his or their own Uſe; or to releaſe or diſcharge any Servant or Agent, or any Perſon or Perſons employed or intruſted as ſuch, with regard to any Debt or Demand with which he, ſhe, or they, ſhall ſtand charged, for and on account of any Money, Goods, or other Effects, received or poſſeſſed by him, her, or them, for the Uſe and on Account of his, her, or their Maſter or Maſters, or Employers, and by ſuch Servant or Agent embezzled, concealed, or converted, to his, her, or their own Uſe; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Gaoler to permit the ſpeaking in private to Priſoners, whoſe Names are inſerted in the Liſt, or Gazette, &c and the examining the original Books of Entries, &c. on Penalty of 40 l. with Coſts of Suit.

XXXIII. And be it further enacted by the Authority aforeſaid, That every Gaoler or Keeper of any Priſon ſhall, and is hereby required to ſuffer, in the Day-time, any Perſon or Perſons deſiring the ſame, to ſee and ſpeak, in the Lodge, or ſome convenient Room of the ſaid Priſon, with any Priſoner or Priſoners, whoſe Names are inſerted in the afore-mentioned Liſt or Liſts, or *London Gazette*, or other News-paper, or any of them, or any Perſons ſurrendering themſelves purſuant to this Act; and alſo ſee, in the true and genuine Books of the ſaid Priſon, the Entries made of the Name or Names of ſuch Priſoner or Priſoners, together with the Name or Names of the Perſon or Perſons at whoſe Suit or Suits he, ſhe, or they, are detained: And if any ſuch Gaoler or Keeper ſhall neglect or refuſe to comply with what is here above required, every ſuch Gaoler or Keeper, who ſhall ſo offend in the Premiſes, ſhall forfeit and pay to the Perſon ſo refuſed and aggrieved the Sum of forty Pounds; to be recovered, with Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed, by and in the Name or Names of the Perſon or Perſons ſo refuſed and aggrieved.

Priſoners future Eſtate, or Money in the Funds, notwithſtanding their

'XXXIV. And whereas ſeveral Perſons who have taken the Benefit of Acts of Inſolvency, from a Diſ-'ficulty of obtaining a new Credit to ſet themſelves up in their uſual Trades and Occupations (as their 'future Effects have been made liable to their Debts previous thereto), have gone abroad, for the better 'Maintenance

'Maintenance of themſelves and Families, carrying the Arts and Manufactures of this Country to our 'Enemies, or Rivals in Trade:' In order to prevent ſuch Evil for the future, be it enacted, That the future real Eſtates, as well Freehold and Copyhold, as Cuſtomary Copyhold, or Money in the Funds, or lent upon real Security only, of every ſuch Perſon or Perſons, Priſoner or Priſoners, Fugitive or Fugitives, which, after the Time of his, her, or their total Surrender of his, her, or their Eſtates and Effects, under ſuch Acts, he, ſhe, or they, ſhall or may be ſeiſed of, in his, her, or their own Right or Uſe, by Grant, Demiſe, or Purchaſe, ſhall remain and be liable to his, her, and their reſpective Creditors, as before the making of this Act: And any Creditor or Creditors of any ſuch Priſoner or Priſoners, Fugitive or Fugitives, may, at any Time hereafter, ſue out Execution, Extents, or other Proceſs, againſt ſuch real Eſtate as aforeſaid of ſuch Perſon or Perſons, on any Judgment at the Time of ſuch Diſcharge recovered, or Statute-ſtaple, or Recognizance acknowledged by, or Sentence or Decree obtained againſt, any ſuch Priſoner or Fugitive; but not againſt his, her, or their Perſon, or his, her, or their perſonal Eſtate or Effects, obtained or accrued ſince ſuch Time of ſuch Diſcharge, other than as aforeſaid.

perſonal Diſcharge, liable to Creditors;

who may ſue out Execution, but not againſt their Perſons, or perſonal Effects obtained ſince their Diſcharge.

XXXV. And be it alſo enacted, That any Creditor or Creditors of any Priſoner or Priſoners, Fugitive or Fugitives, who ſhall be diſcharged under this Act, may, at any Time after any ſuch Diſcharge, commence and proſecute any Action or Suit againſt any ſuch Priſoner or Fugitive, his, her, or their reſpective Heirs, Executors, or Adminiſtrators, for the Recovery of any Sum or Sums of Money which ſhall be due from any ſuch Priſoner or Priſoners, Fugitive or Fugitives, at the Time of his or her ſaid Diſcharge, but ſhall not hold the Perſon of any ſuch Priſoner or Fugitive to Special Bail; nor ſhall take the Perſon, or perſonal Eſtate and Effects, other than as aforeſaid, of any ſuch Priſoner or Fugitive, in Execution, by any Judgment, Sentence, or Decree, which ſhall have been, or hereafter may be, recovered or obtained againſt any ſuch Priſoner or Fugitive; and any Judge of the Court, out of which ſuch Execution ſhall iſſue, ſhall have Power to diſcharge the ſame, by virtue of this Act: And in any Action or Suit, which ſhall be hereafter commenced againſt any ſuch Priſoner or Fugitive, his or her Heirs, Executors, or Adminiſtrators, no Benefit or Advantage ſhall be had or taken for that the Cauſe of Action did not accrue within three Years next before the commencing of any ſuch Action or Suit; nor ſhall any Statute or Limitation be pleadable, or be allowed to be pleaded in Bar of or in any ſuch Action or Suit, which ſhall be hereafter commenced by any ſuch Creditor or Creditors againſt any ſuch Priſoner or Priſoners, unleſs ſuch Cauſe of Action or Suit did not accrue within three Years next before any ſuch Priſoner or Fugitive ſhall be diſcharged under this Act; and, in any ſuch Caſe, the ſame may be pleaded by any ſuch Priſoner, his or her Heirs, Executors, or Adminiſtrators.

Creditors may ſue for the Recovery of Debt due at the Time of the Priſoner's Diſcharge, but not hold the Priſoner to Special Bail, nor take his Perſon, &c. by any Judgment recovered againſt him; and no Advantage is to be taken of the Cauſe of Action not accruing within three Years, nor of the Statute of Limitation.

XXXVI. Provided always, and be it likewiſe enacted, That by the Diſcharge of any Priſoner or Fugitive by force of this Act, no other Perſon or Perſons who was or were Partner or Partners in Trade with any ſuch Priſoner or Fugitive, at the Time of his or her Diſcharge under this Act, or then ſtood bound, engaged with, or liable to, the Payment of any Debt with any ſuch Priſoner or Fugitive, or engaged in any Contract together with any ſuch Priſoner or Fugitive, ſhall be diſcharged from any ſuch Debt or Demand; but every ſuch other Perſon and Perſons ſhall ſeverally ſtand and be chargeable with, and liable to pay, ſuch Debt and Debts, and to perform ſuch Contracts, in like Manner as if any ſuch Priſoner or Fugitive had never been diſcharged from the ſame.

Exception. Diſcharge of Priſoner no Acquittal to the Copartner or Sureties.

XXXVII. And be it further enacted, That if any Gaoler or Keeper, or reputed Gaoler or Keeper, of any Priſon or Priſons, ſhall make, or cauſe to be made, any falſe Entries in any Book or Books belonging to any Priſon or Gaol under his Care, or of which he is or was Gaoler, or ſhall prepare or keep, or cauſe to be prepared or kept, any falſe Book or Books, in order for any falſe or untrue Entry or Entries to be made therein; or ſhall inſert in any Liſt, to be delivered in as aforeſaid, the Name or Names of any Perſon or Perſons who was not a Priſoner or Priſoners in actual Cuſtody in any ſuch Gaol or Priſon upon the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, or ſhall not have ever ſince remained in ſuch actual Cuſtody (except as in the Oath of any ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall be excepted), every ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall, over and above the Penalties which he ſhall be liable to for every ſuch Fraud, forfeit and pay the Sum of five hundred Pounds; to be recovered, with Treble Coſts of Suit, by and in the Name, and for the Uſe, of any Perſon or Perſons who ſhall be prejudiced by any Entry, or ſuch falſe Entries; which Penalties ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Gaoler making falſe Entries in the Priſon Book or Liſts, forfeits 500 l. with Treble Coſts,

over and above all other Penalties for ſuch Fraud.

XXXVIII. And be it further enacted, That if any Priſoner, being thereunto required by any Creditor, ſhall refuſe to diſcover and declare the Trade or Occupation, and Habitation, or laſt Place of Abode, of the Perſon or Perſons at whoſe Suit he or ſhe is detained or charged in Cuſtody; or, being called for and deſired, by any Creditor or Creditors, to come to the Lodge of the Priſon in which any ſuch Priſoner ſhall be confined, without ſome reaſonable Cauſe being made appear to the contrary; every ſuch Priſoner, upon Proof being made thereof before the Juſtices at any General or Quarter Seſſion of the Peace, or any Adjournment thereof, to be held as aforeſaid, ſhall not have or receive any Benefit or Diſcharge by or under this Act; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Priſoner refuſing to declare the Abode, &c. of the Perſon at whoſe Suit he is detained, or to come to the Creditor in the Lodge, is excluded the Benefit of this Act.

'XXXIX. And whereas there is but one Common or County Gaol for each of the reſpective Counties 'of *York*, *Lincoln*, *Lancaſter*, and *Durham*, which ſaid Counties are each of them divided into ſeveral 'Ridings or Diviſions, all which have ſeveral Commiſſions of the Peace; and if the Gaolers of thoſe 'Gaols be obliged to carry the Debtors, Priſoners therein, to the Quarter Seſſion of each Riding or Di-'viſion, the ſame will be a very great Charge, not only to ſuch Gaolers, but alſo to the Priſoners in 'thoſe large Counties;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for two or more Juſtices of the Peace for any of the Ridings or Diviſions in the reſpective Counties (or

Juſtices may aſſemble at any convenient Place near to either of the County Gaols,

and hold a Seſſion there for Diſcharge of Priſoners.

(or any other County or Counties where the Priſons are at a Diſtance from the Place where the Seſſions are held), at the Common or County Gaol thereof reſpectively, or at ſome convenient Place near thereto, and they are hereby required to aſſemble and meet, and to hold Seſſion there, by Adjournment from their reſpective Quarter Seſſion, from Time to Time, for the Diſcharge of the reſpective Priſoners therein, according to the Powers, Limitations, and Directions of this Act.

Juſtices for the County of Surrey may aſſemble at the Town-hall of Southwark for adminiſtering Oaths, &c.

'XL. And whereas the next General Quarter Seſſion of the Peace for the County of *Surrey*, which 'will happen after the paſſing of this Act, will be in the County, and upwards of twenty Miles from 'any of the ſaid Priſons;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for ſuch Juſtices as ſhall be aſſembled at the General Quarter Seſſion of the Peace to be holden for the County of *Surrey* next after the paſſing of this Act, and they are hereby required forthwith to adjourn the ſaid Seſſion to the Town-hall in the Borough of *Southwark*, for the Purpoſe of adminiſtering the Oaths required to be taken and ſubſcribed by this Act, by the ſeveral Gaolers within the ſaid County wherein any Priſoner or Priſoners are confined, and to the diſcharging ſuch reſpective Priſoner or Priſoners confined therein, according to the Powers, Limitations, and Directions, of this Act.

Thoſe who are Priſoners for their Fees, or other Demands of the Gaoler or Officer, to be diſcharged.

XLI. And be it further enacted by the Authority aforeſaid, That all Debtors and others, who were in Priſon on or before the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, or ſince, in any of the Gaols of this Kingdom, and now remain there for not paying their Fees, Rents, or any other Demands due, or claimed, as due to the Keeper or Gaoler of any Priſon reſpectively, or to any other Officer of any ſuch Priſon, and upon no other Account, ſhall be diſcharged therefrom, he, ſhe, or they, taking the Oath by this Act required to be taken by Priſoners.

Debtors to the Crown, and Priſoners who owe above 2000 l. to one Perſon, unleſs the Creditors conſent, are excluded the Benefit of this Act.

XLII. Provided always, That this Act ſhall not extend to diſcharge any Perſon out of Priſon, ſeeking his or her Diſcharge under this Act, with reſpect to any Debt with which he or ſhe ſhall ſtand charged at the Suit of the Crown, if the Diſcharge of ſuch Priſoner is oppoſed by Council, but if not oppoſed, then the ſaid Priſoner to be diſcharged, he complying, in all other Reſpects, to the Directions of this Act; or ſhall be charged by any Body Politick or Corporate, or by any one Perſon, on or before the ſaid twenty-eighth Day of *April*, one thouſand ſeven hundred and ſeventy-four, in any Sum exceeding the Sum of two thouſand Pounds, beſides Intereſt and Coſts, and whoſe Diſcharge ſhall be in Court oppoſed by ſuch Body Politick or Corporate, or one Perſon: And if any ſuch Body Politick or Corporate, Creditor or Creditors, to whom a Sum exceeding two thouſand Pounds ſhall be owing, ſhall oppoſe the Diſcharge of ſuch Priſoner, and ſhall inſiſt that ſuch Priſoner be continued in Gaol, that then, and in ſuch Caſe, ſuch Body Politick or Corporate, or Creditor or Creditors, oppoſing the ſaid Priſoner's Diſcharge as aforeſaid, ſhall, at his, her, or their proper Coſts and Charges, allow and pay, in the Whole, ſuch a weekly Maintenance to the ſaid Priſoner, not exceeding four Shillings, nor leſs than three Shillings and Sixpence *per* Week, in ſuch Manner as the ſaid Juſtices, in their General Quarter Seſſion, or ſome Adjournment thereof, ſhall order; and, upon Non-payment of the ſame for the Space of two Weeks, the ſaid Priſoner, upon Application to the ſaid Juſtices in their General Quarter Seſſion, held as aforeſaid, ſhall be diſcharged, purſuant to the Intent and Meaning of this Act.

On Non-payment for two Weeks, Priſoner to be diſcharged.

Determination of the Juſtices to be final with reſpect to the Retention of any Priſoner;

'XLIII. And whereas, under former Acts, Creditors have been put to great Expences and Trouble 'in attending every Seſſion and Adjournment, during the whole Continuance of the Act, to oppoſe the 'Diſcharge of Priſoners clearly excluded from any Benefit under the ſaid reſpective Acts, but who, after 'having been before one Seſſion heard, and refuſed a Diſcharge, to haraſs their Creditors, conſtantly 'gave freſh Notices for each ſubſequent Seſſion and Adjournment of their intended Application to be diſcharged;' to remedy which, be it further enacted by the Authority aforeſaid, That in all Caſes whatever, the Determination of the Juſtices in Seſſion, or Adjournment, ſhall be final to all Intents and Purpoſes, unleſs the Priſoner ſhall, during the Continuance of this Act, get rid of the Objection or Objections for which they refuſed his Diſcharge; and, that the ſame may be clear and certain, the Juſtices are hereby required to ſtate the Objections why ſuch Priſoner's Diſcharge is refuſed by them; and, in all Caſes whatever, it ſhall and may be lawful to and for the Juſtices, at any ſubſequent Seſſion, or Adjournment, upon Application from the Priſoner, upon due Proof on Oath made to them by two or more credible Witneſſes (and which Oath they are hereby impowered to adminiſter), of each Objection or Objections being removed, and on Proof of Notice ſerved, at leaſt ten Days previous to ſuch Application on the Creditor or Creditors who before oppoſed his Diſcharge, and of Notice likewiſe inſerted in the *Gazette*, in Manner before directed by this Act, to order ſuch Priſoner to be brought before them, and if they ſhall then be of Opinion the ſaid Priſoner is intitled to the Benefit of this Act, to order him to be diſcharged, he taking the Oath, and in all other Reſpects conforming to the Directions of this Act.

unleſs the Priſoner get rid of the Objection for which they refuſed his Diſcharge.

The Juſtices, on Proof by two Witneſſes of Objection being removed, &c. may diſcharge ſuch Priſoner.

Diſcharges to be obtained by Auguſt 1, 1776.

XLIV. Provided always, That every Fugitive or Fugitives, intitled, or to be intitled, to the Benefit of this Act, ſhall obtain their reſpective Diſcharges on or before the firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-ſix, or ſhall be excluded from all Benefit of this Act.

Perſons ſeiſed of an Eſtate Tail, claiming the Benefit of this Act, are to deliver up the ſame to the Creditors,

'XLV. And whereas it may happen that ſeveral Perſons, who may claim and be intitled to the Be- 'nefit of this Act, are ſeiſed of an Eſtate Tail, in ſome Freehold or Copyhold Lands, Tenements, or 'Hereditaments, which Entail, with the Remainders thereupon expectant, they have, by Law, Power to 'defeat and bar, either by levying a Fine or Fines, ſuffering a common Recovery or common Recove- 'ries, or by Surrender or Surrenders thereof, whereby ſuch Perſon or Perſons ſaid Freehold or Copyhold 'Lands, Tenements, or Hereditaments, would be liable to the Payment of their Debts, and be deli- 'vered up, according to the Terms of this Act, for the Benefit of their Creditors;' be it therefore enacted by the Authority aforeſaid, That in every ſuch Caſe, ſuch Perſon or Perſons, ſo ſeiſed as aforeſaid, and who ſhall be intitled to, and claim the Benefit of, this Act, ſhall, to all Intents and Purpoſes whatſoever in Law, be deemed and taken, and is and are hereby declared to be ſeiſed of ſuch Lands, Tenements, and Hereditaments, in Fee: Provided the ſame ſhall be delivered up to the Creditor or Creditors of

Proviſo.

of every ſuch Priſoner, in the ſame Manner as if ſuch Perſon or Perſons had actually levied a Fine, ſuffered a common Recovery or Recoveries, or made a Surrender or Surrenders thereof, and thereby had become ſeiſed in Fee; any Law, or Conſtruction of Law, to the contrary thereof in any-wiſe notwithſtanding.

Aſſignees may apply for further Examination of Priſoner, touching the Diſcovery of his Effects, &c.

'XLVI. And whereas many Perſons, who may take the Benefit of this Act, have been great Dealers, 'or otherwiſe engaged in large Tranſactions, whereby they may be intitled to ſundry and great Debts 'and Demands, of various and intricate Natures, and they may be intitled to Equities of Redemption of 'Eſtates, ſubject and liable to Mortgages, Judgments, or other Incumbrances, or to Reverſions, Re'mainders, or other contingent Eſtates in Lands, Tenements, or Hereditaments, or to other Truſts or 'Intereſts in Eſtates, both Real and Perſonal, which may not be ſufficiently deſcribed or diſcovered in 'the Schedule or Inventory before directed to be delivered in upon Oath, as aforeſaid, or which may 'want his Aid or Aſſiſtance to adjuſt, make out, recover, or manage, for the Benefit of the Creditors;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the reſpective Aſſignees of the Eſtate and Effects of ſuch Priſoner or Priſoners who ſhall obtain his, her, or their Diſcharge, in purſuance of this Act, or any other Perſon or Perſons, duly authoriſed by them for that Purpoſe, from Time to Time, to apply to any two or more of the Juſtices of the Peace for the County, Riding, Diviſion, City, Town, Place, or Liberty, where ſuch Perſon or Perſons ſhall be then reſiding, thereby deſiring that ſuch Perſon or Perſons may be further examined as to any Matters or Things relating to his, her, or their Eſtate or Effects; whereupon ſuch Juſtices ſhall ſend for, or call before them, ſuch Perſon or Perſons, by ſuch Warrant, Summons, Ways, or Means, as they ſhall think fit; and, upon ſuch Perſon's appearing, ſhall examine him, her, or them, as well upon Oath as otherwiſe, as to ſuch Matters and Things, as ſuch Aſſignee ſhall deſire, relating to the Eſtate and Effects of ſuch Perſon or Perſons; and if any Perſon or Perſons (on Payment, or Tender of Payment, of ſuch reaſonable Charges as ſuch Juſtices ſhall judge ſufficient), ſhall neglect or refuſe to come and appear, not having a lawful Excuſe, to be made known to ſuch Juſtices, and by them allowed, or, being come before them, ſhall refuſe to be ſworn, or to anſwer to all ſuch Queſtions as by ſuch Juſtices ſhall be put to him, her, or them, relating to the Diſcovery of his, her, or their Eſtate or Effects ſo veſted, or intended to be veſted, in ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or in ſuch Aſſignees as aforeſaid, that then it ſhall and may be lawful to and for ſuch Juſtices, by Warrant under their Hands and Seals, to apprehend ſuch Perſon or Perſons ſo offending as aforeſaid, and him, her, or them, to commit to the common Gaol, there to remain, without Bail or Mainprize, until ſuch Time as he, ſhe, or they, ſhall ſubmit him, her, or themſelves, to ſuch Juſtices, and anſwer upon Oath to all ſuch lawful Queſtions as ſhall, by ſuch Juſtices, be put to him, her, or them, for the Purpoſes aforeſaid.

and Juſtices may ſend for and examine the Priſoners accordingly.

Perſons refuſing to appear, or to anſwer upon Oath, may be committed.

20l. per Cent. allowed on diſcovering within twelve Months any Part of the Priſoner's Eſtate not returned in the Schedule.

XLVII. And be it further enacted by the Authority aforeſaid, That all and every ſuch Perſon and Perſons who ſhall, within twelve Months after the Diſcharge of ſuch Priſoner or Priſoners, voluntarily come in and make a Diſcovery of any Part of ſuch Debtor or Debtors Real or Perſonal Eſtate, as ſhall not be compriſed in ſuch Schedule as aforeſaid, before any Juſtices aforeſaid, ſhall be allowed after the Rate of twenty Pounds *per Centum*, out of the Net Produce of ſuch Debtor or Debtors Eſtate which ſhall be recovered on ſuch Diſcovery, and which ſhall be paid to ſuch Perſon or Perſons ſo diſcovering the ſame, by the Aſſignee or Aſſignees of ſuch Priſoner's Eſtate and Effects.

Diſcharge obtained fraudulently, void.

XLVIII. Provided always, and be it enacted, That notwithſtanding the Diſcharge of any Priſoner or Priſoners by virtue of this Act, if it ſhall hereafter appear the ſame was obtained fraudulently, or that any Part of the Oath taken by any ſuch Priſoner was not true; then, and in every ſuch Caſe, every ſuch Diſcharge ſhall be void and of none Effect.

Perſons concealing any Eſtate or Effects of the Priſoner, forfeit 100l. and Double Value, with Treble Coſts of Suit.

'XLIX. And, for the better Diſcovery of the Eſtate and Effects of any Priſoner who ſhall be diſ'charged by virtue of this Act,' be it enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall have accepted of any Truſt or Truſts, and ſhall wilfully conceal or protect any Eſtate, Real or Perſonal, of any ſuch Priſoner from his Creditors, and ſhall not, within thirty Days after any Aſſignee or Aſſignees ſhall, in purſuance of this Act, be choſe of any ſuch Priſoner's Eſtate, diſcover and diſcloſe to ſuch Aſſignee or Aſſignees ſuch Truſt and Eſtate, in Writing, and deliver up or make over the ſame to ſuch Aſſignee or Aſſignees, he, ſhe, or they, ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds, and alſo double the Value of the Eſtate, either Real or Perſonal, ſo concealed, to and for the Uſe of the Creditors of any ſuch Priſoner; to be recovered by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, in the Name or Names of the Aſſignee or Aſſignees of ſuch Priſoner's Eſtate, together with Treble Coſts of Suit.

Aſſignees, with Conſent of the Majority in Value of the Creditors, may compound for Debts due to the Priſoner's Eſtate;

and may ſubmit any Diſpute relating thereto to Arbitration.

L. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful, at all Times hereafter, for any Aſſignee or Aſſignees of the Eſtate or Effects of any Priſoner or Priſoners, who ſhall be choſe in purſuance of this Act, by and with the Conſent of the major Part in Value of ſuch Priſoner or Priſoners Creditors, who ſhall be preſent at a Meeting to be held on twenty-one Days publick Notice being previouſly given for the Purpoſe hereafter mentioned in the *London Gazette*, if the Priſoner was in Cuſtody in *London*, or within the weekly Bills of Mortality, and if not, then alſo in ſome News-paper which ſhall be publiſhed in the County, City, or Place, in or near which any ſuch Perſon ſhall have been in Gaol, to make Compoſition with any Perſon or Perſons, Debtors, or Accountants, to ſuch Priſoner or Priſoners, where the ſame ſhall appear neceſſary or reaſonable; and to take ſuch reaſonable Part of any ſuch Debt as can, upon ſuch Compoſition, be gotten, in full Diſcharge of ſuch Debts and Accounts, and alſo to ſubmit any Difference or Diſpute between ſuch Aſſignee or Aſſignees and any Perſon or Perſons, for or on account, or by reaſon or means of any Matter, Cauſe, or Thing, relating to ſuch Priſoner or Priſoners Eſtate or Effects, or to any Debt or Debts due, or claimed to be due, to or from ſuch Priſoner or Priſoners to the final End and Determination of Arbitrators, to be choſen by the ſaid Aſſignee or Aſſignees, and the major Part in Value of ſuch Creditors, and the Party or Parties with whom they ſhall have no Difference,

ence, and to perform the Award of ſuch Arbitrators, or of any Umpire to be choſen by them, or otherwiſe to ſettle and agree the Matters in Difference or Diſpute between them, in ſuch Manner as the ſaid Aſſignee or Aſſignees, with ſuch Conſent as aforeſaid, ſhall think fit, and can agree; and the ſame ſhall be binding to all the Creditors of ſuch Priſoner or Priſoners; and every ſuch Aſſignee or Aſſignees is and are hereby indemnified for what they ſhall fairly do in the Premiſes, in purſuance of this Act.

If Aſſignees die before the Effects of the Priſoners are got in, and their Heirs, &c. refuſe to act, other Aſſignees to be appointed, and Creditors to obtain a new Aſſignment from the Clerk of the Peace, which the Juſtices are to direct. Clerk of the Peace to obey the Order, as if no Aſſignment had been made.

'LI. And whereas, under former Acts of this Nature no Proviſion was ever made what ſhould be-'come of the Eſtate and Effects of any Priſoner or Priſoners, Fugitive or Fugitives, not got in, obtained, or 'recovered, by any Aſſignee or Aſſignees, choſe purſuant to the Directions of the ſeveral Acts, at the Time 'of his or their Death or Deaths, and whoſe Heir or Heirs, Executors, Adminiſtrators, and Aſſigns, re-'fuſed to act or meddle therein;' to remedy which, be it enacted, That in all ſuch Caſes, it ſhall and may be lawful to and for the Creditors of every ſuch Priſoner or Priſoners, Fugitive or Fugitives, to chuſe a new Aſſignee or Aſſignees in Manner and Form as herein-before is directed, and to obtain a new Aſſignment from the Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, purſuant to the Order of the Juſtices; and which ſaid Order the ſaid Juſtices are hereby required and impowered to direct (on due Proof on Oath being made to them of the Death of ſuch former Aſſignee or Aſſignees, and Refuſal of his or their Heirs, Executors, Adminiſtrators, and Aſſigns, to act or meddle therein); and the ſaid Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, are hereby impowered to obey the ſame, and execute ſuch Aſſignment accordingly, in Manner and Form as if no former Aſſignment had ever been made, the ſaid Aſſignee or Aſſignees, Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, hereby conforming to all Orders and Directions made by this Act relative to them, or any of them; and to be liable to all ſuch Pains and Penalties as are inflicted on them, or any of them, by virtue of this Act, for Diſobedience in any Part thereof, or Neglect of Duty whatever: And in caſe any ſuch Aſſignee or Aſſignees ſhall die, and his Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall refuſe to act; that then, and in ſuch Caſe, it ſhall be lawful for ſuch Juſtices of the Peace to appoint a new Aſſignee or Aſſignees, with the like Powers and Authorities as are given by this Act, and the ſaid Juſtices ſhall have Power, in a ſummary Way, to oblige the Heirs, Executors, Adminiſtrators, and Aſſigns of ſuch Aſſignee or Aſſignees, to account and deliver up all ſuch Eſtates and Effects as ſhall remain in his or their Hands, to be applied for the Purpoſes of this Act.

Aſſignees complained againſt for Inſufficiency, Fraud, Miſmanagement, or other Miſbehaviour; the Court thereupon is to ſummon the Parties, and make ſuch Orders therein as they ſhall think fit.

'LII. And, to the Intent and Purpoſe that the Eſtate and Effects of ſuch Priſoner or Priſoners as ſhall 'be diſcharged by virtue of this Act may be duly and faithfully applied for the Benefit of his, her, or 'their real Creditors,' be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the reſpective Courts at *Weſtminſter*, and the Courts of Great Seſſions in *Wales*, and the Principality of *Cheſter*, and the Counties Palatine of *Lancaſter* and *Durham* reſpectively, from whence any Proceſs iſſued upon which any ſuch Priſoner or Priſoners was or were committed, or where the Proceſs iſſued out of any other Court, to and for the Judges of the Court of King's Bench, Common Pleas, and Exchequer, or of Great Seſſions aforeſaid, within their reſpective Juriſdictions, or any one of them, from Time to Time, upon the Petition of any ſuch Priſoner, or the Creditor or Creditors of ſuch Priſoner or Priſoners, complaining of any Inſufficiency, Fraud, Miſmanagement, or other Miſbehaviour of any Aſſignee or Aſſignees of the Eſtate or Effects of any ſuch Priſoner or Priſoners, to ſummon all Parties concerned, and, upon hearing the Parties concerned therein, to make and give ſuch Orders and Directions therein, either for the Removal or Diſplacing ſuch Aſſignee or Aſſignees, and appointing any new Aſſignee or Aſſignees in the Place or Stead of ſuch Aſſignee or Aſſignees ſo to be removed or diſplaced, or for the prudent, juſt, or equitable Management or Diſtribution of the Eſtate and Effects of any ſuch Priſoner, for the Benefit of the reſpective Creditors, as the ſaid Courts or Judges reſpectively ſhall think fit; and in caſe of the Removal or Diſplacing of any Aſſignee or Aſſignees, and the Appointing of any new Aſſignee or Aſſignees, the Eſtate or Effects of ſuch Priſoner or Priſoners ſhall, from thenceforth, be diveſted out of the Aſſignee or Aſſignees ſo removed or diſplaced, and be veſted in, and delivered over to, ſuch new Aſſignee or Aſſignees, in the ſame Manner, and for the ſame Intents and Purpoſes, as the ſame were before veſted in the Aſſignee or Aſſignees firſt choſe as aforeſaid; any Thing in this Act contained to the contrary notwithſtanding.

Where mutual Credit has been given, the Balance to be ſtated and allowed.

LIII. Provided always, and be it enacted by the Authority aforeſaid, That in all Caſes where mutual Credit hath been given between any Priſoner or Priſoners, who ſhall be diſcharged in purſuance of this Act, and any other Perſon or Perſons, or Body Politick or Corporate, before the Delivery of ſuch Schedule or Inventory of the Eſtate and Effects of ſuch Priſoner or Priſoners, upon Oath as aforeſaid, the reſpective Aſſignee and Aſſignees of ſuch Priſoner or Priſoners is and are hereby authoriſed and required, on his and their Parts, to ſtate and allow an Account between them and the other Party or Parties concerned; and nothing more ſhall be deemed to be veſted in ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or ſuch Aſſignee or Aſſignees under ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as the Eſtate or Effects of ſuch Priſoner or Priſoners, than what ſhall appear to be juſtly due to him, her, or them reſpectively, as and for the Balance of ſuch Account, when truly ſtated.

Perſons committed for not paying Money awarded under Submiſſions to Arbitration; and for not paying Coſts; and upon Writ of *Excommunicato Capiendo*, &c.

'LIV. And whereas many Perſons are often committed on Attachments, for not paying Money 'awarded to be paid under Submiſſions to Arbitrations by Rules of Court, or under Submiſſions to Arbi-'tration Bonds, and which Submiſſions have been made Rules of Court, in purſuance of an Act, paſſed 'in the ninth and tenth Years of the Reign of *William* the Third, for determining Differences by Arbi-'tration; and likewiſe for not paying of Coſts duly and regularly taxed and allowed by the proper Offi-'cer, after proper Demands made for that Purpoſe; and alſo upon any Writ of *Excommunicato Capiendo*, 'or other Proceſs for, or grounded on, the Non-payment of Coſts or Expences in any Cauſe or Pro-'ceeding in any Eccleſiaſtical Court;' it is hereby declared and enacted, That all ſuch Perſons are and ſhall

'shall be intitled to the Benefit of this Act, on and subject to the same Terms and Conditions as are herein 'expressed and declared with respect to Prisoners for Debt only: 'And whereas great Numbers of poor 'People have been and are now imprisoned for Debt, upon Processes issuing out of Courts of Con-'science;' it is hereby enacted and declared, That all such Prisoners shall be intitled to have the Benefit of this Act, and be discharged under the same, provided he, she, or they, conform to the Directions herein-before prescribed, touching other Prisoners who shall be discharged by virtue of this Act.

are intitled to the Benefit of this Act.

Those who are Prisoners upon Process out of Courts of Conscience, to have the Benefit of this Act.

LV. And be it further enacted by the Authority aforesaid, That in all Cases wherein by this Act an Oath is required, the solemn Affirmation of any Person, being a Quaker, shall and may be acepted and taken in lieu thereof; and every Person making such Affirmation, who shall be convicted of wilful and false Affirming, shall incur and suffer such and the same Penalties as are inflicted and imposed by this Act upon Persons convicted of wilful and corrupt Perjury.

Quaker's Affirmation to be taken in lieu of an Oath.

LVI. Provided always, and be it further enacted by the Authority aforesaid, That no Person who took the Benefit of an Act, passed in the Ninth Year of the Reign of his present Majesty King *George* the Third (intituled, *An Act for the Relief of Insolvent Debtors)*, or of an Act, passed in the twelfth Year of the Reign of his present Majesty King *George* the Third (intituled, *An Act for the Relief of Insolvent Debtors, and for indemnifying the Marshal of the* King's Bench Prison *from Prosecutions at Law for certain Escapes from the said Prison)*, shall have or receive any Benefit or Advantage of or under this Act, nor be deemed to be within the Intent and Meaning thereof, so as to be discharged under the same; any Thing herein-before contained to the contrary notwithstanding.

Persons who took the Benefit of the Act of 9 Geo. 3. excluded.

LVII. Provided also, and it is hereby enacted, That nothing in this Act contained shall extend to that Part of *Great Britain* called *Scotland*.

This Act not to extend to Scotland.

'LVIII. And whereas Bankrupts who have not obtained their Certificates and Discharge of their 'Debts, under some one of the Acts relating to Bankrupts, have not been deemed to be within the 'Meaning of Acts of Insolvency, as such Bankrupts have no Schedules to deliver up according to the 'Terms and Conditions of such Acts; nevertheless, as many Bankrupts are confined in Prison for Debt 'only, though they have already delivered up their whole Estates and Effects, or from a Fear of being 'arrested and thrown into Prison, do abscond from their Homes, and go into Foreign Parts;' be it further enacted by the Authority aforesaid, That such Person or Persons against whom a Commission of Bankruptcy hath been awarded and issued, on or before the twenty-eighth Day of *April*, one thousand seven hundred and seventy-four, who hath or have duly conformed, or shall duly conform him, her, or themselves, to the several Acts of Parliament relating to Bankrupts, and hath not or have not been committed to any Prison by a Warrant of the Commissioners, in such Commission named, for Contumacy or Non-compliance to those Laws, and who now is, or are in Prison for Debt, Damages, Contempt, Costs of Suit, or any Sum or Sums of Money due and accrued previous to such Commission, or who now are secreting themselves in fear of their Creditors, and shall be hereafter sued, arrested, or held to Bail, or shall surrender him, her, or themselves, or be surrendered, in Discharge of his, her, or their Bail, or taken in Execution in any Suit or Action for any such Debt or Debts as aforesaid, shall and may, after the Expiration of thirty Days, apply to any one of the Judges of the Court wherein such Process or Processes hath or have issued, to summon his, her, or their Plaintiff or Plaintiffs, to shew Cause why such Bankrupt or Bankrupts should not be discharged from his, her, or their Imprisonment or Arrest, as aforesaid, such Bankrupt or Bankrupts first making Oath before such Judge (or if at a Distance from such Judge, then before a Justice of the Peace), who is hereby authorised to administer such Oath, that such Debt or Debts did accrue previous to the issuing such Commission; and such Plaintiff or Plaintiffs not appearing, or not proving that such Bankrupt or Bankrupts hath or have concealed any Part of his, her, or their Estate or Effects, or hath or have not duly conformed him, her, or themselves to the Laws now in Force against Bankrupts, such Judge shall and may discharge such Bankrupt or Bankrupts from such Imprisonment or Arrest, as aforesaid; such Bankrupt or Bankrupts causing a common Appearance to be entered for him, her, or them, where necessary, in every such Suit or Action; and if any such Bankrupt or Bankrupts shall be afterwards again sued and arrested, or taken in Execution, or imprisoned in any Suit or Action for such Debt or Debts previous to such Commission as aforesaid, any Judge of the Court wherein such Process issued shall, upon Summons of the proper Party or Parties, immediately discharge such Bankrupt or Bankrupts from such Arrest or Imprisonment; nevertheless such Bankrupt or Bankrupts shall, in all other Respects, be deemed subject to the Laws in Force against Bankrupts; and every Sheriff and Sheriffs, Bailiff and Officer, Gaoler and Keeper of a Prison, is and are hereby required, on proper Notice being given of such Judge's Discharge, to release and set free such Bankrupt or Bankrupts out of his or their Custody, and each and every of them is and are hereby indemnified from any Action or Actions that may be brought, commenced, or prosecuted against him or them for any Escape for or on account thereof.

Clause for Relief for Bankrupts who have not obtained Certificates and Discharge of their Debts.

'LIX. And whereas many Bankrupts who were included within the Benefit of the late Act of the 'twelfth Year of his present Majesty's Reign, relating to Bankrupts, have not as yet returned Home, or 'cannot act in their several Occupations for the Maintainance of themselves and Families, from some certain 'Circumstances of their Case;' be it enacted, That such Person or Persons against whom a Commission of Bankruptcy hath been awarded and issued, on or before the twenty-fifth Day of *March*, one thousand seven hundred and seventy-two, and who having in all Things conformed themselves to the several Acts now in Force relating to Bankrupts, by their Surrender and Submission thereto, and who have not been committed for any Act of Contumacy or Nonconformity, yet who hath not, or have not, gained a total Discharge from his, her, or their Creditors of his or their Debts under such Commission, shall have Liberty to petition or apply by Motion of Court to the Lord Chancellor, the Lord Keeper, or Lords Commissioners

Clause with respect to Bankrupts included in the Act 12 Geo. 3.

ers of the Great Seal for the Time being, ſetting forth any ſuch Grievance or other Circumſtances, he, ſhe, or they, may lie under, relative to ſuch Commiſſion; which Petition or Matter the Lord Chancellor, the Lord Keeper, or Lords Commiſſioners aforeſaid, may refer to a Maſter in Chancery; and upon ſuch Report or Hearing thereof, ſhall have Power and Authority to direct the Commiſſioners in the Commiſſion named to certify the Proceedings under ſuch Commiſſion, and ſhall grant ſuch Order thereupon, for the Diſcharge or Relief of ſuch Bankrupt or Bankrupts, as to his or their Lordſhips ſhall ſeem proper; any Law or Uſage to the contrary notwithſtanding.

CAP. LXXVIII.

An Act for the further and better Regulation of Buildings, and Party-walls; and for the more effectually preventing Miſchiefs by Fire within the Cities of *London* and *Weſtminſter*, and the Liberties thereof, and other the Pariſhes, Precincts, and Places, within the Weekly Bills of Mortality, the Pariſhes of *Saint Mary-le-Bon*, *Paddington*, *Saint Pancras*, and *Saint Luke* at *Chelſea*, in the County of *Middleſex*; and for indemnifying, under certain Conditions, Builders and other Perſons againſt the Penalties to which they are or may be liable for erecting Buildings within the Limits aforeſaid contrary to Law.

Preamble. 12 Geo. 3. c. 73.

'WHEREAS an Act of Parliament, made and paſſed in the twelfth Year of his preſent Majeſty's Reign, intituled, *An Act for the better Regulation of Buildings and Party-walls within the Cities of* London *and* Weſtminſter, *and the Liberties thereof, and other the Pariſhes, Precincts, and Places in the Weekly Bills of Mortality, the Pariſhes of* Saint Mary-le-Bon *and* Paddington, Saint Pancras, *and* Saint Luke *at* Chelſea, *in the County of* Middleſex, *and for the better preventing of Miſchiefs by Fire within the ſaid Cities, Liberties, Pariſhes, Precincts, and Places; and for amending and reducing the Laws relating thereto into one Act, and for other Purpoſes*, hath been found inſufficient to anſwer the good Purpoſes intended thereby: And whereas it may tend to the Safety of the Inhabitants, and prevent great Inconveniencies to Builders, and Workmen employed in Buildings, within the ſaid Cities, Liberties, Pariſhes, Precincts, and Places, if the Regulations contained in the ſaid Act were repealed, and other Regulations and Proviſions reſpecting ſuch Buildings were eſtabliſhed by Law:' May it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſeveral Churches, Chapels, Meeting-houſes, or other Places of Publick Worſhip, Dwelling-houſes, and all other Buildings whatſoever, at any Time heretofore begun or built, or which ſhall, at any Time or Times hereafter, be begun or built within the ſaid Cities, Liberties, Pariſhes, Precincts, and Places, on new or old Foundations, or on Foundations partly new and partly old, ſhall be diſtinguiſhed by, and divided into, the ſeven ſeveral Rates or Claſſes of Building herein-after deſcribed; and ſuch ſeven ſeveral Rates or Claſſes of Building ſhall be under the Rules and Directions herein-after contained concerning the ſame.

Buildings divided into ſeven Rates or Claſſes.

Firſt Rate of Building.

II. And be it further enacted, That every Church, Chapel, Meeting-houſe, and other Place of Publick Worſhip; and every Houſe or Building for diſtilling and brewing of Liquors for Sale; for making of Soap, for melting of Tallow, for dying, for boiling or diſtilling Turpentine, for caſting Braſs or Iron, for refining of Sugar, for making of Glaſs for Chymical Works for Sale, of what Dimenſion ſoever the ſame reſpectively are or may be; and alſo every Warehouſe and other Building whatſoever, not being a Dwelling-houſe now built, or hereafter to be built (except ſuch Buildings as are herein-after particularly declared to be of the Fifth, Sixth, or Seventh Rate or Claſs of Building), which does or ſhall exceed three clear Stories above Ground, excluſive of the Rooms (if any) in the Roof thereof, or which is or ſhall be of the Height of thirty-one Feet from the Surface of the Pavement, Ground, or Way, above the Area before either of the Fronts thereof, to the Top of the Blocking-courſe or the Coping on the Parapet thereof; and every Dwelling-houſe, now built, or hereafter to be built, which, with the Offices thereto belonging and adjoining, or connected otherwiſe than by a Fence or Fence-wall, or covered Paſſage, open on one or both Sides, when finiſhed, does or ſhall exceed the Value of eight hundred and fifty Pounds; and alſo every Dwelling-houſe, which does or ſhall exceed nine Squares of Building on the Ground-floor, each Square containing one hundred ſuperficial Feet, ſhall be deemed the Firſt Rate or Claſs of Building.

Thickneſs of external Walls to the Firſt Rate.

III. And it is hereby further enacted, That every Front, Side, End, or other external Wall (not being a Party-wall), which ſhall, after the twenty-fourth Day of *June*, in the Year of our Lord one thouſand ſeven hundred and ſeventy-four, be built to any Firſt Rate Building, or to any Addition thereto, or Enlargement thereof, ſhall be built and remain, at the Foundation thereof, of the Thickneſs of two Bricks and an Half in Length, or one Foot nine Inches and an Half at the leaſt; and ſhall from thence regularly and gradually diminiſh on each Side of the Wall two Inches and a Quarter to the Top of the Footing of every ſuch Wall, except where any immediate adjoining Building will not admit of ſuch Footing being made on the Side of ſuch Wall next ſuch adjoining Building; in which Caſe ſuch Footing ſhall be made as near to the Dimenſions herein directed as the Caſe will admit; which Footing ſhall be nine Inches high at the leaſt, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the leaſt; and every ſuch Wall ſhall, from the Top of ſuch Footing, be of the Thickneſs of two Bricks in Length, or one Foot five Inches and an Half at the leaſt, up to the under Side of the one Pair of Stairs Floor; and from thence of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt, up to the under Side of the Plate under the Roof or Gutter of every ſuch Building; and from thence of the Thickneſs of one Brick in Length, or eight Inches and an Half at the leaſt, up to the

the under Side of the Blocking-courſe or Coping on the Parapet of every ſuch Firſt Rate Building; except ſuch Parts of every ſuch Wall as ſhall be wholly of Stone, which Parts, ſo being of Stone, ſhall be of the Thickneſs of fourteen Inches at the leaſt below the Ground-floor, and of nine Inches at the leaſt above the Ground-floor; and except all Receſſes above the Ground-floor in the ſaid Walls, which ſhall be arched over in every Story, ſo nevertheleſs as that the Arch, and the Back of ſuch Receſs, ſhall be reſpectively of the Thickneſs of one Brick in Length, or eight Inches and an Half at the leaſt.

Thickneſs of Party-walls to the Firſt Rate.

IV. And it is hereby further enacted, That every Party-wall which ſhall, after the ſaid twenty-fourth Day of *June*, be built to any Firſt Rate Building, or to any Addition thereto, or Enlargement thereof, ſhall be built and remain, at the Foundation thereof, of the Thickneſs of three Bricks and an Half in Length, or two Feet ſix Inches and an Half at the leaſt; and ſhall, from thence, regularly and gradually diminiſh on each Side of the Wall four Inches and an Half to the Top of the Footing of every ſuch Wall, which Footing ſhall be one Foot high at the leaſt, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the leaſt; and every ſuch Party-wall ſhall, from the Top of ſuch Footing, be of the Thickneſs of two Bricks and an Half in Length, or one Foot nine Inches and an Half at the leaſt, up to the under Side of the Ground-floor; and from thence of the Thickneſs of two Bricks in Length, or one Foot five Inches and an Half at the leaſt, up to the under Side of the Floor of the Rooms (if any) in the Roof of the higheſt Building adjoining to ſuch Party-wall; and from thence of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt, up to the Top of every ſuch Party-wall.

Second Rate;

V. And be it further enacted, That every Warehouſe, Stable, and other Building, not being a Dwelling-houſe, except ſuch Buildings as are herein particularly declared to be of the Firſt, Fifth, Sixth, or Seventh Rate or Claſs of Building, now built, or hereafter to be built, which does or ſhall exceed two clear Stories, and ſhall not contain more than three clear Stories above Ground, excluſive of the Rooms (if any) in the Roof thereof, or which is, or ſhall be, of the Height of twenty-two Feet, and ſhall not be of the Height of thirty-one Feet from the Surface of the Pavement, Ground, or Way, above the Area before either of the Fronts thereof, to the Top of the Blocking-courſe or Coping on the Parapet thereof; and every Dwelling-houſe now built, or hereafter to be built, which, with the Offices thereto belonging and adjoining, or connected, otherwiſe than by a Fence or Fence-wall, or covered Paſſage open on one or both Sides, when finiſhed, does or ſhall exceed the Value of three hundred Pounds, and ſhall not amount to more than the Value of eight hundred and fifty Pounds; and alſo every Dwelling-houſe, which does or ſhall exceed five Squares of Building on the Ground Plan, and ſhall not amount to more than nine Squares of Building on the Ground Plan thereof, ſhall be deemed the Second Rate or Claſs of Building.

Thickneſs of external Wall to the Second Rate.

VI. And it is hereby further enacted, That every Front, Side, or other external Wall (not being a Party-wall), which ſhall, after the ſaid twenty-fourth Day of *June*, be built, to any Second Rate Building, or to any Addition thereto, or Enlargement thereof ſhall be built and remain, at the Foundation thereof, of the Thickneſs of two Bricks in Length, or one Foot five Inches and an Half at the leaſt, and ſhall from thence regularly and gradually diminiſh on each Side of the Wall two Inches and a Quarter to the Top of the Footing of every ſuch Wall, except where any immediate adjoining Building will not admit of ſuch Footing being made on the Side of ſuch Wall next ſuch adjoining Building; in which Caſe ſuch Footing ſhall be made as near to the Dimenſions herein directed as the Caſe will admit; which Footing ſhall be nine Inches high at the leaſt, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the leaſt; and every ſuch Wall ſhall, from the Top of ſuch Footing, be of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt, up to the under Side of the one Pair of Stairs Floor; and from thence of the Thickneſs of one Brick in Length, or eight Inches and an Half at the leaſt, up to the under Side of the Blocking-courſe or the Coping on the Parapet of every ſuch Second Rate Building; except ſuch Parts of every ſuch Wall, being above the Ground-floor, as ſhall be wholly of Stone, which Parts, ſo being of Stone, ſhall be of the Thickneſs of nine Inches at the leaſt; and except all Receſſes above the Ground-floor in the ſaid Walls, which ſhall be arched over, ſo nevertheleſs as that the Arch, and the Back of each ſuch Receſs, ſhall reſpectively be of the Thickneſs of one Brick in Length, or eight Inches and an Half at the leaſt.

Thickneſs of Party-walls to the Second Rate;

VII. And it is hereby further enacted, That every Party-wall which ſhall, after the ſaid twenty-fourth Day of *June*, be built to any Second Rate Building, or to any Addition thereto, or Enlargement thereof, ſhall be built and remain, at the Foundation thereof, of the Thickneſs of three Bricks and an Half in Length, or two Feet Six Inches and an Half at the leaſt, and ſhall from thence regularly and gradually diminiſh on each Side of the Wall four Inches and an Half to the Top of the Footing of every ſuch Wall; which Footing ſhall be nine Inches high at the leaſt, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the leaſt; and every ſuch Party-wall ſhall, from the Top of ſuch Footing, be of the Thickneſs of two Bricks and an Half in Length, or one Foot nine Inches and an Half at the leaſt, up to the under Side of the Ground-floor; and from thence of the Thickneſs of two Bricks in Length, or one Foot five Inches and an Half at the leaſt, up to the under Side of the Floor of the two Pair of Stairs Story; and from thence of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt, up to the Top of every ſuch Party-wall.

Third Rate;

VIII. And be it further enacted, That every Warehouſe, Stable, and other Building, not being a Dwelling-houſe, except ſuch Buildings as are herein particularly declared to be of the Firſt, Fifth, Sixth, or Seventh Rate or Claſs of Building now built, or hereafter to be built, which does or ſhall exceed one clear Story, and ſhall not contain more than two clear Stories above Ground, excluſive of the Rooms (if any) in the Roof thereof, or which is or ſhall be of the Height of more than thirteen Feet, and ſhall not be of the Height of twenty-two Feet from the Surface of the Pavement, Ground, or Way above the Area before either of the Fronts thereof, to the Top of the Blocking-courſe or the Coping on the Parapet thereof; and every Dwelling-houſe now built, or hereafter to be built, which, with the Offices thereto belonging,

belonging, and adjoining or connected, otherwiſe than by a Fence or Fence-wall, or covered Paſſage open on one or both Sides, when finiſhed, does or ſhall exceed the Value of one hundred and fifty Pounds, and ſhall not amount to more than the Value of three hundred Pounds; and alſo every Dwelling-houſe, which does or ſhall exceed three Squares and an Half of Building on the Ground Plan, and ſhall not amount to more than five Squares of Building on the Ground Plan thereof ſhall be deemed the Third Rate or Claſs of Building.

Thickneſs of external Walls to the Third Rate.

IX. And it is hereby further enacted, That every Front, Side, End, or other external Wall (not being a Party-wall), which ſhall, after the ſaid twenty-fourth Day of *June*, be built to any Third Rate Building, or to any Addition thereto, or Enlargement thereof, ſhall be built and remain, at the Foundation thereof, of the Thickneſs of two Bricks in Length, or one Foot five Inches and an Half at the leaſt, and ſhall from thence regularly and gradually diminiſh, on each Side of the Wall, two Inches and a Quarter, to the Top of the Footing of every ſuch Wall, except where any immediate adjoining Building will not admit of ſuch Footing being made on the Side of ſuch Wall next ſuch adjoining Building; in which Caſe ſuch Footing ſhall be made as near to the Dimenſions herein directed as the Caſe will admit; which Footing ſhall be ſix Inches high at the leaſt, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the leaſt; and every ſuch Wall ſhall, from the Top of ſuch Footing, be of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt, up to the under Side of the Ground-floor; and from thence of the Thickneſs of one Brick in Length, or eight Inches and an Half at the leaſt, up to the under Side of the Blocking-courſe or Coping, on the Parapet of every ſuch Third Rate Building.

Thickneſs of Party-walls to the Third Rate.

X. And it is hereby further enacted, That every Party-wall which ſhall, after the ſaid twenty-fourth Day of *June*, be built to any Third Rate Building, or to any Addition thereto, or Enlargement thereof, ſhall be built and remain at the Foundation thereof, of the Thickneſs of three Bricks in Length, or two Feet two Inches at the leaſt, and ſhall from thence regularly and gradually diminiſh on each Side of the Wall, four Inches and an Half, to the Top of the Footing of every ſuch Wall, which Footing ſhall be nine Inches high at the leaſt, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the leaſt; and every ſuch Party-wall ſhall, from the Top of ſuch Footing, be of the Thickneſs of two Bricks in Length, or one Foot five Inches and an Half at the leaſt, up to the under Side of the Ground-floor, and from thence of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt, up to the Top of every ſuch Party-wall.

Fourth Rate.

XI. And be it further enacted, That every Warehouſe, Stable, and other Building not being a Dwelling-houſe, except ſuch Buildings as are herein particularly declared to be of the Firſt, Fifth, Sixth, or Seventh Rate or Claſs of Building, now built, or hereafter to be built, which does not or ſhall not exceed one clear Story above Ground, excluſive of the Rooms (if any) in the Roof thereof, or which is not or ſhall not be of the Height of more than thirteen Feet from the Surface of the Pavement, Ground, or Way, above the Area before either of the Fronts thereof to the Top of the Blocking-courſe or Coping on the Parapet thereof; and every Dwelling-houſe now built, or hereafter to be built, which, with the Offices thereto belonging and adjoining, or connected otherwiſe than by a Fence or Fence-wall, or covered Paſſage open on one or both Sides, when finiſhed, does not or ſhall not exceed the Value of one hundred and fifty Pounds; and alſo every Dwelling-houſe which does not or ſhall not exceed three Squares and an Half of Building on the Ground Plan thereof, ſhall be deemed to be of the Fourth Rate or Claſs of Building.

Thickneſs of external Walls to the Fourth Rate.

XII. And it is hereby further enacted, That every Front, Side, End, or other external Wall, which ſhall, after the ſaid twenty-fourth Day of *June*, be built to any Fourth Rate Building, or to any Addition thereto or Enlargement thereof, ſhall be built and remain at the Foundation thereof of the Thickneſs of two Bricks in Length, or one Foot five Inches and an Half at the leaſt, and ſhall from thence regularly and gradually diminiſh on each Side of the Wall two Inches and a Quarter to the Top of the Footing of every ſuch Wall, except where any immediate adjoining Building will not admit of ſuch Footing being made on the Side of ſuch Wall next ſuch adjoining Building; in which Caſe ſuch Footing ſhall be made as near to the Dimenſions herein directed as the Caſe will admit, which Footing ſhall be ſix Inches high at the leaſt, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the leaſt; and every ſuch Wall ſhall, from the Top of ſuch Footing, be of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt, up to the under Side of the Ground-floor; and from thence of the Thickneſs of one Brick in Length, or eight Inches and an Half at the leaſt, up to the under Side of the Blocking-courſe or Coping on the Parapet of every ſuch Fourth Rate Building.

Thickneſs of Party-walls to the FourthRate.

XIII. And it is hereby further enacted, That every Party-wall, which ſhall, after the ſaid twenty-fourth Day of *June*, be built to any Fourth Rate Building, or to any Addition thereto, or Enlargement thereof, ſhall be built and remain at the Foundation thereof of the Thickneſs of two Bricks in Length, or one Foot five Inches and an Half at the leaſt; and ſhall from thence regularly and gradually diminiſh on each Side of the Wall two Inches and a Quarter to the Top of the Footing of every ſuch Wall; which Footing ſhall be nine Inches high at the leaſt, and wholly below the upper Surface of the Pavement and Flooring-boards of the Cellar Story two Inches at the leaſt; and every ſuch Party-wall ſhall, from the Top of ſuch Footing, be of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt, up to the under Side of the Ground-floor; and from thence of the Thickneſs of one Brick in Length, or eight Inches and an Half at the leaſt, up to the Top of every ſuch Party-wall.

Party-walls to be between Houſe and Houſe, and other Buildings,

XIV. And it is hereby enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, every Houſe or Building thereafter to be built, and being of the Firſt, Second, Third, or Fourth Rate or Claſs of Building herein-before directed, and not having each of them a ſeparate and diſtinct Side-wall on the Part or Parts where they are or ſhall be contiguous, ſhall have Party-walls between Houſe

Houſe and Houſe, or other Buildings, or between ſo much of ſuch Houſe and Houſe, or other Buildings, as ſhall not reſpectively have ſuch ſeparate and diſtinct Walls as aforeſaid: And ſuch Party-walls ſhall extend to the outer Surfaces of the external Incloſures of each of the adjoining Houſes or Buildings: And all Party-walls, and alſo all Chimneys and Chimney-ſhafts, hereafter to be built, ſhall be built wholly of good ſound Bricks or Stone, or of good ſound Bricks and Stone together, except ſuch Timber, Wood, Lead, or Iron Work, as ſhall or may be laid therein, according to the Directions herein-after contained, and alſo except ſuch Piling, Bridging, or Planking, as may be neceſſary for the Foundation thereof; and every ſuch Party-wall ſhall be topped or coped with Stone, Tile, or Brick, and ſhall be of the Dimenſions herein-before directed; and one Half of every ſuch Party-wall between Houſe and Houſe, or between other Buildings, ſhall be built on the Ground or Scite of one of the adjoining Houſes or Buildings, and the other Half thereof ſhall be built on the Ground or Scite of the other of the adjoining Houſes or Buildings; and it ſhall be lawful for the Firſt Builder of any ſuch Party-wall, and for the Workmen employed in building the ſame, to enter upon the Ground adjoining thereto, in order to the building ſuch Party-wall in Manner aforeſaid.

except in ſuch Parts where each have independent Walls.

XV. Provided nevertheleſs, and it is hereby enacted, That every Party-wall which ſhall, after the ſaid twenty-fourth Day of *June*, be built to any Dwelling-houſe, exceeding four Stories in Height from the Foundation thereof, excluſive of the Rooms (if any) in the Roof of either of the Buildings adjoining thereto, ſhall be built in every Particular according to the Directions herein-before contained with reſpect to the Party-walls of the Firſt Rate or Claſs of Building, notwithſtanding ſuch Houſe ſhall not be of the Firſt Rate or Claſs of Building; and every Party-wall which ſhall, after the Time aforeſaid, be built to any Dwelling-houſe containing four Stories in Height from the Foundation thereof, excluſive of the Rooms (if any) in the Roof of either of the Buildings adjoining thereto, ſhall be built in every Particular according to the Directions herein-before contained with reſpect to Party-walls of the Third Rate or Claſs of Building, notwithſtanding ſuch Houſe ſhall be of the Fourth Rate or Claſs of Building only.

All Party-walls above four Stories high to be built as of the Firſt Rate.

Party-walls to Fourth Rate Houſes, being four Stories high, to be built as of the Third Rate.

XVI. And it is hereby further enacted, That every internal Incloſure to be made, after the ſaid twenty-fourth Day of *June*, for ſeparating any Building of the Firſt, Second, Third, or Fourth Rate or Claſs of Building, from any other Building where ſuch Buildings ſhall be in ſeparate Occupations, and every Addition or Enlargement to ſuch internal Incloſure, ſhall be of Brick or Stone, or artificial Stone or Stucco, or of Brick and Stone, or artificial Stone or Stucco together; except ſuch Timber, Wood, Lead, or Iron Work, as may be laid therein, according to the Directions herein-after contained for external Incloſures to ſuch Firſt, Second, Third, or Fourth Rate or Claſs of Building, and alſo except ſuch Piling, Bridging, or Planking, as may be neceſſary for the Foundation of the ſame.

Materials of Diviſions of different Poſſeſſions in the Firſt, Second, Third, and Fourth Rates.

XVII. And it is hereby enacted by the Authority aforeſaid, That in valuing the ſeveral Buildings herein-before declared to be of the Firſt, Second, Third, or Fourth Rate or Claſs of Building, for the Purpoſe of aſcertaining the Rate thereof, ſuch Valuation to be made by the Surveyor or Surveyors to be appointed purſuant to this Act, for the Diſtrict in which the Building is or may be ſituated, by as true a Meaſure and Eſtimation as the Nature of the Caſe will admit; and every ſuch Building ſhall, notwithſtanding any Decay therein, be eſtimated and valued as if the Materials whereof the ſame conſiſts were ſound, and the Work thereof new; and every ſuch Building ſhall be eſtimated and valued at the ſeveral Prices the like Materials and Workmanſhip ſhall be worth at the Time ſuch Valuation ſhall be made; but neither the Soil whereon any ſuch Building ſtands, nor any Fence or Fence-wall (except the Railing to Areas, and Steps before or behind ſuch Building, made for the Purpoſe of incloſing the ſaid Building, with the Offices, Yard, or Appurtenances thereto belonging from any neighbouring Ground), nor any Brick or Stone arched Vault or Vaults, under the Surface of the Ground, either before or behind ſuch Building, nor any Lead, Covering, or Pavements, over ſuch Vaults, nor ſuch Parts of the Party-wall or Party-walls to ſuch Building as ſtand upon Ground not belonging to ſuch Houſe, ſhall be included in any ſuch Valuation; and in aſcertaining the Squares of Building contained in every ſuch Building, being a Dwelling-houſe, the ſame ſhall be taken by the Surveyor or Surveyors as aforeſaid on the Level of the Floor, at the principal Entrance to ſuch Dwelling-houſe, and no more than ſuch Parts of the Party-walls as belong to ſuch Dwelling-houſe ſhall be included in ſuch Admeaſurement: And in caſe the Owner, or any other Perſon intereſted in ſuch Building, ſhall apprehend him or herſelf to be injured by the Admeaſurement or Valuation made by ſuch Surveyor or Surveyors as aforeſaid, it ſhall be lawful for ſuch Owner or other Perſon to apply to the Mayor, or any two Juſtices of the Peace for the City of *London*, if ſuch Building, or any Part thereof, is ſituated within the ſaid City, or otherwiſe to any two Juſtices within whoſe Juriſdiction the ſame is ſituated; and the ſaid Mayor or Juſtices ſhall enquire into the Matter, and ſhall, by his or their Order, declare ſuch Building to be of ſuch Rate or Claſs as the ſame ſhall to him or them appear to be of, according to the Deſcription of the ſeveral Rates or Claſſes herein-before contained; and it ſhall be lawful for any of the Parties between whom ſuch Order ſhall be made to appeal to the Juſtices of the Peace at their General Quarter Seſſions of the Peace, whoſe Order and Determination ſhall be binding and concluſive to all Parties.

Method of aſcertaining the Rate.

Squares taken at the level of the Entrance.

XVIII. And be it further enacted, That every Dwelling-houſe, Warehouſe, Stable, and other Building (except ſuch Buildings, not being Dwelling-houſes, as are herein-before particularly declared to be of the Firſt or Seventh Rate or Claſs of Building), which is or ſhall be at the Diſtance of four Feet, and not eight Feet, from any publick Road, Street, or Cauſeway, and is, or ſhall be, detached from any other Building not in the ſame Poſſeſſion therewith ſixteen Feet at the leaſt, and not thirty Feet, or connected with any other Building only by a Fence or Fence-wall, ſhall be deemed to be of the fifth Rate or Claſs of Building, and ſhall and may be built of any Dimenſions whatever.

Fifth Rate of Building.

XIX. And be it further enacted, That every Dwelling-houſe, Warehouſe, Stable, and other Building (except ſuch Buildings, not being Dwelling-houſes, as are herein-before particularly declared to be of the Firſt Rate or Claſs of Building), which is or ſhall be at the Diſtance of eight Feet from any publick

Sixth Rate of Building.

lick Road, Street, or Cauſeway, and is, or ſhall be detached from any other Building not in the ſame Poſſeſſion therewith at leaſt thirty Feet, or connected with any other Building only by a Fence or Fence-wall, ſhall be deemed to be of the ſixth Rate or Claſs of Building, and ſhall and may be built of any Dimenſions, and with any Materials whatever.

Seventh Rate of Building.

XX. And be it further enacted, That every Cranehouſe, now built, or hereafter to be built, on any Wharf or Quay, and every Shamble, Windmill or Watermill, and alſo every Building which is or ſhall be ſituated without the Cities of *London* and *Weſtminſter*, and the Liberties thereof, uſed for Workſhops or Drying-places for Tanners, Fell-mongers, Glue-makers, Size-makers, Callico-printers, Whitſters, Whiting-makers, Curriers, Leather-dreſſers, Buckram-ſtiffners, Oil-cloth Painters, Wool-ſtaplers, Throwſters, Parchment-makers, and Paper-makers, ſo long and at ſuch Times as they are or ſhall be uſed for ſome or one of thoſe Purpoſes, and no longer, ſhall be deemed the Seventh Rate or Claſs of Building, and may be built of any Dimenſions whatever.

Materials of Cranehouſes.

XXI. And it is hereby further enacted, That every ſuch Cranehouſe which ſhall be erected and built after the ſaid twenty-fourth Day of *June*, and every Addition or Enlargement to any Cranehouſe already built, or hereafter to be built, and every new Side, new End, or other new external Incloſure which ſhall, after the ſaid twenty-fourth Day of *June*, be made to any ſuch Cranehouſe, or to any Addition or Enlargement thereof, ſhall be of Stone, Brick, Slate, Tile, Oak, Elm, Steel, Iron, or Braſs; but every other Building of the Seventh Rate or Claſs of Building, may be erected of any Materials whatever; and no Cranehouſe or other Building of the Seventh Rate or Claſs of Building, or any external Part thereof, ſhall, after the ſaid twenty-fourth Day of *June*, be covered with Pitch, Tar, or any other inflammable Compoſition or Material whatever, nor ſhall, after the ſaid twenty-fourth Day of *June*, be converted to any other Uſe than as aforeſaid.

No Seventh Rate Building to be covered with Pitch, Tar, &c.

Detached Offices deemed of the ſame Rate as if independent of any other Building.

'XXII. And, in order to prevent Doubts which may ariſe concerning the Rate or Claſs of Building of 'any Office or Offices now built, or hereafter to be built, belonging to any Building herein-before declared 'to be of the Firſt, Second, Third, or Fourth Rate or Claſs of Building,' it is hereby further enacted and declared, That every ſuch Office which ſhall be entirely free and detached from ſuch Building to which the ſame belongs, or ſhall be connected therewith only by a Fence or Fence-wall, or covered Paſſage open on one or both Sides, ſhall be deemed to be of the Rate or Claſs of Building ſuch Office would be of, if the ſame did not appertain to any Dwelling-houſe or other Building.

How long old found Party-walls may remain.

'XXIII. And whereas ſome Houſes or other Buildings erected, or begun to be erected, before the ſaid 'twenty-fourth Day of *June*, may have one or more good ſound Party-wall or Party-walls, although not 'built agreeable to the ſeveral Rules herein-before directed to be obſerved concerning Party-walls to be 'built after the ſaid twenty-fourth Day of *June*, and in ſuch Caſe it may happen that one of the adjoining 'Houſes may have been or may hereafter be rebuilt, without making uſe of ſuch Party-wall or Party-walls,' it is therefore hereby enacted, That every ſuch Wall may remain as a Party-wall until both the Houſes or Buildings to which the ſame belongs, or the remaining Houſe or Building, where one has been already rebuilt, ſhall be rebuilt (if ſuch Wall ſhall ſo long continue ſound), and no longer: And that in caſe either of the Houſes or Buildings to which any ſuch Party-wall does belong has been or ſhall hereafter be rebuilt with a Wall againſt ſuch Party-wall (without making uſe of ſuch Party-wall) of the Heights and Thickneſſes herein-before preſcribed for Side-walls, the Proprietor of ſuch remaining Houſe or Building ſhall not, when ſuch remaining Houſe or Building, or when ſuch old Party-wall ſhall be taken down, be intitled to more than one Half of the Materials of ſuch old Party-wall, nor to more than one Half of the Ground on which ſuch old Party-wall was erected; nor ſhall ſuch Proprietor build on more than one Half of the ſaid Ground, unleſs he ſhall have agreed with and ſatisfied the Owner or Owners of ſuch adjoining rebuilt Houſe for the other Half thereof; and in caſe the Parties cannot agree concerning the ſame, and both or either of them ſhall be deſirous of buying or ſelling, the Price, and the Matters in Difference, ſhall be ſettled by a Jury, to be ſummoned, returned, and impanelled as hereafter is mentioned concerning mixed Property: But if ſuch remaining Houſe or Building be of the Firſt, Second, or Third Rate or Claſs of Building, or be four Stories high from the Foundation thereof, excluſive of the Rooms (if any) in the Roof thereof, and if in that Caſe ſuch old Party-wall ſhall not be of the Thickneſs of two Bricks in Length, or one Foot five Inches and an Half at the leaſt, from the Foundation thereof to the under Side of the Ground-floor, and from thence upwards to the Top thereof of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt; then ſuch old Party-wall ſhall, when either of the Houſes or Buildings to which the ſame belongs ſhall be rebuilt, be conſidered as if the ſame had been condemned, or adjudged ruinous, purſuant to the Directions herein-after contained for condemning or adjudging ruinous any unſound Party-wall; or if ſuch old Party-wall ſhall have any Timber or Timbers of any adjoining Building lying through the ſame, and if, when either of the Houſes or Buildings to which the ſame belongs ſhall be rebuilt, the Owner or Owners of ſuch adjoining or remaining Houſe or Building will not permit ſo much of ſuch Timber to be cut off as ſhall leave full ſix Inches of clear Brick Work beyond the End of every ſuch Timber, then every ſuch Wall ſhall be conſidered as if the ſame had been condemned, or adjudged ruinous, purſuant to this Act, and the ſame ſhall be taken down and rebuilt, in ſuch Manner as is herein-after directed concerning Party-walls which ſhall be ſo condemned, or adjudged ruinous.

Where one adjoining built with independent Walls, the Owner of the other to have but Half the Materials, and Half the Scite of the old Party-wall when pulled down.

Party-walls not being of ſufficient Thickneſs to be taken down, when one of the Houſes is rebuilt.

Ends of Timbers lying through old Party-walls to be cut off when one Building is rebuilt.

Timber Partitions to be taken down when one Houſe or one Front is rebuilt.

'XXIV. And whereas ſome Houſes or other Buildings erected, or begun to be erected before the ſaid 'twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, may have one or more good 'and ſound Timber Partition or Timber Partitions between the ſame and the adjoining Houſe or Build-'ing,' it is hereby enacted, That every ſuch Timber Partition may remain until one of the adjoining Houſes or Buildings to which the ſame belongs ſhall be rebuilt, or ſhall have one of the Fronts which ſhall abutt on ſuch Timber Partition, or two-third Parts of one of ſuch Fronts, taken down to the Breſſummer or one Pair of Stairs Floor, and rebuilt, or until ſuch Timber Partition ſhall be condemned, purſuant to the

the Directions herein-after contained, concerning ruinous or defective Party-walls and Party-partitions, and no longer.

'XXV. And, as a further Security againſt Fire,' it is hereby enacted, That no Wall or Walls of any Building of the Firſt, Second, Third, or Fourth Rate or Claſs of Building, already erected or built, or hereafter to be erected or built, or of any Addition or Enlargement made or to be made to any Building of ſuch Firſt, Second, Third, or Fourth Rate or Claſs of Building, which ſhall not be a Party-wall on the ſaid twenty-fourth Day of *June*, ſhall ever be or become a Party-wall, unleſs the ſame ſhall be and remain of the Heights and Thickneſſes above the Footings, and of the Materials herein-before directed concerning Party-walls to be erected after the Time aforeſaid. External Walls ſhall not become Party-wall.

'XXVI. And, as a greater Security from Fire,' it is hereby further enacted, That every Party-wall which ſhall be built after the ſaid twenty-fourth Day of *June*, and every Addition or Enlargement which ſhall be thereafter made to any Party-wall then built, or thereafter to be built, ſhall be carried up, and remain, one Foot ſix Inches at the leaſt above the Roof of the higheſt Building which ſhall gable againſt, or adjoin to, ſuch Party-wall, in every Part of ſuch Party-wall where ſuch Building ſhall gable or adjoin thereto, meaſuring at a Right Angle with the Back of the Rafters of ſuch Roof; and every ſuch Party-wall ſhall be carried up and remain one Foot at the leaſt above the Gutters of the higheſt of ſuch Buildings, except the Height of ſuch Party-wall, where ſo carried up, ſhall exceed the Height of the Blocking-courſe or Parapet of either of the Fronts abutting on the ſame of the higheſt Building adjoining thereto, in which Caſe, the End only of every ſuch Party-wall next ſuch Blocking-courſe or Parapet may be leſs than one Foot above the Gutter, for the Diſtance of two Feet ſix Inches from the Front of ſuch Blocking-courſe or Parapet; and in caſe any Dormer or other Erection is or ſhall be fixed in the Flat or Roof of any Building, within four Feet of any Party-wall, then every ſuch Party-wall ſhall be carried up againſt every ſuch Dormer or other Erection, and ſhall extend for the Breadth of at leaſt two Feet wider, and to the full Height of every Part of every ſuch Dormer or other Erection as ſhall be within four Feet of ſuch Party-wall: And no Receſs ſhall be made in any Party-wall hereafter to be built to any Building of the Firſt, Second, Third, or Fourth Rate or Claſs of Building (except for Chimnies, Flues, Girders, and Beams, and other Timbers, and for the Ends of Walls or Piers, as herein-after is directed), ſo as to reduce ſuch Wall in any Part thereof under the Thickneſs by this Act required for the Party-wall to the higheſt Rate or Claſs of Building to which ſuch Party-wall belongs: And there ſhall not be any Opening whatever, after the ſaid twenty-fourth Day of *June*, made in any Party-wall, except for Communication from one Stack of Warehouſes to another, and from one Stable Building to another; all which Communications ſhall have thereto iron Doors, in ſuch Manner as is herein-after directed; and alſo except ſuch Paſſages or Ways on the Ground for foot Paſſengers, Cattle, or Carriages as may be neceſſary; all which Paſſages or Ways ſhall be arched over with Brick or Stone, or Brick and Stone together throughout, of the Thickneſs of thirteen Inches at the leaſt in every Building of the Firſt and Second Rate or Claſs of Building, and of the Thickneſs of eight Inches and an Half at the leaſt in every Building of the Third or Fourth Rate or Claſs of Building: And if there be any Cellar or Vacuity under any ſuch Paſſage, every ſuch Cellar or Vacuity ſhall be arched over throughout with Brick or Stone, or Brick and Stone together, in the ſame Manner as the Paſſage or Way over ſuch Cellar or Vacuity is hereby directed to be arched. Party-walls to be one Foot ſix Inches above any Building which ſhall gable againſt them. What Receſſes may be in Party-walls. What Openings may be in Party-walls.

XXVII. And it is hereby further enacted, That no Timbers ſhall, at any Time, after the ſaid twenty-fourth Day of *June*, be laid into any Party-arch, except for Bond to the ſame, nor into any Party-wall, other than ſuch Templets, Chains, and Bond-timbers, as ſhall be neceſſary for the ſame; and other than the Ends of Girders, Beams, Purlings, and of binding or trimming Joiſts, or of other principal Timbers; all which Timbers ſhall have at leaſt eight Inches and an Half of ſolid Brickwork between the Ends and Sides of every ſuch Piece of Timber and the Timber of any Building adjoining thereto; and the End of every Girder, Beam, Purling, Binding, or trimming Joiſt, and of every other Piece of principal Timber, may be laid beyond the Centre of any Party-wall hereafter to be built, ſo nevertheleſs as that there be left eight Inches and an Half at the leaſt of ſolid Brick or Stone Work at the End of every ſuch Piece of Timber, except in Places where any Part of the Ends of any ſuch Timber ſhall lie oppoſite to and level with any Part of the Ends of any Timber of any adjoining Building or Buildings, in which Caſe, no Part of ſuch Timbers ſhall approach nearer than four Inches to the Centre of the ſaid Wall. How Ends of Beams may be laid into Party-walls.

XXVIII. And it is hereby further enacted, That no Perſon ſhall cut or maim any Party-arch, nor the Shaft of any Chimney now built, or hereafter to be built, on any Party-wall, for any Purpoſe whatſoever; and that no Perſon ſhall cut or maim any Party-wall now built, or hereafter to be built, other than for the Purpoſes and in the Manner herein-after mentioned; that is to ſay, When the Front or Back Wall of any Houſe or Building, being in a Line with the Front or Back Wall of the Houſe or Building adjoining thereto, ſhall at any Time hereafter be built, it ſhall be lawful to cut a Break not more than nine Inches deep from the external Face of ſuch Front or Back Wall and to the Centre of ſuch Party-wall, for the Purpoſe of inſerting therein the End of ſuch new Front or Back Wall; and in every ſuch Caſe where a Breſſummer and Story-poſts ſhall be fixed in the Ground Story of ſuch new Front or Back Wall, ſuch Break may be cut from the Foundation of ſuch new Front or Back Wall to the Top of ſuch Breſſummer, fourteen Inches deep from the external Face of ſuch Front or Back Wall, and the ſame may be four Inches wide in the Cellar Story, and two Inches wide in the Ground Story, for the Purpoſe of placing therein ſuch Story-poſts and Breſſummers, agreeable to the Directions of this Act: And it ſhall be lawful to cut into any Party-wall for the Purpoſe of tailing in Stone Steps, or Stone Landings, or for placing in ſuch Party-wall Timber for Bearers to Wood Stairs, ſo as no Timber Bearer be laid into any Party-wall nearer than eight Inches and an Half to any Chimney or Flue whatever, or to any Timber of the adjoining Houſe or Building, or nearer than four Inches to the internal Finiſhing of ſuch adjoining Houſe or Building, and for the Purpoſe of laying therein Stone Corbels for the Support of Chimney Jambs, Girders, Beams, Purlings, Binding or Trimming Joiſts, or of other principal Timbers; and it ſhall alſo be lawful to cut perpendicular Party-arches and Party-walls not to be maimed: For what Uſes Party-walls may be cut into.

Receſſes

Receſſes into any Party-wall, not being leſs than thirteen Inches thick, for the Purpoſe of inſerting Walls and Piers therein, ſo nevertheleſs as that no ſuch Receſs be more than fifteen Inches wide, or more than four Inches deep, and that no ſuch Receſs be nearer than ten Feet to any other Receſs; and it ſhall be lawful to cut off the Footing on the Side of any Party-wall where either of the adjoining Buildings ſhall be rebuilt with a Wall againſt ſuch Party-wall; but every Perſon who ſhall cut into any Party-wall for any of the Purpoſes aforeſaid, ſhall immediately make good, and well and effectually pinn up, with Brick, Stone, Slate, Tile, Shell, or Iron, bedded in Mortar, every Defect which ſhall be occaſioned by the Cutting of any ſuch Party-wall: And no Party-wall ſhall be cut for any of the Purpoſes aforeſaid, if the cutting thereof will injure, diſplace, or endanger the Timbers, Chimnies, Flues, or internal Finiſhings of the adjoining Buildings.

Thickneſs of Backs of Chimnies in Party-walls. How Chimnies may be built Back to Back in Party-walls.

XXIX. And it is hereby further enacted, That the Back of every Chimney in every Party-wall which ſhall, after the ſaid twenty-fourth Day of *June*, be built, ſhall be at leaſt thirteen Inches thick in the Cellar Story, and eight Inches and an Half thick in every other Story from the Hearth of every ſuch Chimney to the Height of twelve Inches above the Mantle in every ſuch Chimney; and that no Chimney which ſhall, after the ſaid twenty-fourth Day of *June*, be built in any Party-wall where either of the Buildings adjoining thereto is of the Firſt Rate or Claſs of Building, ſhall be built with the Back thereof againſt the Back of any other Chimney, unleſs the Back of each Chimney in the Cellar Story be at leaſt eight Inches and an Half, and the Back of each Chimney in any of the upper Stories be at leaſt four Inches and a Quarter from the Centre of ſuch Party-wall: And that no Chimney which ſhall, after the ſaid twenty-fourth Day of *June*, be built in any Party-wall, where either of the Buildings adjoining thereto is of the Second, Third, or Fourth Rate or Claſs of Building, ſhall be built with the Back thereof againſt the Back of any other Chimney, unleſs the Back of each Chimney in the Cellar Story be at leaſt ſix Inches and an Half, and the Back of each Chimney in any of the upper Stories be at leaſt four Inches and a Quarter from the Centre of ſuch Wall: And that no Flue ſhall be built oppoſite to another Flue in any Party-wall, unleſs the Back of each Flue be at leaſt two Inches from the Centre of ſuch Party-wall: The Breaſt of every Flue which ſhall, after the ſaid twenty-fourth Day of *June*, be built, whether ſuch Flue be in a Party-wall or not, ſhall be of Brick or Stone at leaſt eight Inches and an Half thick in every Cellar Story, and at leaſt four Inches think in every other Story: All the Withs or Partitions between any Flues which ſhall, after the ſaid twenty-fourth Day of *June*, be built, ſhall be of Brick or Stone, and every ſuch With or Partition of Brick ſhall be at leaſt Half a Brick thick: And every Breaſt and Back of every Chimney, and every Breaſt, Back, and With or Partition of any Flue hereafter to be built, ſhall be rendered or pargetted within and without, except the Outſide thereof which ſhall be next to vacant Ground, in which Caſe, the Back of every Chimney and Flue next ſuch vacant Ground ſhall be by Lime, or in ſome durable Manner, marked and diſtinguiſhed, except in a Fore-front, Back-front, or Side-front of any Building not likely hereafter to be built againſt; and every Back of every ſuch Chimney and Flue ſo being againſt ſuch vacant Ground ſhall be rendered or pargetted as ſoon as any Building ſhall be erected to ſuch Wall.

How Flues may be built Back to Back in Party-walls. Thickneſs of Breaſts of Flues; and Withs. Chimnies to be pargetted.

Chimney jambs Breaſts, &c. to be placed in Party-walls where deſired by Owner of adjoining Ground.

XXX. Provided always, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons, being poſſeſſed of, or intitled unto, any Part of the Ground whereon a Party-wall is intended to be built, ſhall be deſirous of having Chimney-jambs, Breaſts, and Flues of Chimnies, made in any ſuch Party-wall on his, her, or their Part thereof, or ſhall be deſirous of having a Receſs or Receſſes left in the ſaid Party-wall, of the ſeveral Breadths and Depths in and by this Act allowed to be left or cut into any Party-wall, for the Purpoſe of inſerting therein external or internal Walls or Piers, or for any other Purpoſe allowed by this Act, and of ſuch Deſire ſhall give Notice in Writing under his, her, or their Hands, particularly deſcribing every ſuch Chimney-jamb, Breaſt, and Flue, and every ſuch Receſs, to the Builder or Builders of ſuch Party-wall, or any one of them, at any Time before ſuch Party-wall ſhall be begun to be built; then ſuch Builder or Builders of ſuch Party-wall ſhall, after ſuch Notice ſo given, erect, in a proper, ſubſtantial, and workmanlike Manner, ſuch and ſo many Chimney-jambs, Breaſts, and Flues of Chimnies, in all ſuch Parts of every ſuch Party-wall as ſhall be, by the Perſon or Perſons giving ſuch Notice, required; and ſhall alſo leave ſuch Receſſes in every ſuch Party-wall, not being in any Reſpect contrary to the Rules, Regulations, and Reſtrictions, in and by this Act preſcribed: And, from and after the erecting ſuch Jambs, Breaſts, and Flues of Chimnies, ſo required, the Perſon or Perſons giving ſuch Notice, his, her, or their Executors and Adminiſtrators, ſhall be deemed to have made uſe of ſuch Party-wall, and ſhall from thenceforth be liable to pay the whole Expence of erecting and ſetting up all ſuch Jambs, Breaſts, and Flues of Chimnies, erected in purſuance of ſuch Notice, and alſo ſuch proportional Part of the Expence of erecting ſuch Wall, as is herein-after directed concerning Party-walls to be built after the ſaid twenty-fourth Day of *June*, to be recovered in caſe of Non-payment with full Coſts of Suit, in like Manner as any Proportion of any Party-wall is by this Act made recoverable by the Builder thereof, from any other Perſon liable to contribute thereto.

Regulation of Party-walls, &c. between intermixed Property.

‘ XXXI. And whereas ſeveral Houſes and other Buildings, within the Limits aforeſaid, are built in ſome ‘ Part thereof over a publick Way, and in ſeveral Houſes or other Buildings, within the Limits aforeſaid, ‘ ſeveral of the Rooms or Floors of ſuch Houſes or Buildings are the Property of different Owners, and lie ‘ intermixed without being ſeparated by any Party-wall, and without being arched over and under each ‘ other with Brick or Stone, or Brick and Stone throughout;’ be it therefore enacted, That when any Houſe or other Building, except as herein-after is excepted, ſo built, in any Part thereof, over a publick Way, or any Houſe or Building, except as herein-after is excepted, having any Rooms the Property of different Perſons, and intermixed as aforeſaid, ſhall be rebuilt, there ſhall be a Party-wall, according to the Directions herein-before contained for the higheſt Rate or Claſs of Building adjoining thereto, with a Party-arch or Party-arches of the Thickneſs of one Brick and an Half in Length, or thirteen Inches at the leaſt, in every Building of the Firſt and Second Rate or Claſs of Building, and of the Thickneſs of one Brick in Length, or eight Inches and an Half at the leaſt, in every Building of the Third and Fourth Rate or

or Claſs of Building, between Houſe and Houſe, or other Building, or between the different Rooms or Floors, ſo being the Property of different Perſons as aforeſaid.

Party-walls not to extend to Inns of Court, &c.

XXXII. Provided nevertheleſs, That the laſt-mentioned Clauſe or Proviſion relating to Houſes and Buildings in Part over publick Ways, or having the Rooms or Floors the Property of different Perſons, ſhall not extend to all or any of the Rooms or Chambers in *Serjeant's Inn* in *Chancery Lane*, or in any of the four Inns of Court, or to any of the Inns of Chancery, or any other Inns ſet apart for the Study or Practice of the Law; ſave and except that the Walls or Diviſions between the ſeveral Rooms and Chambers in ſuch Inns, belonging to and communicating with each ſeparate and diſtinct Stair-caſe, ſhall be deemed and taken to be Party-walls within this Act, and ſhall be ſubject to all and every the Regulations and Clauſes herein contained relating to other Party-walls within the Limits aforeſaid.

Owners may be compelled to join in building Party-walls, &c.

'XXXIII. And whereas it may ſometimes happen that no Party-wall or Party-arch can be built upon 'proper Foundations between ſuch Houſes and other Buildings, over publick Ways, or having Rooms or 'Floors the Property of different Perſons, lying intermixed, as aforeſaid, without pulling down ſuch 'Houſes or Buildings, and laying Parts of each to the others of ſuch Houſes or Buildings; and it may 'happen that the Parties intereſted therein, or ſome or one of them, will not, or cannot, by reaſon of ſome 'legal Diſability, or otherwiſe, join in building ſuch Party-wall or Party-arches, as aforeſaid, or in pull-'ing down ſuch Houſes, and laying Parts of each to the other or others of ſuch Houſes; in all which Caſes, 'Differences may ariſe amongſt the ſaid ſeveral Owners, and the rebuilding the ſame, and the ſaid Party-'walls or Party-arches thereof, may be thereby prevented or delayed, to the great Injury or Inconvenience 'of ſuch of the Owners as are deſirous of rebuilding:' For Remedy thereof, and in order to prevent the fatal Effects of Fire, be it enacted by the Authority aforeſaid, That, in all and every or any of ſuch Caſes, when any Owner or Owners of any ſuch Houſe or other Building within the Limits aforeſaid, built over any publick Way, or intermixed as aforeſaid, ſhall be deſirous of rebuilding ſuch Houſe or other Building, and the Owner or Owners of the adjoining Houſe or Building, or of the other Parts of ſuch intermixed Houſe or Building, ſhall not be willing, or ſhall not, by reaſon of ſome legal Diſability, or otherwiſe, be able to join in ſuch rebuilding, then the Party or Parties, ſo deſirous of rebuilding, ſhall give Notice, in Writing, to the Owner or Owners of ſuch adjoining Houſe or Houſes, or other Buildings, or of the other Parts of ſuch intermixed Houſe or Building, that he, ſhe, or they, ſo intending to rebuild, will apply to the Court of Mayor and Aldermen of the City of *London* when ſuch Houſe or other Building, or any Part thereof, is ſituated within the ſaid City or the Liberties thereof, or to the Juſtices of the Peace for the County of *Middleſex*, or for the County of *Surrey*, or for the City and Liberty of *Weſtminſter*, or for the Liberty of the *Tower of London*, reſpectively, within whoſe Juriſdiction ſuch Houſe or other Building, or any Part thereof, is ſituated, in their reſpective General or Quarter Seſſions of the Peace, to be next holden, after fourteen Days from the Delivery of ſuch Notice, in order to obtain the Judgment and Determination of the ſaid Court of Mayor and Aldermen, or of the ſaid Court of Seſſions (as the Caſe may be), touching the rebuilding ſuch Houſe or Houſes, or other Buildings, or ſuch Party-walls or Party-arches, to be deſcribed in ſuch Notice, and for aſcertaining the Scite of a Party-wall or Party-walls, or the Situation of any Party-arches to be built according to the Directions and Reſtrictions in this Act contained, by delivering a true Copy of ſuch Notice to the Owner or Owners of ſuch adjoining Houſe or Houſes, or other Buildings, or of the other Parts of ſuch intermixed Houſe or Building; or in caſe ſuch Owner or Owners ſhall be under the Diſability of Coverture, Infancy, Idiocy, or Lunacy, then to the Huſband or Huſbands of ſuch Owner or Owners under Coverture, or to the Guardians, Truſtees, or Committees of ſuch Owners being under the Diſability of Infancy, Idiocy, or Lunacy reſpectively, or by leaving the ſame at his, her, or their laſt or uſual Place of Abode, or by delivering a true Copy of ſuch Notice to the Tenant in Poſſeſſion of ſuch adjoining Houſe or Houſes or other Buildings, or of the other Parts of ſuch intermixed Houſe or Building; or in caſe ſuch Houſe or Building ſhall be uninhabited, then by fixing ſuch Copy, wrote fair and in a legible Hand, to or upon the Door or ſome other notorious Part of ſuch adjoining or intermixed Houſe or other Building which ſhall be uninhabited; and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Court of Mayor and Aldermen, and to and for the ſaid Court of Seſſions reſpectively (as the Caſe may be), and they are hereby reſpectively authoriſed and required, upon Application to them by the Party or Parties ſo deſirous to rebuild, and upon ſuch Proof of ſuch Notice as they ſhall deem reaſonable, to iſſue their Warrant or Warrants, Precept or Precepts, to the Sheriffs of *London*, or to the Sheriff of the ſaid County of *Middleſex*, or Sheriff of the ſaid County of *Surrey*, or Sheriff or Bailiff of the Liberty of his Majeſty's *Tower of London* (as the Caſe may be), requiring them or him reſpectively to impanel and return a competent Number of ſubſtantial and diſintereſted Perſons, qualified to ſerve on Juries, within the reſpective Diſtances to which they are ſummoned, not leſs than twenty-four, nor more than thirty-ſix; and out of ſuch Perſons ſo to be impanelled, ſummoned, and returned, a Jury of twelve Perſons ſhall be drawn by ſome Perſon, by the ſaid Court of Mayor and Aldermen, or Court of Seſſions reſpectively appointed, in ſuch Manner as Juries are directed to be drawn for the Trial of Iſſues joined in his Majeſty's Courts of Record at *Weſtminſter*, by an Act, made in the third Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for the better Regulation of Juries)*; which Perſons ſo to be impanelled, ſummoned, and returned, are hereby required to come and appear before the ſaid Court of Mayor and Aldermen, or before the ſaid Court of Seſſions for the ſaid County of *Middleſex*, or County of *Surry*, or City and Liberty of *Weſtminſter*, or the Liberty of his Majeſty's *Tower of London* (as the Caſe may be), at ſuch Time and Place as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be appointed, and there to attend from Day to Day, until diſcharged by the Court; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jury, but ſhall not be at Liberty to challenge the Array; and the ſaid Court of Mayor and Aldermen, and any of the ſaid Courts of Seſſions, for the ſaid County of *Middleſex*, or *Surrey*, or City and Liberty of *Weſtminſter*, or Liberty of the *Tower of London*, is and are hereby authoriſed and impowered, by Precept or Precepts, from Time to Time, as Occaſion may require,

Where Owners are under Diſabilities, or Houſes are uninhabited, how Differences are to be ſettled reſpecting the building of Party-walls.

to call before them reſpectively all and every Perſon and Perſons who ſhall be thought proper or neceſſary to be examined as a Witneſs or Witneſſes before them, on Oath, concerning the Premiſes; and either of the ſaid Courts, if they think fit, ſhall and may likewiſe authoriſe the ſaid Jury to view the Place or Places in queſtion, in ſuch Manner as they ſhall direct, and ſhall have Power to command ſuch Jury, and all ſuch Witneſſes and Parties as ſhall be neceſſary or proper to attend, until all ſuch Affairs for which they are ſummoned ſhall be concluded; and the ſaid Jury, upon their Oaths (which Oaths, as alſo the Oaths to Perſons called upon to give Evidence, the ſaid Courts are hereby reſpectively impowered and required to adminiſter), ſhall inquire and try, and determine by their Verdict, whether the Premiſes, in any of the Caſes aforeſaid, ought to be rebuilt or not; and if the ſame ought to be rebuilt, ſhall award and determine the Scite of a Party-wall or Party-walls, and alſo what Party-arches may be neceſſary over or under any Rooms of ſuch Houſe or Houſes, or other Buildings, ſo intended to be rebuilt, or ſhall aſcertain the Quantity of the Soil or Ground or other Parts of the Premiſes (if any) neceſſary to be laid to or taken from the Houſe of the Perſon or Perſons deſirous to rebuild, permitting ſuch Perſon or Perſons to erect a Party-wall or Party-walls, Party-arch or Party-arches; and ſhall aſcertain and award what (if any) Compenſation ſhould be made, and paid, by either or any of the ſaid Parties in Difference to the other or others of them, in lieu of the leſſening either of the ſaid Houſes or other Buildings by ſuch Party-wall or Party-walls, Party-arch or Party-arches, or as a Satisfaction for ſuch other Injury (if any) as ſhall be done, or occaſioned thereby to any or either of the ſaid Parties; and ſhall alſo aſcertain and award what Proportion of the Expence of Building ſuch Party-wall or Party-walls, Party-arch or Party-arches, ſhall, when the ſame are ſo built, be repaid by either or any of the Parties in Difference to the Perſon or Perſons ſo rebuilding as aforeſaid: And the ſaid Court of Mayor and Aldermen, and the ſaid Court of Seſſions reſpectively, ſhall give Judgement according to ſuch Verdict, as well for determining the Scite of ſuch intended Party-wall or Party-walls, Party-arch or Party-arches, as alſo for ſuch Sum or Sums of Money (if any) ſo aſſeſſed by the ſaid Jury, and likewiſe for ſuch Proportion of the Expence of building ſuch Party-wall or Party-walls, Party-arch or Party-arches, ſo found or awarded by the ſaid Jury, to be repaid to the Perſon or Perſons who ſhall rebuild or ſhall have rebuilt the ſame; and ſhall and may (if they ſee fit) award to either of the Parties ſuch Coſts as they ſhall deem reaſonable; which Verdict or Verdicts, and the Judgment, Order, or Determination thereupon, ſhall be binding and concluſive againſt all and every Perſon and Perſons, Bodies Politick and Corporate, claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt in, to, or out of the ſaid Premiſes, or any Part thereof, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, as alſo againſt the King's moſt Excellent Majeſty, his Heirs and Succeſſors, and againſt Infants and Iſſue unborn, Perſons in Reverſion or Remainder, Lunaticks, Idiots, and Femes-covert, and Perſons under any other legal Incapacity or Diſability, and againſt all Truſtees and Ceſtuique Truſts, his, her, and their Succeſſors, Heirs, Executors, and Adminiſtrators, and againſt all other Perſons whomſoever: And all and every the ſaid Verdicts, Judgments, Orders, and Determinations, and all other Proceedings of the ſaid Court of Mayor and Aldermen, and Court of Seſſions, ſo to be made, given, and pronounced, as aforeſaid, ſhall be, by the Town Clerk of the City of *London*, or by the Clerk of the Peace for the ſaid County of *Middleſex* or *Surrey*, or the City and Liberty of *Weſtminſter*, or the proper Officer of the Liberty of the ſaid *Tower of London* (as the Caſe may be), entered and filed as of Record of the ſaid Court where ſuch Proceedings ſhall have been had (for the Entry and Filing whereof, and for every Order of Court, and Copy thereof, the ſaid Town Clerk, or Clerk of the Peace, or other proper Officer, ſhall be paid after the Rate of Twelve-pence for every one hundred Words, and no more); and each of them, the ſaid Town Clerk, and Clerk of the Peace, or other proper Officer reſpectively, is hereby empowered and required to make and deliver to any Perſon requiring the ſame, an Exemplification, under his Hand and Seal, of any ſuch Verdict, Judgment, Order, and Determination, being paid for the ſame after the Rate of Twelve-pence for every one hundred Words; and every ſuch Exemplification ſhall and may be taken and read as Evidence in all Courts of Law and Equity whatever: And after the Expiration of fourteen Days from and after the obtaining ſuch Judgement, and Payment, or Tender, in Manner herein-after directed, of the Sum or Sums of Money (if any) thereby aſſeſſed or awarded, or, where no Sum of Money ſhall be ſo aſſeſſed or awarded, after the Expiration of fourteen Days from and after the obtaining ſuch Judgment, the Perſon or Perſons who ſhall have applied for, and obtained ſuch Judgment, his, her, or their Heirs, Executors, or Adminiſtrators, Servants, or Workmen, ſhall and may pull down his, her, or their own Houſe or other Building, and rebuild the ſame, in the Manner ſo aſcertained by ſuch Judgment; and to that End ſhall and may, in the Preſence of a Conſtable or Headborough, or other Officer of the Peace, after the End of fourteen Days after ſuch Judgment, Order, and Determination, ſhall have been obtained, enter upon the Scite of the Ground ſo aſcertained for a Party-wall or Party-walls, Party-arch or Party-arches, and into the Houſe or other Building (if any be) adjoining to the Houſe or Party-wall or Party-walls, Party-arch or Party-arches, intended to be rebuilt, at any Time between the Hours of Six in the Morning and Seven in the Afternoon (*Sundays* excepted); and if the outer Door of ſuch Houſe or other Building be ſhut, and the Occupier, or any other Perſon therein, refuſe to open the ſame, being thereunto required, or if ſuch Houſe or other Building be empty and unoccupied, ſhall and may break open ſuch outer Door, and remove to ſome other Part of the ſame Premiſes, or in caſe there be no Room on the Premiſes ſufficient for that Purpoſe, to remove to any other Place, any Goods, Furniture, Shelves, or other Thing obſtructing the building of ſuch intended Party-wall or Party-walls, Party-arch or Party-arches, or the pulling down any Wall, Partition, or other Thing neceſſary to be pulled down and removed, in order to the building ſuch intended Party-wall or Party-walls, Party-arch or Party-arches; and from and after ſuch Entry as aforeſaid, and at all uſual Times of working, it ſhall be lawful for the Builder or Builders employed to erect ſuch intended Party-wall or Party-walls, Party-arch or Party-arches, and his and their Servants, and all others employed by him or them, to enter into and upon the Premiſes, and abide therein the uſual Times of working, for the ſhoring up the ſaid Houſe or other Building ſo broke into or entered upon, and for taking down and removing any Party-

Jury to determine what Proportion of Expence ſhall be paid by the Owners of the adjoining Premiſes.

Court to give Judgment according to Verdict;

and Judgment to be binding.

Verdict, &c. to be recorded by Town Clerk or Clerk of the Peace.

Within fourteen Days after Judgment, and Payment or Tender of the Money awarded the Owner of the intermixed Houſe may pull it down; and alſo may enter the adjoining Building in the Preſence of a Peace Officer;

and may remove Goods and Furniture.

Party-wall or Party-walls, Partition, Wainſcot, or other Thing neceſſary to be taken down and removed for the Purpoſe aforeſaid, and to build ſuch intended Party-wall or Party-walls, Party-arch or Party-arches: And if any ſuch Owner or Occupier, or other Perſon or Perſons, ſhall in any Manner hinder or obſtruct any Workman or Workmen employed for any of the Purpoſes aforeſaid, or wilfully damage or injure the ſaid Works, every ſuch Owner or Occupier, or other Perſon ſo offending, ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds; to be levied, recovered, and applied, as the ſeveral Penalties of ten Pounds herein-after mentioned are directed to be levied, recovered, and applied.

Perſons hindering the Workmen, or damaging the Work, to forfeit 10 l.

XXXIV. Provided alſo, and it is hereby further enacted, That within ten Days after ſuch Party-wall or Party-walls, Party-arch or Party-arches, ſhall be ſo built, the Perſon or Perſons who ſhall have rebuilt the ſame, his, her, or their Executors, Adminiſtrators, or Aſſigns, ſhall leave a true Account in Writing of the Expence of building the ſame with the Party or Parties ſo awarded by the Jury as aforeſaid to contribute to the Expence thereof, or at his, her, or their laſt or uſual Place of Abode; or, in caſe ſuch Party or Parties be under Coverture, to her or their reſpective Huſbands; or if Infants, Idiots, or Lunaticks, then to their reſpective Guardians, Truſtees, or Committees; or in the Caſe of any Body Corporate being ſo awarded to contribute as aforeſaid, then to the Mayor or other Officer of ſuch Corporation; who ſhall pay to the Perſon or Perſons who ſhall have rebuilt ſuch Party-wall or Party-walls, Party-arch or Party-arches as aforeſaid, his, her, or their Executors, Adminiſtrators, or Aſſigns, the Proportion of the Expence of building the ſame ſo awarded by the ſaid Jury as aforeſaid, within twenty-one Days after Demand thereof; or, in caſe the ſame be not ſo paid, it ſhall be lawful for the Tenant or Occupier of the Houſe or Building ſo chargeable therewith to pay the ſame, and to deduct the Money ſo paid out of the next Rent which ſhall become due to the Owner or Owners of ſuch Houſe or Building; or the ſame may be recovered from the Party or Parties ſo awarded to pay the ſame by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, with double Coſts of Suit.

Builders to be repaid a Part of the Expence according to the Verdict.

XXXV. Provided always, and it is hereby further enacted, That all the Powers and Authorities by this Act veſted in the Court of Mayor and Aldermen of the City of *London*, may be lawfully exerciſed by the Court of Mayor and Aldermen of the ſaid City, to be holden in the Outer Chamber of the Guildhall of the ſaid City, according to the Cuſtom of the ſaid City.

Court of Mayor and Aldermen may be held in the Outer Chamber of Guildhall.

XXXVI. Provided always, and be it further enacted by the Authority aforeſaid, That upon every Application to the General Quarter Seſſions of the Peace for the ſaid County of *Surrey*, for or concerning any Matter to be by ſuch Quarter Seſſions ordered, directed, or done, in purſuance of this Act, the Jury (if any) to be impanelled, and all Parties required to attend the Quarter Seſſions for the ſaid County, purſuant to ſuch Application, ſhall be impanelled and required to attend at ſome General or Special Adjournment of the ſaid Quarter Seſſions, within ſix Weeks next after ſuch Application; which ſaid Adjournment ſhall be to ſome convenient Place in the Borough of *Southwark*, in the ſaid County, to be appointed by the Juſtices in the ſaid Seſſion; and that, from Time to Time, every further Meeting of the ſaid Seſſions, for any Thing to be done upon ſuch Application, ſhall be appointed at, or within the Space of three Weeks from the laſt Meeting; which Adjournment and Adjournments the Juſtices of the Peace for the ſaid County of *Surrey*, and every of them, are hereby empowered and required to make and hold, from Time to Time, as there ſhall be Occaſion.

Seſſions for Surrey to be holden at Southwark.

XXXVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Court of Mayor and Aldermen, and to and for any or either of the aforeſaid Courts of Seſſions (as the Caſe may be), and they are hereby empowered and required, from Time to Time, to impoſe any reaſonable Fine or Fines on any of the ſaid Sheriffs or Sheriff, or their or his Deputy or Deputies, making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned on ſuch Jury, and ſhall not appear at the Time and Place in ſuch Summons ſpecified, or, appearing, ſhall refuſe to be ſworn on ſuch Jury, or to give his or their Verdict, or in any Manner wilfully neglecting his or their Duty therein, contrary to the true Intent and Meaning of this Act; and on any of the Perſons having Notice to attend to give Evidence touching the Premiſes, who ſhall not attend, or attending ſhall refuſe to be ſworn, examined, and give Evidence; and from Time to Time, in Default of Payment thereof on Demand, to levy ſuch Fine or Fines in ſuch Manner as other Fines ſet by the ſaid Courts reſpectively have been uſually levied; ſo that no Fine ſhall exceed the Sum of ten Pounds upon any one Perſon for any one Offence; and ſuch Fine or Fines, when ſo received, or levied and recovered, ſhall be applied to and for the Uſe of the Perſon or Perſons ſo applying to the ſaid Court of Mayor and Aldermen, or to the ſaid Courts of Seſſions (as the Caſe may be), and to and for no other Uſe or Purpoſe whatſoever; and if ſuch Perſon or Perſons, having Notice to attend and give Evidence as aforeſaid, ſhall not attend and give Evidence accordingly, having had ten Days previous Notice in Writing thereof, under the Hands of the Party on whoſe Behalf ſuch Evidence ſhall be wanted, his Guardian, Truſtee, Committee, Attorney, or Agent, and having been tendered his reaſonable Charges and Expences for ſuch Attendance, he, ſhe, or they, ſo neglecting or refuſing to give Evidence, ſhall be liable to an Action on the Caſe, to be brought againſt him, her, or them reſpectively by the Party or Parties on whoſe Behalf any ſuch Notice to attend as aforeſaid ſhall have been given; in which the Plaintiff or Plaintiffs ſhall recover their Damages occaſioned by ſuch Non-attendance, with full Coſts of Suit; and ſuch and no other Juſtification or Excuſe ſhall be allowed for Non-attendance, as is by Law allowable for the Non-attendance of Witneſſes legally ſummoned to appear and give Evidence on Trials of Iſſues joined in any of his Majeſty's Courts of Record at *Weſtminſter*: Provided, the Court where ſuch Witneſs or Witneſſes ſhall appear may (if they ſhall think fit) order ſuch further Sum to be paid to ſuch Witneſs or Witneſſes reſpectively for their Attendance on ſuch Courts reſpectively, as to them ſhall ſeem reaſonable, in proportion to the Time ſuch Witneſs or Witneſſes ſhall attend; and ſuch Witneſs or Witneſſes ſhall not be

Court may fine the Sheriff or Under Sheriff making Default, and alſo any Witneſs making Default.

compelled to give Evidence before ſuch further Sum or Sums (if any), as ſhall be ſo ordered, ſhall be paid to them reſpectively.

Old Party-walls and Party-arches when decayed, may be rebuilt,

'XXXVIII. And whereas it may happen that Party-walls or Party-arches, or Party Fence-walls, 'built or to be built within the Limits aforeſaid, may be defective, or ſo far out of Repair as to render it 'neceſſary to pull down and rebuild the ſame, or ſome Part or Parts thereof, as well when both or either 'of the adjoining Houſes or other Buildings may not require to be rebuilt, as when the ſaid Houſes 'or Buildings, or one of them, may require to be rebuilt;' be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, every Owner of any Houſe or Building within Limits aforeſaid, who ſhall think it neceſſary to repair, pull down, or rebuild any Party-wall or Party Fence-wall, or any Part or Parts thereof, between any ſuch Houſe or Building, or the Ground thereto adjoining, and the next adjoining Houſe or Building, or the Ground thereto adjoining, ſhall (in caſe the Owner or Owners of ſuch adjoining Houſe, Building, or Ground, will not, or by reaſon of any legal Diſability, or otherwiſe, cannot agree, touching the repairing, or pulling down or rebuilding, the ſame) give three Months Notice in Writing to the Owner, if he is known, and can be met with, or if ſuch Owner or Owners be under Coverture, to her or their Huſbands reſpectively, or if under the Diſability of Infancy, Idiocy, or Lunacy, to the Guardian or Guardians, Truſtee or Truſtees, Committee or Committees, of ſuch Infant, Idiot, or Lunatick reſpectively, or otherwiſe to the Occupier of ſuch adjoining Houſe, Building, or Ground, of ſuch his or her Intention to repair, or pull down, ſuch Party-wall, Party-arch, or Party Fence-wall, or any Part thereof, by delivering a Copy of ſuch Notice to ſuch Owner or Occupier, or other Perſon or Perſons as aforeſaid, or by leaving the ſame at his, her, or their laſt or uſual Place of Abode, or, if ſuch adjoining Houſe or Building be unoccupied, by fixing a Copy of ſuch Notice on the Door of ſuch laſt-mentioned Houſe or Building; which Notice ſhall be in the Form or to the Effect following:

the Proprietors pulling down ſuch Party-walls or Party-arches giving three Months Notice.

The Term of giving Notice.

'APPREHENDING the Party-wall, Party-arch, or Party Fence-wall, or ſome Part thereof *(as 'the Caſe ſhall be)*, between the Houſe or Building, or Ground *(as the Caſe ſhall be)* thereto adjoining, ſituate inhabited or occupied by and my Houſe 'or Building, or Ground *(as the Caſe ſhall be)* adjoining thereto, to be ſo far out of Repair as to render 'it neceſſary to repair or pull down and rebuild the ſame, or ſome Part thereof: Take Notice, that I 'intend to have the ſaid Party-wall, Party-arch, or Party Fence-wall *(as the Caſe ſhall be)*, ſurveyed, 'purſuant to an Act of Parliament made in the fourteenth Year of the Reign of King *George* the Third; 'and that I have appointed of and of my Sur-'veyors, to meet at in *(being at ſome Place within the Limits aforeſaid)*, 'on my Behalf, on the Day of next, at of the Clock in the 'of the ſame Day *(being between the Hours of Six in the Morning and Six in the Afternoon)*: And I do 'hereby require and call upon you to appoint two other Surveyors or able Workmen on your Part, to 'meet them at the Time and Place aforeſaid, to view the ſaid Party-wall, Party-arch, or Party Fence-'wall *(as the Caſe ſhall be)*, and to certify the State and Condition thereof, and whether the ſame, or 'any Part thereof, ought to be repaired or pulled down and rebuilt. Dated this Day of

Surveyors to be appointed to view Party-walls and Party-arches.

And every ſuch Owner, if he is known, and can be met with, or, in caſe ſuch Owner be under any Diſability, as aforeſaid; then ſuch Perſon or Perſons, as aforeſaid, to whom ſuch Notice ſhall be ſo given, or otherwiſe the Occupier to whom ſuch Notice ſhall be ſo given, ſhall appoint two Surveyors or able Workmen to meet at the Time and Place in ſuch Notice mentioned; and they, together with the two Surveyors or Workmen named by the Party giving ſuch Notice, and whoſe Names ſhall be expreſſed in ſuch Notice, may view ſuch Party-wall, Party-arch, or Party Fence-wall, and certify the State and Condition thereof, and whether the ſame, or any Part thereof, ought to be repaired, or pulled down and rebuilt; and ſuch Surveyors, ſo reſpectively named, as aforeſaid, or, in caſe the Owner or Occupier of ſuch adjoining Houſe or Building, or ſuch other Perſons, as aforeſaid, having Notice, as aforeſaid, ſhall refuſe or neglect to name ſuch two Surveyors or able Workmen, according to ſuch Notice, then the two Surveyors or Workmen named in ſuch Notice, together with two other Surveyors or able Workmen, alſo to be named by the Party giving ſuch Notice, as aforeſaid, ſhall and may, within ſix Days after the Time appointed in ſuch Notice, view the Party-wall, Party-arch, or Party Fence-wall, intended to be repaired or pulled down; and ſhall certify, in Writing, under their Hands, to the ſaid Court of Mayor and Aldermen, or to the ſaid Juſtices of the Peace in their next General or Quarter Seſſions of the Peace reſpectively (as the Caſe may be), the State and Condition of ſuch Party-wall, Party-arch, or Party Fence-wall, and whether the ſame, or any Part thereof, ought to be repaired, or pulled down and rebuilt: And in caſe the major Part of the Surveyors or Workmen, appointed in Manner aforeſaid to view ſuch Party-wall, Party-arch, or Party Fence-wall, ſo intended to be repaired, or pulled down, ſhall not, within the Space of one Month next after ſuch Appointment, ſign ſuch Certificate in Writing; then, and in every ſuch Caſe, it ſhall and may be lawful to and for any one or more of his Majeſty's Juſtices of the Peace for the ſaid City of *London*, or County of *Middleſex* or *Surrey*, or City and Liberty of *Weſtminſter*, or Liberty of his Majeſty's *Tower of London* (as the Caſe ſhall be), and ſuch one or more Juſtice or Juſtices is and are hereby authoriſed and required, upon Application to him or them for that Purpoſe by the Party giving ſuch Notice, as aforeſaid, to name and appoint one other able Surveyor or Workman to be added to the Surveyors or Workmen, appointed as aforeſaid; and all the ſaid Surveyors or Workmen ſo appointed, or the major Part of them, ſhall meet for that Purpoſe (ſix Days Notice having been given to or left at the Dwelling-houſe of each and every of them of ſuch intended Meeting), and ſhall view the Party-wall, Party-arch, or Party Fence-wall, ſo propoſed to be repaired or pulled down: And, in caſe the

If the major Part of the Surveyors do not certify within one Month, another Surveyor to be named by a Juſtice.

the major Part of ſuch Surveyors or Workmen, appointed in Manner aforeſaid, ſhall certify, in Writing under their Hands, that the Party-wall, Party-arch, or Party Fence-wall, deſcribed in ſuch Notice, or any Part thereof, is decayed and ruinous, or is not ſufficiently ſecure againſt Fire, if any ſhould happen, and that the ſame ought to be repaired or pulled down; then, within three Days next after ſuch Certificate made by ſuch major Part of the ſaid Surveyors or Workmen, as aforeſaid, a Copy thereof ſhall be delivered to the Owner or Occupier, Owners or Occupiers of, or left at ſuch adjoining Houſe or Building, or fixed on the Door thereof, in caſe the ſame be unoccupied; and ſuch Certificate ſhall be immediately filed with the Clerk of the Peace in the City, County, or Liberty where ſuch Wall or Arch is ſituate, paying ſuch Clerk one Shilling for filing thereof, and no more: And ſuch laſt-mentioned Owner or Occupier, Owners or Occupiers, ſhall and may (if he, ſhe, or they, think fit) appeal from or againſt ſuch Certificate to the next General or Quarter Seſſions to be holden for the City, County, or Place (as the Caſe may be); and the Juſtices, at the ſaid General or Quarter Seſſions, to which ſuch Appeals ſhall be made, ſhall ſummon before them one or more of ſuch Surveyors or Workmen, and ſuch other Perſon or Perſons as they think fit, and ſhall examine the Matter upon Oath, which Oath or Oaths they are hereby empowered to adminiſter; and upon ſuch Examination or Examinations, the ſaid Juſtices are hereby authoriſed and required to make ſuch Order or Orders in the Premiſes as they in their Diſcretions ſhall think to be juſt and reaſonable; which Order or Orders ſhall be entered and filed of Record by the Clerk of the Peace for the City, County, or Place (as the Caſe may be), in like Manner as the Judgments of any Court of Seſſions concerning intermixed Property are herein-before directed to be entered and filed of Record; and the Determination of the ſaid Juſtices ſhall be final and concluſive to all Parties, without any Appeal from the ſame: And, on Default of appealing to ſuch next General or Quarter Seſſions, as aforeſaid; or if, upon any Appeal, there be no Order made to the contrary; then, and in every ſuch Caſe, and not otherwiſe, it ſhall be lawful for the Party intending to repair, or pull down and rebuild, ſuch Party-wall, Party-arch, or Party Fence-wall, as aforeſaid, after the Expiration of fourteen Days after delivering or leaving the Copy of ſuch Certificate, as aforeſaid; or after the Determination of ſuch Appeal, as aforeſaid, to cauſe ſuch Party-wall, Party-arch, or Party Fence-wall, or any Parts thereof, to be repaired or pulled down, and to have and exerciſe the like Power of Entry into or upon the adjoining Houſe or Houſes, Building or Buildings, or of breaking open the ſame, in the Preſence of a Peace Officer, in caſe the ſame be unoccupied, or be refuſed to be opened, and of removing Wainſcot, Shelves, Furniture, and other Things, and of ſhoring up the ſaid adjoining Houſe or Houſes, Building or Buildings, as is given or allowed to the Owners of intermixed Houſes or Buildings in and by this Act; and ſhall and may erect and build a new Party-wall or Party-walls, Party-arch or Party-arches, or any Part or Parts thereof, of ſuch Materials, and of ſuch Thickneſs and Height, and in ſuch Manner, and ſubject to ſuch Reſtrictions and Directions, as are in and by this Act preſcribed.

Walls being certified by the Surveyors to be ruinous a Copy of the Certificate to be delivered to the Owners, &c. in three Days.

Owners thinking themſelves aggrieved may appeal to the General Quarter Seſſions;

whoſe Determination ſhall be final.

Powers of Parties intending to repair, &c. in Default of Appeal.

'XXXIX. And whereas ſeveral old Houſes and other Buildings of the Firſt, Second, and Third Rate or Claſs of Building within the Limits aforeſaid, have, inſtead of Party-walls of the reſpective Thickneſſes herein-before directed for the ſame, between ſuch Houſes or other Buildings and the adjoining Houſes or Buildings, Party-walls, not being of greater Thickneſs than one Brick and an Half in Length, or thirteen Inches, from the Foundation to the Ground Floor thereof, or than one Brick in Length, or eight Inches and an Half, from thence to the Coping thereof: And whereas Diſputes may ariſe concerning the pulling down ſuch old Party-walls, and concerning the building Party-walls agreeable to the Rules and Directions herein contained, in the Place and Stead of ſuch old Party-walls, whenever the Owner or Owners of any or either of the Houſes or Buildings adjoining to any ſuch Party-walls may be deſirous to rebuild any ſuch Houſe, or rebuild any ſuch Houſe or Building of the Firſt, Second, or Third Rate or Claſs of Building, or ſo much thereof as may ſubject the ſame, or the Party-walls thereto, to the Rules and Regulations contained in this Act;' be it enacted by the Authority aforeſaid, That if the Owner or Owners of any Houſe or Building of the Firſt, Second, or Third Rate or Claſs of Building, to which any ſuch old Party-wall belongs, ſhall be deſirous of pulling down and rebuilding ſuch Houſe or Building, or ſo much thereof, as aforeſaid, and of ſuch his, her, or their Deſire ſhall give three Months Notice, in Writing, to the Owner or Owners, Occupier or Occupiers, of the next adjoining Houſe or Building of his, her, or their Intention, in three Months from the Date thereof, to pull down ſuch Party-wall, and in Stead thereof, to build a Party-wall agreeable to this Act of Parliament; then, and in that Caſe, from and after the Expiration of the three Months expreſſed in ſuch Notice, it ſhall be lawful for the Owner of ſuch Houſe or Building, ſo intended to be rebuilt, to pull down the ſaid Party-wall, and to have and exerciſe the like Power of entering into and upon the ſaid adjoining Houſe or Building, or of breaking open the ſame, in the Preſence of a Peace Officer, in caſe the ſame be unoccupied, or be refuſed to be opened, and of removing any Wainſcot, Shelves, Furniture, or other Things, and of ſhoring up the ſaid adjoining Houſe or Building, as by this Act is given and allowed to the Owners of intermixed Houſes or Buildings; and ſhall and may, in the Place and Stead of every ſuch old Party-wall, build a new Party-wall, of ſuch Materials, Thickneſs, and Height, and in ſuch Manner, and ſubject to ſuch Reſtrictions and Directions, as are in and by this Act preſcribed.

Owners of Houſes of the Firſt, Second, and Third Claſs ſhall give three Months Notice in Writing before pulling down old Party-walls.

'XL. And whereas ſeveral old Houſes, or other Buildings, within the Limits aforeſaid, have, inſtead of a Party-wall between ſuch Houſe or other Building, or between ſuch Houſes or other Buildings and the Houſes or other Buildings and Ground adjoining thereto, one Timber or Wood Partition, or two old Timber or Wood Partitions, with or without Brick Nogging, in one or more of the Stories thereof, one belonging to each Houſe or other Building: And whereas Diſputes may ariſe concerning the pulling down ſuch Partitions, and the Wall or Walls under or over the ſame, if any ſuch there be, and concerning the building Party-walls, agreeable to the Rules and Directions herein contained, in the Place and Stead of ſuch Partition or Fence, whenever it may be expedient to rebuild any ſuch Houſe or Building, or ſo much thereof as may ſubject the ſame, and the Partitions abutting on the ſame, to the Rules and

Owners of Houſes having Partitions of Wood, may give three Months Notice to Owners of adjoining Houſes of their Deſign to pull down the ſame, &c.

'and Regulations contained in this Act;' be it enacted by the Authority aforesaid, That if the Owner or Owners of any House or Building to which any such Timber or Wood Partition or Partitions, or Wooden Fence belongs, shall be desirous of pulling down and rebuilding such House or Building, or so much thereof as aforesaid, and of such his, her, or their Desire, shall give three Months Notice to the Owner or Owners, Occupier or Occupiers, of the next adjoining House or Building of his, her, or their Intention to pull down such Timber or Wood Partition or Partitions after the End of three Months after the Date of such Notice, and instead thereof to build a Party-wall or Party-walls, agreeable to this Act of Parliament; then, and in that Case, from and after the Expiration of the three Months expressed in such Notice, it shall be lawful for the Owner of such House or Building so to be rebuilt, to pull down the said Partition or Partitions, and the Wall or Walls under or over the same, if any such there be, and the said Wooden Fence or Fences, and to have and exercise the like Power of Entry into and upon the said adjoining House or Building and Ground, or of breaking open the same in the Presence of a Peace Officer, in case the same be unoccupied, or be refused to be opened, and of removing any Wainscot, Shelves, Furniture, or other Things, and of shoring up the said adjoining House or Building, as by this Act is given and allowed to the Owners of intermixed Houses or Buildings; and shall and may, in the Place and Stead of such Partition or Partitions, and of the Wall or Walls under or over the same, if any such there be, or of such Wooden Fence or Fences, build a new Party-wall or Party-walls, of such Materials, Thickness, and Height, and in such Manner, and subject to such Restrictions and Directions, as are in and by this Act prescribed.

and afterwards may pull down the said Partitions, remove Furniture, &c. as before directed.

How Owners are to be reimbursed Part of their Expence, and in what Proportion, who have built said Partitions or Party-walls

XLI. And be it further enacted by the Authority aforesaid, That the Person or Persons, at whose Expence any Party-wall or Party-arch shall be built agreeably to the Directions of this Act, shall be reimbursed by the Owner or Owners who shall be intitled to the improved Rent of the adjoining Building or Ground, and who shall, at any Time, make use of such Party-wall or Party-arch, a Part of the Expence of building the same, in the Proportion after mentioned; that is to say, If the adjoining Building then erected, or afterwards to be erected, be of the same Rate or Class of Building as, or superior to, the Building belonging to the Person or Persons at whose Expence the said Party-wall was built, then the Owner or Occupier of such adjoining Building or Ground shall pay one Moiety of the Expence of building so much of the said Party-wall or Party-arch as such Owner or Occupier shall make use of; and if the adjoining Building then erected, or afterwards to be erected, be of an inferior Rate or Class of Building, then the Owner or Occupier of such adjoining Building or Ground shall pay a Sum of Money equal one Moiety of the Expence of building a Party-wall or Party-arch of the Thickness by this Act required for the Rate or Class of Building whereof such adjoining Building shall be, and of the Height and Breadth of so much of the said Party-wall or Party-arch as such Owner or Occupier shall make use of: And, in the mean time, and until such Moiety or other proportional Part of the Expence of building such Party-wall or Party-arch be so paid, the sole Property of such whole Party-wall or Party-arch, and of the whole Ground whereon the said Party-wall shall stand, shall be vested entirely in the Person or Persons at whose Expence the same shall be built: And such Moiety, or other proportional Part of the Expence of building such Party-wall or Party-arch shall be so paid to the Person or Persons at whose Expence the same shall be built, or in whom the Property thereof shall be vested at the Times herein-after mentioned; that is to say, In respect of every such Party-wall to any House or Building whereunto, at the Time of building the same, no other House or Building was adjoining, so soon as such Party-wall shall be first cut into or made use of; and in respect of every such Party-wall or Party-arch as shall be built against, or adjoining to, any other House or Building, so soon as such Party-wall or Party-arch shall be completely built and finished: And in respect of such last-mentioned Party-wall or Party-arch, the Owner or Occupier of such adjoining House or Building shall, together with such proportional Part of the Expence of building such Party-wall or Party-arch, also pay a like proportional Part of all other Expences which shall be necessary to the pulling down the old Party-wall, or Timber or Wood Partition, and the Whole of all the reasonable Expences of shoring up such adjoining House or Building, and of removing any Goods, Furniture, or other Things, and of pulling down any Wainscot or Partition, and also all such Costs, if any, as may have been awarded by the said Court of Mayor and Aldermen, or Court of Sessions, as aforesaid; but not any Part of the Expence of pulling down and clearing away any such old Party-wall or Party-arch, or old Partition, if any such there was: And it is hereby directed, that the Expence of building such Party-wall or Party-arch shall be estimated after the Rate of seven Pounds fifteen Shillings by the Rod, for the new Brick-work, deducting thereout after the Rate of twenty-eight Shillings by the Rod for the Materials (if any) of so much of the old Wall or Arch as did belong to such adjoining Building or Ground, and also after the Rate of Two-pence by the Cubical Foot for the Materials (if any) of so much of the old Timber Partition as did belong to such adjoining Building or Ground: And that within ten Days after such Party-wall or Party-arch shall be so built, or so soon after as conveniently may be, such First Builder or Builders shall leave, at such adjoining House or Building, a true Account, in Writing, of the Number of Rods in such Party-wall or Party-arch for which the Owner or Owners of such adjoining Building or Ground shall be liable to pay, and of the Deduction which such Owner or Owners shall be intitled to make thereout, on account of such Materials, and also an Account of such other Expences and Costs as aforesaid; whereupon it shall be lawful for the Tenant or Occupier of such adjoining Building or Ground to pay one Moiety, or such proportional Part, as aforesaid, to such First Builder or Builders for the same, and also for shoring and supporting such adjoining Building as aforesaid, and for all such other Expences as are herein-before directed to be paid by the Owner or Owners of such adjoining Building or Ground, and to deduct the same out of the Rent which shall become due from him or her to such Owner or Owners, under whom he or she holds the same respectively, until he or she shall be reimbursed the same: And in case the same be not paid within twenty-one Days next after Demand thereof, then the same shall and may be recovered, together with full Costs of Suit, of and from such Owner or Owners, by Action of Debt, or

Until Payment of Expence, the Property of the Party-wall, &c. vested in the Builder.

When a proportional Part is to be paid.

Rates for building of Party-walls.

Ten Days after Party-wall is finished, an Account to be left with the Owner of adjoining Buildings what he is liable to pay.

How Expence may be recovered.

or on the Caſe, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed: And if the Plaintiff or Plaintiffs, in any ſuch Action, ſhall, three Calendar Months at the leaſt before the Commencement thereof, give Notice in Writing to the Perſon or Perſons againſt whom ſuch Action is intended to be brought, of his, her, or their Intention to bring the ſame, or leave the ſame at his, her, or their laſt or uſual Place of Abode, and ſhall in ſuch Notice ſpecify the Sum for which it is to be brought, and alſo annex to ſuch Notice a Bill of the juſt and true Particulars of the Expences and Charges with which the intended Defendant or Defendants is or are to be charged; then ſuch Plaintiff or Plaintiffs, if he, ſhe, or they, recover the full Sum ſpecified in ſuch Notice, ſhall alſo recover and be intitled to Double Coſts of Suit, and ſhall have and be intitled to the like Remedies for Recovery thereof, as are uſually given for Coſts in other Caſes of Coſts at Law.

If the Plaintiff before Action gives three Months Notice,

and recovers his whole Charge, he ſhall be intitled to double Coſts.

XLII. And be it further enacted by the Authority aforeſaid, That every Party-wall hereafter to be built, and every Addition which ſhall be made thereto, or to any Party-wall which is already built or begun, ſhall be built agreeable to the Directions herein contained concerning the Party-wall of the higheſt Rate or Claſs of Building to which ſuch Party-wall ſhall adjoin, when ſuch Additions are completed; and that no Party-wall now built, or hereafter to be built, ſhall, after the ſame and the Buildings adjoining thereto is and are completed, be raiſed, unleſs the ſame when raiſed be of the full Thickneſs ſuch Party-wall is of in the Story next under the Roof of the higheſt adjoining Building; nor ſhall any Party-wall hereafter be raiſed, unleſs the ſame can be done with Safety to ſuch Wall, and the ſeveral Buildings adjoining thereto; but all ſuch Party-walls as will, when raiſed, be of the Materials, Heights, and Thickneſſes herein-before required, or as can be ſafely raiſed, may, together with the Shaft or Shafts of the Chimnies belonging thereto, be raiſed by and at the Expence of the Proprietor or Occupier of any Building, to which the ſame belong, to any Height he, ſhe, or they, ſhall think proper; but if the Proprietor or Occupier of any Building adjoining to the ſaid Party-wall and Chimney Shafts, ſhall make uſe of any Part of ſuch Party-wall and Chimney Shaft, other than the Uſe he makes of the Chimney Flues therein, which ſhall be ſo raiſed, then ſuch Perſon ſo making uſe thereof, for the Part ſo uſed, ſhall be chargeable with a proportionable Share of the Expence of raiſing ſuch Party-wall and Chimney Shafts; and in computing ſuch Charge the ſame ſhall be rated in Manner herein-before mentioned, and the Proportion ſuch Perſon ſhall be liable to pay ſhall be recovered in ſuch Manner as is herein-before particularly declared concerning the firſt Building of a Party-wall.

Party-walls ſhall be ſuch as are required for the higheſt Rate of Building adjoining, and not to be of leſs Thickneſs,

and may be raiſed by the Owner of one Side.

If the Owner of the other Side make uſe of it, he muſt contribute to the Expence.

XLIII. Provided always, That any Party Fence-wall, now built, or hereafter to be built, may be raiſed by and at the Expence of the Proprietor or Occupier of the Ground on either Side adjoining thereto; but no Party Fence-wall ſhall hereafter be built upon, or againſt, or uſed as a Party-wall, unleſs the ſame be of the Materials, Height, and Thickneſs, herein-before directed for Party-walls, to the Rate or Claſs of Building ſo to be erected againſt or upon the ſame: And in caſe of the Inſufficiency of ſuch Wall for the Purpoſes aforeſaid, or if inſtead of ſuch Party Fence-wall there be only a Wooden Fence, the Proprietor or Occupier of either of the adjoining Premiſes ſhall be at Liberty, at his own Expence, to take down ſuch Wall or Fence, and erect a new Party-wall in lieu thereof, making good every Damage that may accrue to the adjoining Premiſes by ſuch Rebuilding, ſo nevertheleſs as that ſuch new Party-wall ſhall not extend on the Surface of ſuch adjoining Ground more than Seven Inches beyond the Centre Line of ſuch Party Fence-wall or Fence; but no Proprietor or Occupier of ſuch adjoining Premiſes ſhall make uſe of ſuch Party-wall, otherwiſe than as a Party Fence-wall, unleſs he, ſhe, or they, pay a proportionable Share of the whole Expence of erecting ſuch Parts of ſuch Wall, according to the Uſe he, ſhe, or they, ſhall make of the ſame, at the Rates aforeſaid.

Party Fence-walls may be raiſed by the Owner of one Side, but not to be uſed as a Party-wall unleſs of ſufficient Thickneſs, &c.

Owner of one Side may take down a Party Fence-wall, and build a Party-wall.

If the Owner of the other Side uſes it other than as a Party Fence-wall, he muſt contribute to the Expence.

XLIV. Provided alſo, That in caſe any ſuch Party-wall ſhall extend further upon the Ground of the Party building the ſame than the Party Fence-wall did, yet the Party rebuilding the ſame ſhall not thereby loſe any Part of the Soil whereon ſuch Party-wall ſhall be built; nor ſhall the Owner or Owners of the other Part of ſuch Party-wall claim, or be intitled to, any Right of Soil, more than what he was before intitled to.

Firſt Builder not to loſe any Right of Soil on account of Party-wall not being half on each Ground.

XLV. And be it enacted by the Authority aforeſaid, That if the Fore-front and Back-front of any Building now built, ſhall, after the ſaid twenty-fourth Day of *June*, be rebuilt as low as the Breſſummer, or one Pair of Stairs Floor, within the Space of five Years from each other, the Party-walls of every ſuch Building ſhall, from thenceforth, be in all reſpects ſubject to the ſeveral Regulations herein-before contained concerning the Party-walls of Houſes to be built after the ſaid twenty-fourth Day of *June*: And for the further Prevention of Fire, the Back of every Chimney to be built after the ſaid twenty-fourth Day of *June*, in any Building of the Firſt Rate or Claſs of Building, not being in a Party-wall, ſhall be in the Cellar Story at leaſt thirteen Inches thick from the Hearth, to the Height of twelve Inches above the Mantle; and ſhall be at leaſt eight Inches and an Half Thick from the Hearth to the Height of twelve Inches above the Mantle in every other Story, except where any ſuch Chimney ſhall be built againſt a Wall, in which Caſe the Back of every ſuch Chimney, from the Hearth to the Height of twelve Inches above the Mantle, may be Half a Brick thinner: And that the Back of every Chimney hereafter to be built in any Building of the Second, Third, or Fourth Rate or Claſs of Building, not being in a Party-wall, ſhall be in every Story at leaſt eight Inches and an Half thick, from the Hearth to the Height of twelve Inches above the Mantle, except where any ſuch Chimney ſhall be built againſt a Wall, in which Caſe the Back of every ſuch Chimney from the Hearth to the Height of twelve Inches above the Mantle may be Half a Brick thinner: And that there ſhall be no Timber whatever over the Opening of any Chimney, to be built after the Time aforeſaid, for ſupporting the Breaſt of ſuch Chimney; but there ſhall be an Arch of Brick or Stone, or an Iron Bar or Bars over the Opening of every ſuch Chimney,

If the Fore and Back Fronts are taken down within five Years, this is deemed a Rebuilding.

Thickneſs of Backs of Chimnies not in Party-walls.

Breaſt of Chimney not to be ſupported by Timber.

Timber under the Hearth muſt be 18 Inches lower.
Hearth muſt be laid on Brick or Stone, or on the Ground.
Slabs before Hearths, and Brick Trimmers under them.

ney, to ſupport the Breaſt thereof: And that no Timber ſhall, after the ſaid Time, be laid in any Wall under the Hearth of any Chimney thereafter to be built, unleſs the ſame ſhall be in every Part thereof which ſhall lie under ſuch Hearth eighteen Inches at the leaſt lower than the Surface of ſuch Hearth; and that the Hearth of every Chimney, to be built after the Time aforeſaid, ſhall be laid wholly on Brick or Stone, except the ſame be in a Cellar or Ground Story, and be laid and bedded on the ſolid Earth; and every ſuch Chimney ſhall have a Slab or Slabs, or Foot Paces before the ſame, of Tile, Stone, Marble, or Iron, at leaſt eighteen Inches broad, and at leaſt one Foot longer than the Opening of every ſuch Chimney when finiſhed; and ſuch Slab or Slabs, or Foot Paces, ſhall be laid on Brick or Stone Trimmers, at leaſt eighteen Inches broad from the Opening of ſuch Chimney, or from the perpendicular Face of the Arch over the Opening which ſupports the Breaſt of ſuch Chimney; except the ſame be in a Cellar or Ground Floor, and be laid and bedded on the ſolid Earth: And that no Timber or Wood-work whatever

No Timber in the Brick-work of Ovens, Coppers, &c.
Diſtance of Timber laid in the Brick-work of Chimnies, Stoves, &c.

ſhall be laid in the Brick-work of any Oven, Stove, Copper, Still, Boiler, or Furnace, to be built after the ſaid twenty-fourth Day of *June*, nor within two Feet of the Inſide of any ſuch Oven, Stove, Copper, Still, Boiler, or Furnace; nor ſhall any Timber whatever be laid in the Brick-work of any Chimney, to be built after the ſaid Time, nearer than nine Inches to the Opening of ſuch Chimney, or than five Inches to the Inſide of the Flue of any Chimney, Oven, Stove, Copper, Still, Boiler, or Furnace, or than nine Inches to the Inſide of the Flue of any ſuch Oven, Stove, Copper, Still, Boiler, or Furnace, where any ſuch Timber ſhall lie or be placed nearer than five Feet above the Mouth of the ſame: And

Wood-work on the Front of Chimnies to be fixed by Iron Nails.

that no Wood-work whatever ſhall, at any Time after the Time aforeſaid, be affixed to the Front of any Jamb or Mantle, or to the Front or Back of any Chimney or Flue, except ſuch Wood-work be affixed by Iron Nails or Holdfaſts, or other Iron Faſtenings; and no Iron Nail, Iron Holdfaſt, or other Iron Faſtening, ſhall lie or be drove more than three Inches into the Wall againſt ſuch Chimney or Flue, or nearer than four Inches to the Inſide of the opening of any Chimney: And that no Chimney ſhall, after

No Chimney to be erected on Timber.

the Time aforeſaid, be erected on any Timber-work whatever, except on ſuch Piling, Bridging, or Planking, as may be neceſſary below the Foundation of the Building in which ſuch Chimney is erected; but every Chimney thereafter to be built ſhall be erected on ſuch Piling, Bridging, or Planking, or on ſolid Ground, or on a Brick or Stone Foundation, or ſhall be ſet upon Brick or Stone Corbles, or Iron Brackets, or upon Iron Shores, which Iron Shores ſhall be ſupported by Brick or Stone Foundations.

Materials of external Walls.

XLVI. And it is hereby further enacted, That every external Wall or external Incloſure of every Building of the Firſt, Second, Third, Fourth, or Fifth Rate or Claſs of Building, which ſhall be erected and built after the ſaid twenty-fourth Day of *June*, and of every Addition or Enlargement thereafter to be made to any Building of the Firſt, Second, Third, Fourth, or Fifth Rate or Claſs of Building, now erected, or hereafter to be erected, ſhall be of Brick, Stone, Artificial Stone, Lead, Copper, Tin, Slate, Tile, or Iron, or of Brick, Stone, and ſuch Artificial Stone, Lead, Copper, Tin, Slate, Tile, and Iron together, except the neceſſary Piling, Bridging, and Planking, for the Foundation of the ſame, and alſo except the neceſſary Templets, Chains, Bond-timbers, and alſo except the Doors, Saſhes, Window-ſhutters, and Door and Window Frames to ſuch Buildings, and the Tiers or Stories of Door-caſes and Doors to all ſuch Warehouſes as are or ſhall be of the Firſt, Second, Third, or Fourth Rate or Claſs of

Saſh frames and Door-frames to be in Reveals.

Building; all which Window-frames and Door-frames ſhall be ſet in Reveals, and receſſed at leaſt four Inches from the Front of the Building in which ſuch Window-frames and Door-frames ſhall be fixed; and alſo except the Breſſummers, Story-poſts, and Plates, which may be made on the Ground-ſtory only; and alſo except all Stall-boards for the Conveniency of any Shop or Shops, which may be made on the Ground-ſtory only; which Breſſummers, Story-poſts, and Plates, and the Tiers or Stories of Door-caſes and Doors to all ſuch Warehouſes, as before mentioned, are not hereby required to be fixed in Reveals;

Story-poſts and Breſſummers to be but two Inches in Party-walls.

but no Story-poſt or Breſſummer ſhall, at any Time, after the ſaid twenty-fourth Day of *June*, be fixed more than two Inches deep in any Party-wall, or be placed in any Front nearer than ſeven Inches to the Centre Line of the Party-wall of ſuch Building, if ſuch Party-wall be of the Thickneſs of two Bricks, or nearer than four Inches and an Half to the Centre of ſuch Party-wall, if ſuch Party-wall ſhall not exceed one Brick and an Half in Thickneſs; but no Timber-work whatever, other than and except ſuch Breſſummer, Story-poſts, and Plates, and ſuch Tiers or Stories of Door-caſes and Doors ſhall be

Corner Story-poſts to be of Oak or Stone, and 12 Inches ſquare.

laid in any ſuch external Wall nearer than four Inches to the external Surface thereof; and every ſuch Story-poſt which ſhall be fixed as a Support to two Fronts, being the Corner of any Streets, Square, Place, Court, or Way, ſhall be of Oak or Stone, and at leaſt twelve Inches ſquare.

Flats, Roofs, &c. how to be covered.

XLVII. And be it further enacted by the Authority aforeſaid, That every Flat, Gutter, and Roof, of every Building of the Firſt, Second, Third, Fourth, or Fifth Rate or Claſs of Building, which ſhall be built after the ſaid twenty-fourth Day of *June*, and every Turret, Dormer, and Lanthorn Light, or other Erection, which ſhall be placed in the Flat or Roof of any ſuch Building, and every external Part of any Flat, Gutter, Roof, Turret, Dormer, and Lanthorn, in any Building of the Firſt, Second, Third, Fourth, or Fifth Rate or Claſs of Building, now built, and which ſhall, at any Time after the Time aforeſaid, be ripped or uncovered, ſhall be covered with Glaſs, Copper, Lead, Tin, Slate, Tile, or Artificial Stone; except the Doors, Door-frames, Windows, and Window-frames, of ſuch Dormers, Turrets, Lanthorn Lights, or other Erections.

Materials of external Decorations.

XLVIII. And be it further enacted by the Authority aforeſaid, That every Coping, Cornice, Facia, Window-dreſſing, Portico, Balcony, Baluſtrade, or other external Decoration or Projection whatſoever, to be made after the ſaid twenty-fourth Day of *June*, to any Building of the Firſt, Second, Third, or Fourth Rate or Claſs of Building; and alſo every Frontiſpiece to any Building of the Firſt Rate or Claſs of Building, now built, or hereafter to be built, or to any Addition or Enlargement of any ſuch Building, ſhall externally be of Brick, Stone, Burnt Clay, or Artificial Stone, Stucco, Lead, or Iron; except the Cornices and Dreſſings to Shop-windows; and alſo except ſuch covered Ways as may hereafter be made to any Building, ſo nevertheleſs as that the ſaid covered Way, or any Part thereof, ſhall not extend beyond

beyond the original Line of the Houſes in the Street or Way in which the ſame ſhall be or is erected; and ſuch covered Way ſhall be covered with Stone, Lead, Copper, Slate, Tile, or Tin; and neither the ſaid covered Way, nor the Cornice or Dreſſings to any Shop-window, nor the Roof of any ſuch Portico, ſhall be higher than the under Side of the Sill of the Window-frame of the one Pair of Stairs Window of the Building to which the ſame belongs: And that no Water ſhall be ſuffered to drip next to any publick Street, Square, Place, Court, or Way, from the Roof of any Building of the Firſt, Second, Third or Fourth Rate or Claſs of Building, to be built after the ſaid twenty-fourth Day of *June*, except from the Roofs of Porticoes or other Entrances; but all Water from ſuch Roofs ſhall be conveyed by Lead, Copper, Tin, or Iron Gutters or Pipes, or all, or either, or any of them, or by Wooden Trunks, or Brick or Stone Funnels, to the Drains or Channel Stones, now made, or hereafter to be made, on or below the Surface of the Ground, for that Purpoſe, or to ſome Ciſtern or other Reſervoir made to receive the ſame, or to any Front of ſuch Building not abutting upon any publick Street or Way; and no ſuch Brick or Stone Funnel ſhall, after the Time aforeſaid, be made or built, unleſs the ſame ſhall be in every Part thereof below the Surface of the Foot Pavement before the ſame, nor ſhall any ſuch Wooden Trunk, after the ſaid Time, be fixed, unleſs the ſame be, in every Part thereof, below the Tops of the Windows of the Ground Story.

Water how to be conveyed from Roofs.

XLIX. And be it further enacted by the Authority aforeſaid, That no Bow-window or other Projection ſhall, after the Time aforeſaid, be built with, or added to, any Building of the Firſt, Second, Third, or Fourth Rate or Claſs of Building, next to any publick Street, Square, Court, or Way, ſo as to extend beyond the general Line of the Fronts of the Houſes in ſuch publick Street, Square, Court, or Way, in which ſuch Bow-window or other Projection is made; except ſuch Projections as may be neceſſary for Copings, Cornices, Facias, Door and Window Dreſſings, or for open Porticoes, Steps, or Iron Palliſades; and alſo except ſuch Window to any Shop or Shops on the Ground-floor Story of any ſuch Building, the Stall-boards of which Windows ſhall not, in any Street or Way thirty Feet wide or more, project above ten Inches, nor in any Street or Way leſs than thirty Feet wide, above five Inches from the upright Line of the Building in ſuch Street or Way reſpectively: And no Cornice or Covering thereof to any ſuch Shop-window ſhall, in any Street or Way thirty Feet wide or more, project more than eighteen Inches, nor in any Street or Way leſs than thirty Feet wide more than thirteen Inches from the upright Line of the Building to which ſuch Shop-window belongs: And that no Bow-window or other Projection, except as before excepted, ſhall, after the ſaid twenty-fourth Day of *June*, be built with, or added to, the Front of any Building of the Firſt, Second, Third, or Fourth Rate or Claſs of Building, unleſs the ſame, and the Columns and Pilaſters (if any) which ſupport the ſame, be built of the ſeveral Materials herein-before directed to be uſed in all external Walls, or external Incloſures.

No Bow-windows to be built extending beyond the Line of the Street, except Projections for Decorations, Shop-windows and Stall-boards.

Materials of Bow-windows and Projections.

L. Provided always, and be it enacted, That nothing herein contained ſhall prejudice, leſſen, or defeat the Powers granted to any Commiſſioners for paving any Streets or other Places within the Limits aforeſaid, by any Act or Acts of Parliament, or to the Commiſſioners of the Sewers for the City of *London*.

Saving to Commiſſioners of Paving.

LI. And be it further enacted by the Authority aforeſaid, That every external Wall, or other external Incloſure, to any Building, which is built, or begun to be built, before the ſaid twenty-fourth Day of *June*, not being of the ſeveral Materials in and by this Act required for external Walls, or external Incloſures, thereafter to be built, may be at all Times thereafter repaired with the ſame Sort or Sorts of Materials as the Materials of which ſuch external Wall,, or other external Incloſure, is erected (except the external Incloſures of Roofs, Flats, Gutters, and of the Dormers, Turrets, and Lanthorn Lights, or other Erections on the ſame, which ſhall be repaired with the Materials herein-before directed for the ſame); but in caſe any ſuch external Wall, or other external Incloſure, be at any Time hereafter taken down, or otherwiſe demoliſhed to the Breſſummer or one Pair of Stairs Floor, or the Place where the Breſſummer is uſually fixed, then every Part of the ſame, not being built of the ſeveral Materials in and by this Act required for external Walls, or other external Incloſures, thereafter to be erected, ſhall be taken down, and the ſame ſhall be entirely rebuilt of ſuch Materials, and in ſuch Manner, in all Reſpects, as in and by this Act required for all external Walls, or other external Incloſures, thereafter to be built, according to the Rate or Claſs of Building to which ſuch Wall, or other external Incloſure, belongs.

Old external Walls or Incloſures may be repaired with the ſame Materials.

LII. And be it further enacted by the Authority aforeſaid, That no Bow-window, or other Projection, made or built before the ſaid twenty-fourth Day of *June*, ſhall be at any Time thereafter rebuilt, except ſuch Projections as are in and by this Act allowed, unleſs ſuch Bow-window, or other Projection, was built at the ſame Time the Houſe or Building to which the ſame belongs was built, or unleſs ſuch Bow-Window, or other Projection, be within the original Line of the Street, Square, Place, Court, or Way, in which the ſame is erected.

No Bow-window or Projection to be rebuilt, unleſs originally built, or within the Line of the Street, &c.

LIII. And be it further enacted by the Authority aforeſaid, That no Stack of Warehouſes to be erected after the ſaid twenty-fourth Day of *June*, ſhall contain more than thirty-five Squares of Building on the Ground Plan thereof, including all the external and internal Walls, and ſo much of the Party-walls, if any, as belong to ſuch Stack of Warehouſes; and no Enlargement ſhall be at any time thereafter made to any Stack of Warehouſes already built or begun, ſo as to increaſe the ſame beyond the ſaid thirty-five Squares on the Ground Plan, including ſuch walls as aforeſaid, except ſuch Stack of Warehouſes be ſeparated and divided by one or more Party-wall or Party-walls, built, in every Reſpect, according to the Directions herein-before contained concerning Party-walls, into Diviſions of not more than thirty-five Squares each, including ſuch Walls as aforeſaid on the Ground Plan of ſuch Warehouſes; and that no Stack of Warehouſes ſhall communicate with any other Warehouſe or Building through a Party-wall, unleſs the Door-caſe and Sill of every ſuch Communication be of Stone, and unleſs there be to every ſuch Communication a Door of wrought Iron, of the Thickneſs of a Quarter of an Inch at leaſt in the Pannels thereof; and no Timber, Bond, or Lintel, ſhall be laid into the Brick-work of any Wall in any ſuch Stack of Warehouſes nearer than eighteen Inches to the Opening of ſuch Communication.

No Stack of Warehouſes to be above 35 Squares including internal and external Walls.

No Communication through Party-walls unleſs by Stone Door-caſes and Iron Doors.

No Timber within 18 Inches of ſuch Door.

No Stables to contain more than 25 Squares of Building including internal and external Walls.

LIV. And be it further enacted by the Authority aforeſaid, That no Building for Stables, to be erected after the ſaid twenty-fourth Day of *June*, ſhall contain more than twenty-five Squares of Building on the Ground Plan thereof, including all the external and internal Walls, and ſo much of the Party-walls (if any) as belong to ſuch Building for Stables; and no Enlargement ſhall be at any Time thereafter made thereto, or to any Building for Stables already built, or begun to be built, ſo as to increaſe the ſame beyond the ſaid twenty-five Squares on the Ground Plan, including ſuch Walls as aforeſaid, except ſuch Building for Stables be ſeparated and divided by one or more Party-wall or Party-walls, built in every Reſpect according to the Directions herein-before contained concerning Party-walls into Diviſions of not more than twenty-five Squares each, including ſuch Walls as aforeſaid, on the Ground Plan of ſuch Stables: And that no ſuch Building for Stables ſhall communicate through a Party-wall with any other Stables or Building, unleſs the Door-caſe and Sill of every ſuch Communication be of Stone, and unleſs there be to every ſuch Communication a Door of wrought Iron, of the Thickneſs of a Quarter of an Inch in the Pannels thereof; and no Timber, Bond, or Lintel, ſhall be laid into the Brick-work of any Wall in any ſuch Building for Stables nearer than eighteen Inches to the Opening of ſuch Communication.

No Communication Door without having Stone Caſes, &c.

Buildings hereafter divided into diſtinct Tenures on the Ground-floor deemed ſeparate Buildings.

LV. And be it further enacted by the Authority aforeſaid, That if any Building whatſoever of the Firſt, Second, Third, or Fourth Rate or Claſs of Building (except Buildings in the ſeveral Inns of Court or Chancery, the *Royal Exchange*, Companies Halls, and except Warehouſes and Dwelling-houſes let at a Rack Rent for not more than twenty-five Pounds by the Year), be at any Time hereafter converted into two or more Dwelling-houſes, Work-ſhops, Stables, or other Buildings, which ſhall be in diſtinct Tenures on the Ground-floor thereof, then each ſuch Tenement ſhall be conſidered as a ſeparate Building, and the ſame ſhall be divided from each other by a Party-wall or Party-walls; and every ſuch Party-wall ſhall be of the Materials, Height, and Thickneſs, and ſhall be from Time to Time under the ſeveral Regulations reſpecting Party-walls herein directed to be obſerved with reſpect to the Party-wall of the higheſt Rate or Claſs of Building adjoining to ſuch Party-wall or Party-walls.

Not to prevent Proprietors from dividing Warehouſes;

LVI. Provided nevertheleſs, That nothing in this Act contained ſhall extend to prevent any Perſon, being the Proprietor or Leaſeholder of any Stack of Warehouſes, from dividing the ſaid Warehouſes from Time to Time into Diviſions, for the Conveniency of letting the ſame to Under Tenants; ſo, nevertheleſs, as that, if any Stack of Warehouſes contain more than thirty-five Squares of Building on the Ground Plan, the ſame ſhall be ſeparated and divided by a Party-wall or Party-walls as aforeſaid into Diviſions of not more than thirty-five Squares each, as is herein-before directed concerning Stacks of Warehouſes to be erected after the ſaid twenty-fourth Day of *June*.

nor from dividing Stables, ſubject to Reſtrictions mentioned.

LVII. Provided alſo, That nothing in this Act contained ſhall extend to prevent any Perſon, being the Proprietor or Leaſeholder of any Stable Yard, or Livery Stables, from dividing the ſaid Stables from Time to Time into Diviſions, for the Conveniency of letting the ſame to Under Tenants; ſo, nevertheleſs, as that if any Building for Stables contain more than twenty-five Squares of Building on the Ground Plan, the ſame ſhall be ſeparated and divided by a Party-wall or Party-walls, as aforeſaid, into Diviſions of not more than twenty-five Squares each, as herein-before directed concerning Buildings for Stables to be erected after the ſaid twenty-fourth Day of *June*.

Buildings of the Fifth and Sixth Rates, in diſtinct Tenures, and not at the requiſite Diſtances, deemed Nuiſances.

LVIII. And it is hereby further enacted, That if any Building herein-before declared to be of the Fifth or Sixth Rate or Claſs of Building, be hereafter divided into two or more diſtinct Tenures, and the ſeveral Parts of ſuch Building in ſuch ſeparate Tenures be not at the ſeveral Diſtances from each other herein-before particularly directed for every ſuch Fifth or Sixth Rate Building; then, every ſuch ſeveral Part of ſuch Building in every ſuch ſeparate and diſtinct Tenure, being nearer to each other than the ſaid ſeveral Diſtances, ſhall be deemed a publick Nuiſance, and ſhall be immediately taken down as ſuch.

No Funnel for Smoke next the Street in the Front of Houſes of the Firſt, Second, Third, or Fourth Rates.

No Funnel within 14 Inches to any Timber.

No Brick Funnel in the Front to extend beyond the Line of the Street.

LIX. And be it further enacted by the Authority aforeſaid, That no Iron, Tin, Copper, or other Pipe or Funnel for conveying Smoke or Steam, ſhall be, at any Time after the ſaid twenty-fourth Day of *June*, fixed next any publick Street, Square, Court, or Way, on the Front of any Building of the Firſt, Second, Third, or Fourth Rate or Claſs of Building; nor ſhall any ſuch Pipe or Funnel be fixed on the Inſide of any ſuch Building nearer than fourteen Inches to any Timber, or other combuſtible Material whatever; nor ſhall any Brick Funnel be thereafter built or placed on the Outſide of any Front next to any publick Street, Square, Place, Court, Road, or Way, of any Building of the Firſt, Second, Third, or Fourth Rate or Claſs of Building, ſo as to extend beyond the general Line of the Houſes in the publick Street, Square, Place, Court, or Way, in which the ſame is erected.

Every Building contrary, declared to be a common Nuiſance;

and the Builder and Owner to

LX. And be it further enacted by the Authority aforeſaid, That every Church, Chapel, Meeting-houſe, Dwelling-houſe, or other Building, and every Party-wall and other Wall which ſhall, after the ſaid twenty-fourth Day of *June*, be built within the Limits of this Act, ſhall be built purſuant to ſuch Rules and Regulations, and with ſuch Materials, as are herein-before particularly appointed; and if any Perſon or Perſons preſume to build or to begin Building, or to cauſe the Building or beginning to build, or to alter, or cauſe to be altered, any Building already erected in any reſpect contrary thereunto, and be thereof convicted by the Oaths of two or more credible Witneſſes before the Mayor of the City of *London*, or any two or more Juſtices of the Peace for the ſaid City of *London*, or Counties of *Middleſex* or *Surrey*, or City and Liberty of *Weſtminſter*, or Liberty of his Majeſty's *Tower* of *London* reſpectively, where ſuch Building, contrary to the Regulations aforeſaid, ſhall be ſituated (which Oaths they the ſaid Mayor and Juſtices are hereby reſpectively impowered and required to adminiſter), then the ſaid Houſe, Building, or Wall, ſo irregularly built, or begun to be built, or ſo irregularly altered, or begun to be altered, ſhall be deemed a common Nuiſance, and the Builder and the Owner thereof, or one of them, ſuch as the ſaid Mayor or Juſtices ſhall require, ſhall enter into a Recognizance in ſuch Sum as the

the ſaid Mayor or Juſtices ſhall reſpectively appoint, for abating and demoliſhing the ſame, within ſuch convenient Time as the ſaid Mayor or Juſtices ſhall reſpectively appoint; or otherwiſe to amend the ſame according to ſuch Rules and Regulations as are herein-before contained: And in Default of entering into ſuch Recognizance, the Perſon or Perſons ſo making Default ſhall be committed to the common Gaol of the City, County, or Liberty, where the Offence ſhall be committed, there to remain, without Bail or Mainprize, until he ſhall have abated or demoliſhed, or otherwiſe amended, the ſame; or until ſuch irregular Houſe or Building ſhall be abated or demoliſhed by Order of ſuch Mayor or Juſtices reſpectively, which Order the ſaid Mayor and Juſtices are hereby impowered to make; provided always that ſuch Conviction be had within three Months after ſuch Building ſhall be finiſhed.

enter into a Recognizance to demoliſh the ſame.

LXI. And it is hereby further enacted, That it ſhall be lawful for the Mayor of the City of *London*, or any two or more Juſtices of the Peace for the ſaid City of *London*, or County of *Middleſex* or *Surrey*, or City and Liberty of *Weſtminſter*, or Liberty of his Majeſty's *Tower of London* reſpectively, where any Building contrary to the Regulations aforeſaid ſhall be ſituated, to order every Houſe or Building ſo irregularly built, or begun to be built, or ſo irregularly altered, or begun to be altered, as is by this Act declared to be a common Nuiſance, to be abated or taken down, and to order the Perſon or Perſons authoriſed to abate or take down the ſame, to ſell and diſpoſe of the Materials thereof, and out of the Monies ariſing by the Sale thereof, to pay to themſelves, and all Perſons by them employed for the Purpoſes aforeſaid, the reaſonable Charges of abating or taking down ſuch Nuiſance; and to pay the Surplus of the Monies ariſing by ſuch Sale (if any be) to the Owner or Owners of ſuch Materials; and if the Monies ariſing by ſuch Sale be not ſufficient to pay ſuch Charges, the Deficiency ſhall be made good by ſuch Owner or Owners, and may be levied in like Manner as is herein-after directed concerning the Expence of taking down ruinous Buildings, and putting up Hoards for the Safety of Paſſengers.

Buildings deemed Nuiſances ſhall be taken down by Order of the Court,

and Materials ſold to defray the Expence.

LXII. And be it further enacted by the Authority aforeſaid, That the Mayor and Aldermen of the ſaid City of *London* ſhall and may nominate and appoint ſuch and ſo many diſcreet Perſons, ſkilled in the Art of Building, as they the ſaid Mayor and Aldermen think fit, to be, during their Will and Pleaſure, the Surveyors or Superviſors to ſee the ſaid Rules and Regulations well and truly obſerved in and throughout the ſaid City of *London*, and the Liberties thereof: And it ſhall be lawful for the ſaid Mayor and Aldermen in their Court of Aldermen, and they are hereby required to adminiſter to all the ſaid Surveyors or Superviſors an Oath for the true and impartial Execution of their Office in that Behalf; and to appoint the ſeveral Diſtricts which ſhall be under their reſpective Surveys: And it ſhall alſo be lawful for the Juſtices of the Peace for the County of *Middleſex*, the County of *Surrey*, the City and Liberty of *Weſtminſter*, and the Liberty of his Majeſty's *Tower of London*, in their General Quarter Seſſions reſpectively, and they are hereby required, within their reſpective Juriſdictions, to nominate and appoint ſuch, and ſo many diſcreet Perſons ſkilled in the Art of Building, as the ſaid Juſtices, in their reſpective Quarter Seſſions, think fit, to be, during their Will and Pleaſure, the Surveyors or Superviſors to ſee the ſaid Rules and Regulations well and truly obſerved in and throughout the ſaid City and Liberty of *Weſtminſter*, and the ſaid ſeveral Pariſhes, Precincts, and Places aforeſaid, within the Juriſdiction of the reſpective Quarter Seſſions by whom they ſhall be ſo appointed: And the ſaid Juſtices, in their reſpective Quarter Seſſions, ſhall adminiſter to the ſaid Surveyors or Superviſors by them reſpectively appointed, an Oath for the true and impartial Execution of their Office in that Behalf, and ſhall appoint the ſeveral Diſtricts which ſhall be under their reſpective Surveys; which Oath ſhall be in the Form, or to the Effect, following; that is to ſay,

Court of Aldermen of London, to appoint Surveyors in that City.

In other Places the Quarter Seſſions to appoint Surveyors.

'I *A. B.* being one of the Surveyors or Superviſors appointed in purſuance of an Act of Parliament, paſſed in the fourteenth Year of the Reign of King *George* the Third, *For the further and better Regulation of Buildings and Party-walls*; *and for the more effectually preventing Miſchiefs by Fire within the Cities of* London *and* Weſtminſter, *and the Liberties thereof, and other the Pariſhes, Precincts, and Places, within the weekly Bills of Mortality, the Pariſhes of* Saint Mary-le-bon, Paddington, Saint Pancras, *and* Saint Luke *at* Chelſea, *in the County of* Middleſex; *and for indemnifying, under certain Conditions, Builders, and other Perſons, againſt the Penalties to which they are or may be liable for erecting Buildings within the Limits aforeſaid, contrary to Law*, do ſwear, that, upon receiving Notice of any Building or Wall to be built, or other Builders Work to be done, within the Diſtrict under my Inſpection, not being by Illneſs or otherwiſe lawfully prevented, I will, diligently and faithfully, ſurvey the ſame, and, to the utmoſt of my Abilities, endeavour to cauſe the Rules and Regulations, in the ſaid Act preſcribed, to be ſtrictly obſerved; and that without Favour or Affection, Prejudice or Malice.

'*So help me* GOD.'

The Oath.

And ſuch Surveyor or Superviſor ſhall, from Time to Time, leave Notice in Writing with the Clerk of the Peace for the County, City, or Liberty, in which his Diſtrict ſhall be ſituated, of the Place of his uſual Abode or Reſidence.

Clerk to leave Notice of his Abode.

LXIII. And it is alſo hereby further enacted, That before any Building or any Wall, on new or old Foundations, or on Foundations partly new and partly old, within the Limits of this Act, ſhall, after the ſaid twenty-fourth Day of *June*, be begun to be built, the Maſter Workman, or other Perſon cauſing ſuch Building or Wall to be built, ſhall give twenty-four Hours Notice thereof to the Surveyor or Superviſor appointed as aforeſaid, within whoſe Diſtrict the ſame ſhall be; and ſuch Surveyor or Superviſor ſhall view the ſaid Building or Wall, and ſee that all the Rules and Regulations in this Act contained are well and truly obſerved; and ſuch Surveyor or Superviſor, for his Trouble therein, ſhall be paid by ſuch Maſter Workman, or other Perſon cauſing ſuch Building or Wall to be built, ſuch Sum of Money as a Satisfaction for his Trouble therein, as any two or more of his Majeſty's Juſtices of the Peace for the City, County, or Liberty, in which ſuch Building or Wall is ſituate, ſhall, by any Writing under their Hands, order or appoint, not exceeding three Pounds ten Shillings for every new Building of the Firſt Rate or Claſs of

Notice of Building to be given to Surveyors.

Building; or one Pound fifteen Shillings for every First Rate Building to which any Alteration or Addition ſhall be made; and not exceeding three Pounds three Shillings for every new Building of the Second Rate or Claſs of Building, or one Pound ten Shillings for every Second Rate Building to which any Alteration or Addition ſhall be made; and not exceeding two Pounds ten Shillings for every new Building of the Third Rate or Claſs of Building, or one Pound five Shillings for every Third Rate Building to which any Alteration or Addition ſhall be made; and not exceeding two Pounds two Shillings for every new Building of the Fourth Rate or Claſs of Building, or one Pound one Shilling for every Fourth Rate Building to which any Alteration or Addition ſhall be made; and not exceeding one Pound ten Shillings for every new Building of the Fifth Rate or Claſs of Building, or fifteen Shillings for every Fifth Rate Building to which any Alteration or Addition ſhall be made; and not exceeding one Pound one Shilling for every new Building of the Sixth Rate or Claſs of Building, or ten Shillings and Sixpence for every Sixth Rate Building to which any Alteration or Addition ſhall be made; and not exceeding ten Shillings and Sixpence for every new Building of the Seventh Rate or Claſs of Building, or five Shillings for every Seventh Rate Building to which any Alteration or Addition ſhall be made; and, in Default of Payment of any of the ſaid ſeveral Sums of Money, or ſuch other Sums as the ſaid Juſtices ſhall appoint, the ſame ſhall, by Warrant of one or more of ſuch Juſtice or Juſtices as aforeſaid, be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Maſter-Workman, or other Perſon as aforeſaid, together with the reaſonable Coſts and Charges of ſuch Diſtreſs and Sale.

On Default of Notice, Treble Satisfaction to Surveyor, and 20l. Penalty.

LXIV. And it is hereby further enacted, That if any Perſon ſhall, after the ſaid twenty-fourth Day of *June*, begin any ſuch Building, or any ſuch Wall; or if any Perſon or Perſons ſhall thereafter preſume to cut into any Party-wall, without firſt giving ſuch Notice as aforeſaid to the Surveyor or Surviſor within whoſe Diſtrict the ſame is ſituated, or ſhall refuſe ſuch Surveyor or Surviſor Admittance from Time to Time, at reaſonable Hours, for the Purpoſe of viewing the ſame; then, every Perſon ſo neglecting to give ſuch Notice, or ſo refuſing ſuch Admittance, ſhall, for every Default therein, forfeit and pay to the ſaid Surveyor or Surviſor Treble the Satisfaction which ſuch Surveyor or Surviſor would have been intitled to receive for his Trouble in viewing ſuch Building or Wall, and ſeeing the Rules and Regulations of this Act well and truly obſerved therein, in caſe ſuch Notice had been given; and ſhall alſo, for every ſuch Default, forfeit the Sum of twenty Pounds, to be recovered by any Action, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, by any Perſon or Perſons who ſhall ſue for the ſame; and alſo every ſuch Houſe, Building, or Wall, ſo begun to be built, without giving ſuch Notice, or without giving ſuch Admittance to ſuch Surveyor or Surviſor, in caſe the ſame be not built in every Reſpect agreeably to the Regulations of this Act, ſhall be demoliſhed or amended by Order of the ſaid Mayor, or of two Juſtices, within whoſe Juriſdiction the ſame ſhall be, in the Manner herein-before directed.

Surveyor to give Information of irregular Buildings.

LXV. And it is hereby further enacted, That in caſe the Workmen employed in building any ſuch Building or Wall, or in the cutting into any ſuch Party-wall, ſhall not well and truly obſerve the ſeveral Rules and Regulations in this Act contained, and from Time to Time conform themſelves thereto, the Surveyor or Surviſor within whoſe Diſtrict the ſame is ſituated, ſhall, from Time to Time, give Information thereof, as ſoon as conveniently may be, to the ſaid Mayor of the City of *London*, or to two or more Juſtices of the Peace within whoſe Juriſdiction the ſame ſhall be; and the ſaid Mayor or Juſtices ſhall proceed thereupon to hear the Matter, and if any Breach of the Rules and Regulations in this Act contained is found to have been committed, the ſaid Mayor or Juſtices ſhall proceed to cauſe ſuch irregular Building or Wall to be demoliſhed or amended in Manner herein-before directed.

50 s. Penalty on Workmen offending.

LXVI. And be it further enacted by the Authority aforeſaid, That if any Workmen, or Servants to any Maſter Workman, or other Perſon or Perſons cauſing any ſuch Building or Wall to be erected within the Limits of this Act, ſhall wilfully, careleſsly, or negligently, and without the Direction, Privity, or Conſent of ſuch Maſter Workman, or Perſon cauſing ſuch Building or Wall to be erected, do any Thing in or about ſuch Building or Wall contrary to the Directions of this Act, every ſuch Workman or Servant ſo offending, upon Conviction thereof before the Mayor of *London*, or other Juſtice of the Peace for the ſaid City of *London*, or before one or more Juſtice or Juſtices of the Peace for the ſaid County of *Middleſex*, or County of *Surrey*, or the City and Liberty of *Weſtminſter*, or the Liberty of his Majeſty's *Tower of London* (as the Caſe ſhall be), upon the Oath of one or more credible Witneſs or Witneſſes (which Oath the ſaid Mayor and every ſuch Juſtice is hereby impowered and required to adminiſter), or upon his own Confeſſion, ſhall, for every ſuch Offence, forfeit the Sum of fifty Shillings, one Moiety thereof to be paid to the Overſeer or Overſeers of the Poor of the Pariſh, Precinct, or Place, wherein the Offence was committed, for the Uſe of the Poor only, and the other Moiety thereof to the Informer; and if any ſuch Forfeiture of fifty Shillings be not paid upon and immediately after ſuch Conviction, then the Offender ſhall, by Warrant under the Hand and Seal of ſuch Mayor or other Juſtice, be committed to the Houſe of Correction, there to remain, without Bail or Mainprize, for any Time not exceeding three Months, nor leſs than one Month, unleſs the ſaid Penalty be ſooner paid.

Houſes or Walls hereafter built to be ſurveyed within 14 Days after covered in, and Oath made of their Conformity to this Act.

LXVII. Provided alſo, and it is hereby further enacted, That every Maſter Workman, or other Perſon, who ſhall, after the ſaid twenty-fourth Day of *June*, build, or cauſe to be built, any Houſe or other Building, or any Addition to any Houſe or other Building, or any Party-wall or other Wall, or who ſhall be employed to cut into any Party-wall within the Limits of this Act, ſhall, within fourteen Days after ſuch Houſe or other Building is covered in, or ſuch Party-wall or other Wall is finiſhed, or the Cutting into any Party-wall is made good, cauſe the ſame to be ſurveyed by the Surveyor or Surviſor within whoſe Diſtrict the ſame is ſituated; and in caſe the ſaid Surveyor ſhall refuſe, neglect, or ſhall, by Illneſs or otherwiſe, be prevented ſurveying ſuch Building, Wall, or other Work, then the ſame ſhall be ſurveyed by any other Surveyor or Surviſor appointed and ſworn within the City, County, or Liberty, wherein the ſaid Building, Wall, or other Work is ſituated; and if ſuch Surveyor or Surviſor ſhall, upon ſuch Survey, find that

that the ſame is, to the beſt of his Judgment and Belief, built, or made good, agreeably to the ſeveral Directions in this Act contained, then ſuch Surveyor or Superviſor ſhall, within fourteen Days after ſurveying the ſame, make Oath thereof, by Affidavit in Writing, before the Mayor of the City of *London*, or ſome Juſtice of the Peace for the ſaid City, or for the County of *Middleſex*, the County of *Surrey*, the City and Liberty of *Weſtminſter*, or the Liberty of his Majeſty's *Tower of London* reſpectively, within whoſe Juriſdiction the ſaid Building or Wall is ſituated; which Oath ſuch Mayor or Juſtice is hereby impowered and required to adminiſter: And the ſaid Affidavit ſhall be filed with the Clerk of the Peace for the County, City, or Liberty, in which the ſaid Building or Wall is ſituated, within ten Days after the making thereof; and the ſaid Clerk of the Peace ſhall, for his Trouble therein, be intitled to and receive the Sum of one Shilling, and no more; and if any Maſter Workman, or other Perſon cauſing ſuch Building or Wall to be erected, or ſuch Party-wall to be cut into as aforeſaid, make Default in the Premiſes, by neglecting to cauſe ſuch Survey to be made, or ſuch Affidavit to be made and filed, he ſhall, for every ſuch Neglect, forfeit the Sum of ten Pounds; and if ſuch Affidavit be not made and filed within the Space of one Month next after the Recovery of ſuch Penalty, ſuch Maſter Workman, or other Perſon as aforeſaid, ſhall forfeit the further Sum of ten Pounds, and ſo *toties quoties* for every Month, until ſuch Affidavit ſhall be made and filed; and each of the ſaid Penalties ſhall be recovered and applied in like Manner as the Penalty herein-after mentioned, and by this Act inflicted on Perſons diſtilling or boiling larger Quantities of Turpentine together than are hereby allowed in Places not hereby allowed.

Oath to be filed.

Builder neglecting to cauſe ſuch Oath to be made ſhall forfeit 10l. Oath to be made within one Month after Conviction, on Pain of further Penalty of 10l.

LXVIII. Provided alſo, and it is hereby further enacted, That if any Surveyor or Superviſor, appointed and ſworn in Manner herein-before directed, ſhall, at any Time, wilfully neglect his Duty, or behave himſelf negligently or unfaithfully in the Diſcharge thereof, and the ſame being, upon Complaint thereof, made appear to the Mayor and Aldermen of the ſaid City of *London*, or to the Court of Seſſions by whom he was appointed; ſuch Surveyor or Superviſor ſhall, by the ſaid Mayor and Aldermen, or by the ſaid Court of Seſſions (as the Caſe may be), be forthwith diſcharged from his ſaid Office, and ſhall for ever afterwards be incapable of being again appointed a Surveyor or Superviſor for the Purpoſes aforeſaid.

Surveyor on miſbehaving to be diſcharged, and to be incapable of being again appointed.

LXIX. Provided alſo, and it is hereby further enacted, That nothing in this Act contained ſhall extend to any of his Majeſty's Royal Palaces, or to any Houſe or Building being in the Poſſeſſion of his Majeſty, his Heirs and Succeſſors, or employed for his Majeſty's Uſe or Service; or to her Majeſty's Palace, or to any Houſe or Building in the Poſſeſſion of her Majeſty, or employed for her Uſe or Service.

King's Palaces, &c. excepted.

'LXX. And whereas Houſes and Buildings within the Limits aforeſaid are often, either from litigated 'Titles thereto, or the Obſtinacy, Neglect, or Poverty, of the Owners thereof, or of the Parties intereſted 'therein, in ſo ruinous a Condition, that Paſſengers thereby are in Danger of their Lives or Limbs from 'the Falling thereof, or of the Bricks or Timber therefrom;' be it therefore enacted by the Authority aforeſaid, That if any Preſentment ſhall hereafter be made by an Inqueſt or Grand Jury in *London*, or by any Annoyance Jury within the City and Liberty of *Weſtminſter*, or by the Jury ſworn at the Court Leet held by the Sheriff in his Turn for any Hundred or Place, or by any other Jury or Inqueſt ſworn within any other Part of the Limits aforeſaid, that any Houſe or Building within the ſame Limits, or any Part thereof, is in a ruinous Condition, it ſhall be lawful for the Court of Mayor and Aldermen, in reſpect of any ſuch Houſe or Building within the ſaid City of *London*, and the Liberties thereof, or for the Churchwardens or Overſeers of the Poor for the Time being of ſuch Pariſh, Precinct, or Place, in which ſuch Houſe or Building is ſituated (not being in the City of *London*, or the Liberties thereof), and the ſaid Court, and every ſuch Churchwarden and Overſeer of the Poor, is and are hereby required, on Notice of any ſuch Preſentment being made, and a Copy thereof being laid before them or him reſpectively, to cauſe, with all convenient Speed, a proper and ſufficient Hoard to be put up for the Safety of all Paſſengers paſſing thereby, and to cauſe Notice in Writing to be given to the Owner or Owners, or other Perſon or Perſons intereſted therein, if he, ſhe, or they, can be found; and if not, to cauſe ſuch Notice in Writing to be affixed to or upon the Door, or other notorious Part of ſuch Houſe or Building ſo preſented to be in ſuch ruinous Condition, to repair the ſame, or to pull down ſuch Building, as the Caſe may require, within fourteen Days then next enſuing: And if ſuch Owner or Owners, or other Perſon or Perſons intereſted in any ſuch Houſe or Building, do not begin to repair or take down the ſame, within the ſaid fourteen Days after ſuch Notice ſo given or affixed as aforeſaid, and complete ſuch Repairs, or take down the ſame as ſoon as the Nature of the Caſe will admit; then, Oath being made before the ſaid Mayor, or a Juſtice of the Peace for the ſaid City of *London*, or County of *Middleſex* or *Surrey*, or City and Liberty of *Weſtminſter*, or Liberty of his Majeſty's *Tower of London*, as the Caſe may be (which Oath every of them the ſaid Mayor and Juſtices is hereby impowered and required to adminiſter), of ſuch Notice having been ſo given, or affixed as aforeſaid, the ſaid Court of Mayor and Aldermen, by and out of the Caſh in the Chamber of *London*, and alſo every ſuch Churchwarden and Overſeer of the Poor, by and out of the Monies in his Hands, are hereby ſeverally authoriſed and required, with all convenient Speed, to order and cauſe ſuch Houſe or Building, ſo preſented to be in a ruinous Condition, or ſo much thereof as the ſaid Court, or the ſaid Churchwardens or Overſeers of the Poor, find neceſſary for the Safety of Paſſengers, to be taken down and ſecured, in ſuch Manner as ſhall, from Time to Time, be requiſite; and to ſell and diſpoſe of ſuch of the Materials as the ſaid Court of Mayor and Aldermen, or the ſaid Churchwardens or Overſeers of the Poor, ſhall judge neceſſary and expedient; and out of the Monies ariſing by the Sale thereof to reimburſe, repay, and ſatisfy, to themſelves, and every Perſon by them reſpectively employed for the Purpoſes aforeſaid, all the Charges of putting up every ſuch Hoard, and of taking down and ſecuring all or any Part of every ſuch Houſe or Building, ſo taken down or ſecured as aforeſaid, and of ſelling the ſaid Materials as aforeſaid, or ſo much thereof as the Monies ariſing by ſuch Sale will extend to pay; and ſhall account for and pay the Surplus of the Monies ariſing by ſuch Sale (if any be) to the Owner of every ſuch Houſe or Building, upon perſonal Demand thereof made by ſuch Owner; and if no ſuch Demand be made of any ſuch Overſeer or Overſeers before another or other Overſeer or Overſeers of the Poor of the ſaid Pariſh, Precinct,

When any Building is preſented as ruinous, a Hoard to be put up for Safety of Paſſengers.

If Owners neglect to take down ruinous Houſes after Notice, the Mayor and Aldermen, or Overſeers of the Poor, may order the ſame to be taken down or ſecured;

and may ſell the Materials,

and ſatisfy themſelves out of the Monies ariſing by ſuch Sale.

Precinct, or Place, be appointed, then ſuch Overplus ſhall be added to the Monies raiſed and collected by virtue of the Rates made for the Relief of the Poor of the ſaid Pariſh, Precinct, or Place, and accounted for as ſuch.

Overplus ariſing by the Sale to be paid to Owners any Time within 6 Years, on Demand;

LXXI. Provided nevertheleſs, That any ſuch Owner, his or her Executors or Adminiſtrators, ſhall and may, at any Time or Times within the Term of ſix Years then afterwards, be intitled to have and receive ſuch Overplus from the Churchwardens or Overſeers of the Poor for the Time being of ſuch Pariſh, Precinct, or Place, within ten Days after Demand thereof perſonally made by ſuch Owner, his or her Executors or Adminiſtrators; and every ſuch Churchwarden or Overſeer is hereby required to pay the ſame accordingly out of any Monies raiſed, or to be raiſed, by any Rate or Rates for the Relief of the Poor, and ſhall be allowed the Payment thereof in any Account to be by him made with the Veſtry, Inhabitants, and Pariſhioners of the ſaid Pariſh, Precinct, or Place, or the future Overſeer or Overſeers thereof: And if it happens that the Monies ariſing by ſuch Sale ſhall fall ſhort, and are deficient to repay and ſatisfy all ſuch Charges, then ſuch Deficiency ſhall, from Time to Time, be paid by the Owner or Owners of every ſuch Houſe or Building, if known, and to be met with; and if ſuch Owner or Owners, on Demand thereof, neglect or refuſe to pay the ſame, then ſuch Deficiency may be levied by Warrant under the Hand and Seal of the Mayor of the ſaid City of *London* for the Time being, or any other Juſtice of the Peace for the ſame City, or under the Hands and Seals of two or more Juſtices of the Peace for the County of *Middleſex*, or County of *Surrey*, or City and Liberty of *Weſtminſter*, or Liberty of his Majeſty's *Tower of London* (as the Caſe ſhall be), by Diſtreſs and Sale of the Goods and Chattels of ſuch Owner or Owners, if any ſuch can be found: And if no ſuch Owner or Owners can be met with, or, being met with, ſhall not on Demand pay the ſaid Deficiency, and no ſufficient Diſtreſs of his, her, or their Goods and Chattels can be met with wherefrom ſuch Deficiency of ſuch Coſts and Charges may be levied and recovered; then the Perſon or Perſons who ſhall at any Time then after occupy any ſuch Houſe or Building, or the Ground where the ſame ſtood, is and are hereby required and authoriſed to pay and deduct the ſame out of the Rent thereof; and if he, ſhe, or they, neglect or refuſe to pay ſuch Deficiency of Charges, then the ſame ſhall, by Warrant under the Hand and Seal of the ſaid Mayor of the ſaid City for the Time being, or any other Juſtice of the Peace for the ſame City, or under the Hands and Seals of two or more ſuch Juſtices of the Peace as aforeſaid, be levied by Diſtreſs and Sale of the Goods and Chattels of any Occupier or Occupiers of the Premiſes, together with the Coſts of every ſuch Diſtreſs and Sale; and the Owner or Owners of the Premiſes is and are hereby required to allow to every ſuch Occupier or Occupiers all ſuch Deficiencies and Charges which he, ſhe, or they, ſhall ſo pay, or which ſhall be recovered or levied by Diſtreſs and Sale from him, her, or them, as aforeſaid, out of any Rent which ſhall become due for the ſaid Premiſes, or any Part thereof; and every Occupier paying any ſuch Deficiency and Charges ſhall be acquitted and diſcharged for ſo much Money as he, ſhe, or they, ſo pay, in the ſame Manner as if the ſame had been actually paid to ſuch Perſon or Perſons to whom his, her, or their Rents were due, and ſhould have been paid; and all Money received or recovered on the Account aforeſaid, for or in reſpect of any ſuch Houſe or Building within the City of *London*, or the Liberties thereof, ſhall be paid to the Chamberlain of the ſaid City, and be by him, from Time to Time, placed to the Credit of the Caſh of the ſaid City of *London*; and all Money on the Account aforeſaid from Time to Time received or recovered, for or in reſpect of any ſuch Houſe or Building in any Part of the Limits aforeſaid, other than the ſaid City of *London*, and the Liberties thereof, ſhall be paid to the Churchwardens or Overſeers of the Poor for the Time being of the Pariſh, Precinct, or Place, where ſuch Houſe or Building ſo preſented is ſituated, and ſhall be placed to the Account of the ſaid Pariſh, in Aid of ſuch or a like Rate or Fund, out of which the Expences and Charges ſo received or recovered were originally diſburſed.

but if Sale of old Materials be inſufficient, Owners or Occupiers to make good the Deficiency.

Landlords to allow Deficiencies paid by the Tenants.

Not more than 10 Gallons of Turpentine may be diſtilled at once in Houſes contiguous to others.

'LXXII. And whereas the diſtilling Turpentine, and the drawing off the Oil of Turpentine and Roſin 'by diſtilling Turpentine, and the boiling the ſaid Oil and Turpentine together for making Varniſh, within 'the Limits aforeſaid, may prove of dangerous Conſequence to the Neighbourhood where every ſuch 'Practice is uſed:' For preventing thereof for the future, be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, it ſhall not be lawful for any Perſon or Perſons to diſtil or boil any Turpentine, or to draw any Oil of Turpentine and Roſin by diſtilling Turpentine, or to boil any Oil and Turpentine together, above the Quantity of ten Gallons at one Time, of all or any of the ſaid Commodities, within the Limits aforeſaid, in any Workhouſe or Place contiguous to any other Building, or in any Place nearer to any other Building than the Diſtance of fifty Feet, at the leaſt, upon Pain that every Perſon offending therein ſhall, for every ſuch Offence, forfeit and pay the Sum of one hundred Pounds; every of which Forfeitures ſhall and may be recovered, with Treble Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety whereof ſhall be to the Uſe of the Poor of the Pariſh, Precinct, or Place, wherein the Offence was committed, and the other Moiety thereof to ſuch Perſon or Perſons as ſhall inform or ſue for the ſame.

Penalty.

Shipwrights, &c. excepted.

LXXIII. Provided always, That nothing in this Act contained ſhall extend to prevent Shipwrights, Barge-builders, Boat-builders, or Maſt-makers, or other Perſons employed in building or repairing Ships, Barges, Boats, or other Veſſels, near the River *Thames*, from boiling or mixing Oil and other Materials for the Purpoſe of paying Ships, Barges, Boats, or Maſts.

Fire Engines and Ladders to be kept in known Places,

'LXXIV. And whereas the having a ſufficient Number of Fire Engines kept in known publick Places, 'and at convenient Diſtances from each other, and ready to be brought forth as Occaſion may require; 'and the ſupplying ſuch Engines with Plenty of Water; and the giving Encouragement to Engineers and 'others to bring forth, uſe, and work ſuch Engines, may tend greatly to leſſen the Miſchiefs happening 'by Fire; and the having proper Ladders kept in known publick Places, ready to be brought forth, may 'facilitate the Eſcape of the Inhabitants from Houſes on Fire;' be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, it ſhall and may be lawful to and for the Churchwardens

wardens of every Pariſh, and to and for the Overſeers of the Poor of every Precinct and Place, not having any Churchwarden, within the Limits aforeſaid, and they are hereby reſpectively required, from Time to Time, for ever, to make, place, and fix, at the Charge of ſuch reſpective Pariſh, Precinct, or Place, upon the Mains and Pipes belonging to any Waterwork whatſoever within the Limits aforeſaid, ſuch and ſo many Stopblocks of Wood, with a Wood Plug, or ſuch and ſo many Firecocks, to go into each Main or Pipe, and to be placed at ſuch Diſtances in each and every Street or Place, as ſuch Churchwardens or Overſeers of the Poor reſpectively for the Time being ſhall direct; and that the Top of every ſuch Stopblock or Firecock ſhall be even with the Pavement of each Street or Place, to the Intent ſuch Plugs or Firecocks may, upon Occaſion of any Fire, be opened to let out the Water without Loſs of Time in digging down to the Pipes; and that all and every ſuch Churchwardens or Overſeers of the Poor reſpectively ſhall have Power, and are hereby required, from Time to Time, to fix any Mark or Writing on the Front of any Houſe or Houſes over againſt or neareſt to the Place where ſuch Stopblocks, Plugs, or Firecocks, reſpectively lie, or are placed, for the better making known where all and every ſuch Stopblocks, Plugs, or Firecocks lie; and ſhall alſo keep an Inſtrument or Key in every ſuch Houſe where every ſuch Mark ſhall be, to open the Stopblock, Plug, or Firecock; and ſhall keep in ſuch Houſe a Pipe for the Water to come thereout, to be made uſe of as Occaſion may require; and all ſuch Stopblocks and Firecocks ſhall be kept in Repair at the Charge of each Pariſh, Precinct, or Place, where the ſame are placed; and ſuch Plugs ſhall be kept in Repair by the Owners of the Mains and Pipes where the ſame are fixed; and whenever the Owners of any Waterworks ſhall afterwards remove, change, or alter the ſaid Mains or Pipes, then, and in every ſuch Caſe, the Owner or Owners of every ſuch Main or Pipe ſhall, at his or their own proper Coſts and Charges, place and fix the ſame, or the like Stopblocks, Plugs, and Firecocks, upon every ſuch new Main or Pipe, to be placed where the Churchwardens of the Pariſh, or Overſeers of the Precinct or Place, not having a Churchwarden, for the Time being, ſhall direct; and in every ſuch Caſe the Inſtrument or Key, and Pipe, ſhall be removed to the Houſe oppoſite or neareſt to the Place to which ſuch Stopblock, Plug, and Firecock is removed; and every ſuch Churchwarden or Overſeer reſpectively ſhall cauſe a like Mark or Writing to be fixed againſt every ſuch Houſe.

and Firecocks to be fixed on the Mains.

Marks near the Place where Firecocks lie:

Inſtrument or Key to be kept there.

LXXV. And be it further enacted by the Authority aforeſaid, That every Pariſh within the Limits aforeſaid, ſhall, from Time to Time, and at all Times after the ſaid twenty-fourth Day of *June*, have, and keep in good Order and Repair, and in ſome known and publick Place within each Pariſh, a large Engine, and alſo an Hand Engine, to throw up Water for the extinguiſhing of Fires; and alſo ſhall provide, keep, and maintain, one Leather Pipe at leaſt, with a Socket of the ſame Size as the Plug or Firecock, and a Stand-cock or Suction-pipe, to the Intent the Socket may be put into the Pipe, to convey the Water without Loſs, and without the Help of Buckets, into the Engine; and ſhall alſo have and keep, in ſome known and publick Place within each Pariſh, three or more proper Ladders, of one, two, and three Story high, for aſſiſting Perſons in Houſes on Fire to eſcape therefrom; and in Default of making, placing, fixing, and continuing, ſuch Stopblocks or Firecocks on the ſeveral Mains and Pipes, and alſo in Default of having and keeping in good Repair ſuch large Engine, Hand Engine, and Leather Pipe or Pipes, Socket and Stand-cock, and Suction-pipe, and ſuch Ladders as aforeſaid, every Churchwarden of ſuch Pariſh, and every Overſeer of any ſuch Precinct or Place not having a Churchwarden, making Default in all or any of the Premiſes, and being convicted thereof before two of his Majeſty's Juſtices of the Peace for the ſaid City of *London*, or for the County of *Middleſex* or *Surrey*, or Liberty where the ſame may happen (as the Caſe may be), ſhall forfeit and pay the Sum of ten Pounds, one Moiety thereof to the Informer, and the other Moiety thereof to the Surveyor or Surveyors who ſhall be then appointed, purſuant to this preſent Act of Parliament, for the Diſtrict within which ſuch Pariſh, Precinct, or Place, where ſuch Default ſhall be made, doth lie; to be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of ſuch Churchwardens and Overſeers reſpectively, ſo convicted of ſuch Default as aforeſaid.

Engines and Ladders to be kept by every Pariſh.

10l. Penalty on Churchwardens for Default;

and may be levied by Diſtreſs.

LXXVI. And be it further enacted by the Authority aforeſaid, That the Turncock belonging to the Waterwork, whoſe Water ſhall be found on, or ſhall firſt come into the Main or Pipe where any Plug ſhall be opened, at any Fire within the Limits aforeſaid, ſhall be paid any Sum not exceeding ten Shillings by the Churchwardens or Overſeers of the Poor of ſuch reſpective Pariſh, Precinct, or Place, where ſuch Fire may happen; and that the Engine-keeper which firſt brings a Pariſh Engine, or other large Engine, to help to extinguiſh any Fire happening within the Limits aforeſaid, if in good Order and complete, with a Socket, Hoſe, Leather Pipe, Stand-cock, and Suction-pipe, ſhall be paid any Sum not exceeding thirty Shillings; the Keeper of the ſecond Pariſh Engine, or other large Engine, which ſhall be next brought in ſuch Order, and ſo complete, to help to extinguiſh any ſuch Fire, ſhall be paid any Sum not exceeding twenty Shillings; and the Keeper of any Pariſh Engine, or other large Engine, which ſhall be the third of ſuch Engines, brought in ſuch Order, and ſo complete, to any ſuch Fire, ſhall be paid any Sum not exceeding ten Shillings; every ſuch Payment to be made by the Churchwardens of each Pariſh, or by the Overſeers of the Poor of every ſuch Precinct or Place not having any Churchwarden (as the Caſe may be), where any ſuch Fire ſhall happen; and in Default of Payment thereof, ſuch Reward ſhall be levied and recovered from the ſaid Churchwardens and Overſeers reſpectively, by Diſtreſs and Sale of the Goods and Chattels of every ſuch Churchwarden and Overſeer, in the ſame or like Manner as the Penalty or Forfeiture of ten Pounds is herein-before directed to be levied and recovered.

Fees to the Turncock whoſe Water firſt comes into a Main or Pipe at a Fire; to the Engine-keeper;

to the Second Engine-keeper;

and to the Third Engine-keeper:

LXXVII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That no ſuch Reward ſhall be paid to any Turncock or Engine-keeper, by the Churchwarden of any Pariſh, or Overſeer of the Poor of any Precinct or Place aforeſaid, where any Fire may happen, without the Approbation and Direction of the Alderman of the Ward wherein ſuch Pariſh, Precinct, or Place, is ſituate, or his Deputy, or of two of the Common Councilmen of the ſame Ward for the Time being, if ſuch Fire happens within the City of *London*, or the Liberties thereof; or without the Approbation and Conſent of one or more Juſtice or Juſtices of the Peace in and for the ſaid County of *Middleſex*, or County of *Surrey*, or Liberty where

But no Reward to be paid without the Approbation of an Alderman, &c.

where the ſame may happen (as the Caſe may be), reſiding within ſuch Pariſh, Precinct, or Place, where ſuch Fire happens; and if there be not any Juſtice or Juſtices of the Peace reſiding in ſuch Pariſh, Precinct, or Place, then of ſuch Juſtice or Juſtices of the Peace reſiding in the Pariſh or Place near or next adjoining, if ſuch Fire happens any where within the Limits of this Act, out of the ſaid City of *London*, and the Liberties thereof.

Where any Rewards for Chimnies on Fire have been paid by the Churchwardens,

'LXXVIII. And whereas many of the Pariſhes within the Limits of this Act have been frequently put 'to conſiderable Expences, occaſioned by the Neglect of the Inhabitants, as well Lodgers and Inmates as 'Houſekeepers, in not cauſing their Chimnies to be duly ſwept, by Means whereof Alarms of Fire are 'frequently made, to the great Terror and Danger of his Majeſty's Subjects, which probably would be 'prevented, if ſuch Inhabitants were obliged to defray and bear the Charges and Expences attending ſuch 'their Neglects, or ſome reaſonable Part thereof;' be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June*, in all Caſes where any Reward or Rewards, or other Recompence, by this Act made payable, ſhall be borne and paid by any Churchwarden or Overſeer of the Poor, for or on account of any Fire being in a Chimney only, or firſt beginning in and occaſioned by the taking Fire of any Chimney only, the Inhabitant or Inhabitants, Occupier or Occupiers, of any Room or Apartment to which any ſuch Chimney belongs, being a Lodger or Inmate to or with any Tenant, Renter, or Holder of any Houſe or Building, of which ſuch Room or Apartment is Part, or, if ſuch Chimney belong not to any ſuch Lodger or Inmate, then the Tenant, Renter, or Occupier of the Houſe or Building wherein any ſuch Fire as laſt-mentioned firſt begins, ſhall reimburſe and repay to the Churchwarden or Overſeer of the Poor all and every ſuch Reward and Rewards, or other Payments, by him or them made, purſuant to the Directions of this Act, or ſuch Part thereof, as the Mayor, or other Juſtice of the Peace, of the ſaid City of *London*, or Juſtice of the Peace for the Liberty of his Majeſty's *Tower of London*, or Juſtice of the Peace for the County of *Middleſex*, or County of *Surrey*, or for the City and Liberty of *Weſtminſter* (as the Caſe may be), upon the Application and Complaint of ſuch Churchwarden or Overſeer of the Poor, and hearing the Party or Parties complained againſt, ſhall, under his Hand and Seal, award and direct: And to the End the ſaid Mayor, or other Juſtice aforeſaid, may be the better enabled to award and direct what may in any ſuch Caſe be juſt and reaſonable, the ſaid Mayor for the Time being, and every ſuch Juſtice, ſhall and may ſummon before him, after any ſuch Complaint made, the Party and Parties complained againſt, and all Perſons fit to give Evidence touching the Premiſes, of whom he ſhall have Notice or Information, and ſhall and may examine them, and every of them, upon Oath (which Oath the ſaid Mayor, and every ſuch Juſtice, is hereby impowered and required to adminiſter, without Fee or Reward); and if the Party or Parties complained againſt, being ſummoned, do not appear, the ſaid Mayor, and every ſuch Juſtice of the Peace, ſhall and may proceed to examine the Matter of the Complaint, and ſuch Evidence as is produced, and to make ſuch Award and Direction thereupon as ſhall be juſt, and as if the Party or Parties making ſuch Default of Appearance had been preſent, and heard, in his, her, or their Defence; and if any Sum or Sums of Money, ſo awarded and directed to be reimburſed or repaid to any ſuch Churchwarden or Overſeer of the Poor, be not ſo reimburſed or repaid within fourteen Days after Demand thereof made, it ſhall and may be lawful to and for every ſuch Churchwarden or Overſeer, by Warrant under the Hand and Seal of ſuch Mayor, or other Juſtice (which Warrant the ſaid Mayor, and every ſuch Juſtice, is hereby authoriſed to make), to levy every ſuch Reward and Rewards, or other Recompence, ſo paid, or ſuch Part thereof as ſhall have been ſo awarded and directed, by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties making Default of Payment, or of any Goods or Chattels found in the Room or Apartment to which ſuch Chimney where ſuch Fire began belongs, or in any other Part of any Houſe or Building whereof ſuch Room or Apartment is Part.

they are to be reimburſed by Occupiers, as the Mayor, &c. ſhall direct,

Mayor and Juſtices enabled the to execute their Duty.

United Pariſhes to be deemed one.

'LXXIX. And, foraſmuch as ſeveral of the Pariſhes within the City of *London* were, after the great 'Fire which happened in the Year of our Lord Chriſt one thouſand ſix hundred and ſixty-ſix, united to-'gether,' be it enacted by the Authority aforeſaid, That any two or more of the ſaid Pariſhes ſo united, ſhall, for the Purpoſes of this Act, be deemed one Pariſh only.

Large Pariſhes may have more than one large Engine, &c.

LXXX. Provided nevertheleſs, and it is further enacted, That in caſe the Veſtries of any of the ſaid united Pariſhes, or of any other Pariſh within the Limits aforeſaid, at any Time conceive it neceſſary for the ſaid Pariſh, in reſpect of the Largeneſs thereof, to have more than one great Engine, or Hand Engine, it ſhall and may be lawful for them to provide two or more great Engines or Hand Engines, at the Pariſh Charge; and that the ſame Engines, and every of them, ſhall be under the like Regulations and Encouragements as the other Engine or Engines directed to be provided by this Act are under.

Fire Engines, &c. to be paid for out of the Poor's Rates,

'LXXXI. And, in order to raiſe Money to defray the neceſſary Charges of providing and maintaining 'ſuch Engine, Stopblocks and Firecocks, and Keys, and other Implements and Materials, and ſuch Lad-'ders as aforeſaid, and the Payment of the Rewards or Gratuities directed by this Act,' be it enacted by the Authority aforeſaid, That the Churchwardens and Overſeers of the Poor of the ſaid ſeveral Pariſhes, Precincts, and Places, within the Limits of this Act, or the major Part of them, with the Conſent of the Majority of ſuch Inhabitants as ſhall be, at any Veſtry, or other publick Meeting of ſuch Pariſh, Precinct, or Place, duly aſſembled, ſhall and may, from Time to Time (as often as there may be Occaſion), out of the Monies raiſed or received, or to be raiſed or received, by any Rate or Rates made, or to be made, for Relief of the Poor of every ſuch Pariſh, Precinct, or Place reſpectively, or by any eſpecial Rate or Rates to be made for the Purpoſes of this Act, pay, apply, and diſpoſe of, ſuch competent Sum and Sums of Money as may be requiſite for the Ends aforeſaid, in like Manner as by Law they may do for the Maintenance and Relief of the Poor of their reſpective Pariſhes, Precincts, or Places; and every ſuch eſpecial Rate or Rates which ſhall be made, as aforeſaid, the ſame being allowed and confirmed in the like Manner as the Rates made for the Relief of the Poor are, or ought to be, allowed or confirmed, ſhall be levied and recovered in the ſame Manner as the Rates made for the Relief of the Poor now may, or ought to be, levied and recovered, ſubject to the like Appeal as in Caſes of Rates made for the Relief of the Poor; and the ſaid

Officers

Officers ſhall be accountable for the ſame, in like Manner as they are accountable for the Money by them collected for the Relief of the Poor, and ſhall be liable to the like Pains and Commitments for not accounting for the ſame, and to the like Diſtreſs and Penalties for not paying the Monies by them collected, levied, or received, and remaining in their Hands, as Overſeers of the Poor are, by all or any of the Laws of this Land, liable to, for not accounting for, or not paying, Monies collected by virtue of any Rates for Relief of the Poor.

Watermen retained by Inſurance Offices not to be impreſſed.

'LXXXII. And whereas the ſeveral Offices for inſuring Houſes againſt Loſs by Fire retain in their ſeveral Services, and give Coats and Badges, and other Rewards, unto Watermen, for their Service and Aſſiſtance in and towards extinguiſhing of Fire, and who are to be always ready when wanted, and are provided with various Sorts of Poles, Hooks, Hatchets, and ſeveral other Inſtruments and Things, at the Charge of the ſaid reſpective Inſurance Offices for the extinguiſhing of Fire; which Watermen ſo retained are, by Experience, found to venture much further, and to have Skill to give, and do give, at Fires happening within the Limits aforeſaid greater Help than other Perſons not uſed to come into Danger;' be it further enacted by the Authority aforeſaid, That the Watermen for the Time being ſo retained by, and belonging to, every ſuch Inſurance Office, within the Limits aforeſaid, not exceeding thirty for each Office, ſhall be free from being impreſſed, or liable to be compelled, to go to Sea, or ſerve as Mariners, or as Soldiers on Land, their Names and Places of Abode being regiſtered and entered with the Secretary, or other Officer of the Admiralty Office.

Money inſured on Houſes burnt how to be applied.

'LXXXIII. And, in order to deter and hinder ill-minded Perſons from wilfully ſetting their Houſe or Houſes, or other Buildings, on Fire, with a View of gaining to themſelves the Inſurance Money, whereby the Lives and Fortunes of many Families may be loſt or endangered;' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the reſpective Governors or Directors of the ſeveral Inſurance Offices for inſuring Houſes or other Buildings againſt Loſs by Fire, and they are hereby authoriſed and required, upon the Requeſt of any Perſon or Perſons intereſted in or intitled unto any Houſe or Houſes, or other Buildings which may hereafter be burnt down, demoliſhed, or damaged by Fire, or upon any Grounds of Suſpicion that the Owner or Owners, Occupier or Occupiers, or other Perſon or Perſons who ſhall have inſured ſuch Houſe or Houſes, or other Buildings, have been guilty of Fraud, or of wilfully ſetting their Houſe or Houſes, or other Buildings, on Fire, to cauſe the Inſurance Money to be laid out and expended, as far as the ſame will go, towards rebuilding, reinſtating, or repairing, ſuch Houſe or Houſes, or other Buildings, ſo burnt down, demoliſhed, or damaged by Fire; unleſs the Party or Parties claiming ſuch Inſurance Money ſhall, within ſixty Days next after his, her, or their Claim is adjuſted, give a ſufficient Security to the Governors or Directors of the Inſurance Office where ſuch Houſe or Houſes, or other Buildings, are inſured, that the ſame Inſurance Money ſhall be laid out and expended as aforeſaid; or unleſs the ſaid Inſurance Money ſhall be, in that Time, ſettled and diſpoſed of to and amongſt all the contending Parties, to the Satisfaction and Approbation of ſuch Governors or Directors of ſuch Inſurance Office reſpectively.

Servants by Careleſſneſs firing a Houſe, to forfeit 100 l. or be impriſoned 18 Months.

'LXXXIV. And whereas Fires often happen by the Negligence and Careleſſneſs of Servants,' be it therefore enacted by the Authority aforeſaid, That if any menial, or other Servant or Servants, through Negligence or Careleſſneſs, ſhall fire, or cauſe to be fired, any Dwelling-houſe, or Out-houſe or Houſes, or other Buildings, whether within the Limits aforeſaid or elſewhere, within the Kingdom of *Great Britain*, ſuch Servant or Servants, being thereof lawfully convicted by the Oath of one or more credible Witneſs or Witneſſes, made before two or more of his Majeſty's Juſtices of the Peace, ſhall forfeit and pay the Sum of one hundred Pounds unto the Churchwardens or Overſeers of ſuch Pariſh where ſuch Fire ſhall happen; to be diſtributed amongſt the Sufferers by ſuch Fire, in ſuch Proportions, as to the ſaid Churchwardens ſhall ſeem juſt: And in caſe of Default or Refuſal to pay the ſame immediately after ſuch Conviction, the ſame being lawfully demanded by the ſaid Churchwardens; that then, and in ſuch Caſe, ſuch Servant or Servants ſhall, by Warrant under the Hands and Seals of two or more of his Majeſty's Juſtices of the Peace, be committed to the common Gaol, or Houſe of Correction, as the ſaid Juſtices think fit, for the Space of eighteen Months, there to be kept to hard Labour.

Conſtables and Beadles, on Notice, to repair to Buildings on fire.

LXXXV. And be it further enacted by the Authority aforeſaid, That, upon the breaking out of any Fire within the Limits aforeſaid, all Conſtables and Beadles, upon Notice thereof, ſhall immediately repair to the Place where the ſaid Fire ſhall happen, with their Staves, and other Badges of their Authority; and ſhall be aiding and aſſiſting, as well in extinguiſhing the ſaid Fires, and cauſing People to work at the Engines, as alſo in preventing Goods being ſtolen; and ſhall ſeize and apprehend all ill-diſpoſed Perſons that they ſhall find ſtealing or pilfering from the Inhabitants; as alſo that the ſaid Conſtables and Beadles ſhall give their utmoſt Aſſiſtance to help the Inhabitants to remove their Goods.

No Action to lie againſt a Perſon where the Fire accidentally begins.

LXXXVI. And be it further enacted by the Authority aforeſaid, That no Action, Suit, or Proceſs whatever, ſhall be had, maintained, or proſecuted, againſt any Perſon in whoſe Houſe, Chamber, Stable, Barn, or other Building, or on whoſe Eſtate any Fire ſhall, after the ſaid twenty-fourth Day of *June*, accidentally begin, nor ſhall any Recompence be made by ſuch Perſon for any Damage ſuffered thereby; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding: And in ſuch Caſe, if any Action be brought, the Defendant may plead the General Iſſue, and give this Act, and the ſpecial Matter in Evidence, at any Trial thereupon to be had; and in caſe the Plaintiff become nonſuited, or diſcontinue his Action or Suit, or if a Verdict paſs againſt him, the Defendant ſhall recover Treble Coſts; provided that no Contract or Agreement made between Landlord and Tenant ſhall be hereby defeated, or made void.

Diſtreſs not unlawful for want of Form, &c.

LXXXVII. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be recovered by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect of Form in any Proceedings relating thereto; nor ſhall the Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity afterwards done by the Party or Parties

making ſuch Diſtreſs; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damage only, by Action on the Caſe, and not by any other Action whatever.

Plaintiff not to recover if Tender of ſufficient Amends be made, &c.

LXXXVIII. Provided always, and be it further enacted by the Authority aforeſaid, That no Plaintiff or Plaintiffs ſhall recover in any Action, for any ſuch Irregularity, or other Proceedings, if Tender of ſufficient Amends be made by or on the Behalf of the Party or Parties who committed, or cauſed to be committed, any ſuch Irregularity or wrongful Proceeding before ſuch Action be brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants in any ſuch Action, by the Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into the Court ſuch Sum of Money as he or they ſhall ſee fit, whereupon ſuch Proceedings or Order and Judgment ſhall be had, made, or given, in and by ſuch Court, as in other Actions when the Defendant is allowed to pay Money into Court.

Proſecutions on 12 Geo. III. c. 73 diſcharged, on amending Buildings in ſuch Manner as ſhall be directed by two of the Surveyors.

'LXXXIX. And whereas by the ſaid recited Act of the twelfth Year of his preſent Majeſty's Reign, 'various Penalties are inflicted upon Perſons who ſhould offend againſt the ſaid Act: And whereas, ſince 'the paſſing the ſaid Act, there has been a great Increaſe of Buildings within the Limits aforeſaid, and 'many of ſuch Buildings are not in every Reſpect built according to the Directions of the ſaid Act, whereby 'various Penalties have been incurred, and ſeveral Perſons are or may be under Proſecution for the ſame: 'And whereas the Owners of ſuch Buildings, and the ſeveral Builders, or Workmen employed therein, 'are reſpectively willing to make the ſame as ſecure againſt Fire, and as conformable to the Directions 'contained in this Act, as the Nature of each Caſe will admit;' be it therefore enacted by the Authority aforeſaid, That in every Action, Bill, Plaint, Suit, or Information, now depending, or that ſhall hereafter depend, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt any ſuch Owner, Builder, or Workman, or Perſon or Perſons cauſing any ſuch Building to be erected or built, or any other Perſon or Perſons for the Recovery of any Penalty incurred, or ſuppoſed to be incurred, by the ſaid Act, it ſhall be lawful for the Court where the ſame is or may be depending, and ſuch Court is hereby required and impowered, on the Application of the reſpective Defendants, to make a Rule for the Plaintiff in any ſuch Action, Bill, Plaint, Suit, or Information, to deliver to ſuch Defendant or Defendants, or his, her, or their Attorney in the Cauſe, an Account, in Writing, under the Hands of the Plaintiff, or his Attorney, of the particular Defect or Irregularity in every ſuch Building, whereby each Penalty is incurred, or ſuppoſed to be incurred, and to make an Order for ſtaying the Proceedings in ſuch Action, Suit, or Information, until ſuch Account in Writing ſhall be delivered; and after ſuch Account ſhall have been delivered as aforeſaid, it ſhall and may be lawful to and for ſuch Defendant or Defendants, either to defend ſuch Action or Actions, as if this Act had not been made, or otherwiſe, in caſe he or they ſhall not chuſe to defend the ſame, to enter into a Rule of the ſame Court for making good or reforming ſuch Irregularities and Defects (if any), and for rendering ſuch Building as ſecure againſt Fire, and as conformable to the Directions of this Act, in ſuch Manner, and within ſuch Time, as two or more of the Surveyors, hereinbefore directed to be appointed in the County, City, or Liberty, wherein the ſame is ſituate, ſhall, by any Writing, under their Hands, direct and appoint: And upon ſuch Rule being entered into by ſuch Defendant or Defendants, and on Payment to the Plaintiff of the Coſts in ſuch Action, Suit, or Information, to be taxed by the proper Officer of ſuch Court, the ſaid Court ſhall order all further Proceedings to be ſtayed in ſuch Action, Suit, or Information, until the Time appointed by the ſaid Surveyors for the Purpoſes aforeſaid ſhall be expired; and after the Expiration thereof, ſuch Court is hereby required and impowered, on Application or Motion by or on the Behalf of ſuch Owner, Builder, or Workman, or other Perſon or Perſons aforeſaid, and on Proof by Affidavit to the Satisfaction of ſuch Court, that the Defects and Irregularities complained of are made good or reformed, and the Building of ſuch Houſe or Houſes rendered as ſecure againſt Fire, and as conformable to the Directions of this Act, in ſuch Manner, and within ſuch Time, as ſuch two or more of the ſaid Surveyor or Superviſors ſhall have appointed, by ſuch Writing as aforeſaid, to order Proceedings to be peremptorily ſtayed in ſuch Action, Suit, or Information: And the Defendant or Defendants ſhall, from thenceforth, be for ever indemnified and diſcharged of, from, and againſt all Penalties and Forfeitures, incurred or to be incurred, for or by reaſon of not having originally built ſuch Party-walls or Buildings, purſuant to the Directions of the ſaid Act, or for or by reaſon of any other Defect or Irregularity, whereby ſuch Houſes or Party-walls are otherwiſe built than purſuant to ſuch Directions; any Thing in the ſaid Act contained to the contrary notwithſtanding.

Rule being entered into by Defendant, all Proceedings to be ſtayed, &c.

Defendant indemnified from all Forfeitures, &c.

Proviſo.

XC. Provided, That if no ſuch Application ſhall be made to Court before the End of the next Term after the Expiration of ſuch Time as ſhall be appointed by the ſaid Surveyors as aforeſaid, for the Purpoſes aforeſaid; or if, upon ſuch Application as aforeſaid, ſuch Proof ſhall not be made by the Defendant or Defendants to the Satisfaction of the ſaid Court as aforeſaid, then the ſaid Plaintiff or Plaintiffs ſhall be at Liberty to proceed in ſuch Suit as if this Act had not been made.

How the Court ſhall proceed where any Rule ſhall be entered into, &c.

XCI. And it is further declared by the Authority aforeſaid, That the Court or Courts, where any ſuch Rule as aforeſaid ſhall be entered into purſuant to the Directions in this Act contained, ſhall, and are hereby required to proceed againſt the Party or Parties who ſhall have entered into any ſuch Rule, and have refuſed or neglected to perform the ſame, as for a Contempt of the ſaid Court; and ſhall, on Motion, iſſue the like Proceſs of Attachment or otherwiſe, as is uſually iſſued againſt any Suitor or Suitors of ſuch Court for Contempt of a Rule of Court.

Not to extend to indemnify Perſons againſt whom Judgement ſhall be given, &c.

XCII. Provided always, That this Act, or any Thing herein contained, ſhall not extend to indemnify any Perſon againſt whom final Judgment ſhall have been given before the paſſing of this Act, in any Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, grounded on the ſaid Act, made in the twelfth Year of his preſent Majeſty's Reign, for the Recovery of any Penalty inflicted by the ſaid Act.

Irregular Buildings erected ſince

'XCIII. And whereas, ſince the paſſing the ſaid Act, made in the twelfth Year of his preſent Majeſty's 'Reign, many Houſes and other Buildings have been erected within the Limits aforeſaid, not conformable to

'to the Regulations of the ſaid Act, but no Proſecutions have been, and probably may not be,' commenced 'againſt the Builders thereof: And whereas it is reaſonable that the ſame ſhould be made as ſecure againſt 'Fire, and as conformable to the Directions in this Act, as the Nature of each Caſe will admit: And 'whereas wooden Buildings have been erected on the Tops and other Parts of Houſes, and many Bow-'windows and Projections have been made contrary to the ſaid Act, though no Proſecutions have been nor 'may probably be commenced for any Penalties thereby incurred: And whereas ſuch Wooden Buildings 'as have been ſo erected on the Tops or other Parts of the ſaid Houſes, and ſuch Bow-windows or Projec-'tions ought to be taken down and removed, or ſome Alterations or Amendments ought to be made therein;' be it therefore enacted by the Authority aforeſaid, That if any three or more Surveyors or Superviſors, to be appointed and ſworn in Manner herein-before directed, ſhall certify, in Writing under their Hands, to the Court of Mayor and Aldermen of the City of *London*, or to the Court of Quarter Seſſions within whoſe Juriſdiction any ſuch Houſe or Building is ſituated, that any Houſe or Building has been erected ſince the paſſing the ſaid Act, within the Limits aforeſaid, not conformable to the ſaid Act, or that any ſuch Wooden Building has been erected on the Tops or other Parts of Houſes, or that any Bow-windows or Projections have been made contrary to the ſaid Act, for which no Proſecutions have been commenced, ſo as to bring them within the Proviſion herein-before made reſpecting the ſame, and ſhall certify in what Manner the ſame may be reformed, it ſhall be lawful for the ſaid Court of Mayor and Aldermen, or Court of Quarter Seſſions reſpectively, within whoſe Juriſdiction the ſaid Houſe or Building, or Bow-window or Projection, is ſituated, if they think fit, to make an Order for amending or reforming ſuch Houſe or Building accordingly, and for making the ſame more ſecure againſt Fire, or more nearly conformable to the Regulations of this Act; and for taking down and removing, or for altering or amending, ſuch Wooden Buildings, and ſuch Bow-windows or Projections, as aforeſaid, by the Maſter Builder, Maſter Bricklayer, or Maſter Workman, or Perſon who cauſed the ſame to be erected, who ſhall be expreſsly named in ſuch Order: And every ſuch Order of the ſaid Court of Mayor and Aldermen, or Court of Seſſions, ſhall be, by the Town Clerk of the City of *London*, or by the Clerk of the Peace (as the Caſe may be), entered and filed as of Record, in the ſaid Court where ſuch Order was made; for the Entry and Filing whereof, and for every Copy thereof, the ſaid Town Clerk, or Clerk of the Peace, ſhall be paid by the Perſon applying for the ſame the Sum of one Shilling, and no more, if the ſame do not exceed one hundred Words, and if the ſame exceed one hundred Words, then after the Rate and Proportion of one Shilling for every one hundred Words; and a Copy of the ſaid Order ſhall be delivered to the ſaid Perſon or Perſons in the ſaid Order named, or ſhall be left at his or their laſt or uſual Place of Abode, or with the Tenant in Poſſeſſion of the Houſe or Building, in the ſame Order mentioned, or ſhall be affixed upon the Door, or other notorious Part, of the ſaid Houſe or Building; and within the Space of nine Months next after the Copy of ſuch Order ſhall have been ſo delivered, or left or affixed as aforeſaid, the ſaid Perſon or Perſons therein named ſhall make good all the Defects and Irregularities in ſuch Order ſpecified, and either take down and entirely remove ſuch wooden Building or Buildings, or Bow-window or Projection, or otherwiſe alter, reform, or amend the ſame, in ſuch Manner as ſhall be directed by ſuch Order; and in caſe the ſaid Order ſhall not, in all Reſpects, be fully performed and executed within the Space of nine Months next after the Copy thereof ſhall have been ſo delivered, or left, or affixed as aforeſaid; then the Perſon or Perſons therein named, being the Maſter Builder, Maſter Bricklayer, or Maſter Workman, or other Perſon or Perſons who cauſed ſuch Houſe or Building, or Bow-window or Projection, to be erected, ſhall forfeit the Sum of fifty Pounds; to be recovered and applied in like Manner as the Penalties herein-before inflicted for diſtilling a larger Quantity of Turpentine together than is by this Act allowed, in Places not allowed by this Act, are herein-before directed to be recovered and applied; and ſo *toties quoties* for every nine Months that ſuch Defects and Irregularities ſhall continue, and ſuch Houſe or other Building, or Bow-window or Projection, ſhall remain built, otherwiſe than conformable to the Directions in ſuch Order contained.

12 Geo. III. to be made ſecure againſt Fire; and irregular Projections to be altered, though no Proſecutions have been commenced.

Court to make an Order for reforming irregular Projections.

Order to be filed;

Irregularity to be reformed within nine Months,

on pain of 50l. Penalty.

'XCIV. And whereas ſeveral Informations may have been commenced before the ſaid Mayor of *London*, 'and Juſtices of the Peace, for recovering Penalties or Forfeitures incurred by the ſaid Act made in the 'twelfth Year of his preſent Majeſty's Reign, and the ſame, or ſome of them may be ſtill depending before 'the ſaid Mayor and Juſtices out of Seſſion, and other ſuch Informations may be depending before the Juſ-'tices in the ſaid reſpective Quarter Seſſions of the Peace, by Appeal or otherwiſe;' be it enacted by the Authority aforeſaid, That the ſeveral Defendants, in all and every ſuch Informations, ſhall be, and are, by the Authority of this Act, diſcharged, acquitted, and indemnified, from and againſt all ſuch Informations; and the ſaid Mayor and Juſtices ſhall acquit and diſcharge them of and from the ſame accordingly.

Proſecutions depending before Juſtices of the Peace, diſcharged.

XCV. And be it further enacted by the Authority aforeſaid, That no Order which ſhall be made by the Mayor of the City of *London* for the Time being, or by any Juſtice or Juſtices of the Peace, by virtue of or under this Act, or any other Proceeding to be had touching the Conviction of any Offender or Offenders againſt this Act, ſhall be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

No Order of the Mayor or Juſtice, or other Proceeding, to be removed by Certiorari.

XCVI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons think him, her, or themſelves aggrieved by any Conviction, Commitment, Diſtreſs, Order, or Judgment, of the Mayor of the City of *London* for the Time being, or of any Juſtice or Juſtices of the Peace, made out of Seſſions by virtue of this Act; ſuch Perſon or Perſons may appeal to the Juſtices of the Peace, at their General Quarter Seſſions of the Peace, to be holden in and for the City of *London* and Liberties thereof, the Counties of *Middleſex* or *Surrey*, the City and Liberty of *Weſtminſter*, or the Liberties of his Majeſty's *Tower of London* (as the Caſe may be), which ſhall be holden next after ſuch Conviction, Commitment, Diſtreſs, Order, or Judgment; who ſhall proceed to hear and examine on Oath into the Cauſes and Matters of ſuch Appeal (which Oath or Oaths they are hereby impowered to adminiſter); and ſhall determine the ſame, and award ſuch Coſts to the Party or Parties appealing or appealed againſt, as they ſhall think proper;

Appeal may be made to the Juſtices at the Quarter Seſſions.

proper; and the Order, Judgment, and Determination of the ſaid Juſtices, in their reſpective Seſſions, ſhall be binding and concluſive to all Parties.

Proviſo. XCVII. Provided always, and be it further enacted by the Authority aforeſaid, That the Perſon or Perſons ſo intending to appeal ſhall, immediately after ſuch Conviction, Commitment, Diſtreſs, Order, or Judgment, or within two Days afterwards, enter into a Recognizance to the Party or Parties appealed againſt, before ſuch Juſtice or Juſtices of the Peace, with two ſufficient Securities, conditioned to try ſuch Appeal, and to abide the Order of, and pay, to the Party or Parties appealed againſt, ſuch Coſts (if any) as ſhall be awarded againſt him, her, or them, by the Seſſions reſpectively.

Pariſhioners may be Witneſſes. XCVIII. And be it further enacted by the Authority aforeſaid, That the Pariſhioners and Inhabitants of the Pariſh, Precinct, or Place, where any Offence againſt this Act ſhall be committed, ſhall be allowed to be competent Witneſſes, on the Trial or otherwiſe, in any Action, Bill, Plaint, or Information, in any of the ſaid Courts of Record, or at or upon the Hearing and Determination of any Information before the Mayor of *London*, or other Juſtice of the Peace, for or concerning any Offence or Offences againſt this preſent Act; notwithſtanding his, her, or their being a Pariſhioner or Pariſhioners, Inhabitant or Inhabitants, in ſuch Pariſh, Precinct, or Place.

Limitation of Actions for Penalties. XCIX. Provided always, That no Action or Proſecution ſhall be brought or commenced againſt any Perſon or Perſons for any Penalty or Forfeiture inflicted or incurred by this Act, unleſs the ſame ſhall be commenced within ſix Calendar Months next after ſuch Forfeiture ſhall have been incurred.

Limitation of Actions againſt Perſons acting under the Act. C. And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until twenty-one Days after Notice, in Writing, of an Intention to bring ſuch Action or Suit, has been given to the Perſon or Perſons againſt whom ſuch Action or Suit ſhall be brought, nor after the Expiration of three Calendar Months next after the Fact committed; and every ſuch Action or Suit, the Cauſe whereof ſhall ariſe within the ſaid City of *London*, or the Liberties thereof, ſhall be laid and tried in the ſaid City of *London*, and not elſewhere; and every ſuch Action or Suit, the Cauſe whereof ſhall ariſe in any Part of the Limits aforeſaid out of the ſaid City of *London* and Liberties thereof, ſhall be laid and tried in the County of *Middleſex*, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit may plead the General Iſſue, and give this Act, and the Special Matter in Evidence, at any Trial or Trials to be had thereupon, and that the Matter or Thing, for which ſuch Action or Suit is brought, was done in purſuance and by the Authority of this Act: And if the ſaid Matter or Thing appear to have been ſo done, or if it appear that ſuch Action or Suit was brought before the Expiration of twenty-one Days after ſuch Notice given as aforeſaid, or that ſufficient Satisfaction was made or tendered before ſuch Action was brought; or if any ſuch Action or Suit be not commenced within the Time herein for that Purpoſe limited, or be laid in any other County or Place than as aforeſaid; then the Jury, in every ſuch Action or Suit, ſhall find for the Defendant or Defendants therein; and if a Verdict be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs, in any ſuch Action or Suit, become nonſuited, or diſcontinue, or ſuffer a Diſcontinuance, of any ſuch Action or Suit; or if, in any ſuch Action or Suit, Judgment be given for the Defendant or Defendants therein, on Demurrer, or by Default, or otherwiſe; then, and in any of the Caſes aforeſaid, the Defendant or Defendants ſhall have Judgment to recover Treble Coſts of Suit, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants may have for Coſts in other Caſes by Law.

General Iſſue.

Repealing former Acts ſo far as reſpects Party-walls, regulating of Buildings, preventing Miſchiefs by Fire, &c. CI. And be it further enacted, That from and after the ſaid twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, the ſaid Act, paſſed in the twelfth Year of the Reign of his preſent Majeſty (intituled, *An Act for the better Regulation of Buildings and Party-walls within the Cities of* London *and* Weſtminſter, *and the Liberties thereof, and other the Pariſhes, Precincts, and Places in the Weekly Bills of Mortality, the Pariſhes of* Saint Mary-le-Bon *and* Paddington, Saint Pancras, *and* Saint Luke *at* Chelſea, *in the County of* Middleſex, *and for the better preventing of Miſchiefs by Fire within the ſaid Cities, Liberties, Pariſhes, Precincts, and Places; and for amending and reducing the Laws relating thereto into one Act, and for other Purpoſes)*; ſhall be, and the ſame is hereby repealed; but nevertheleſs, ſo much of

19 Car. 2. c. 3. an Act made in the nineteenth Year of the Reign of his late Majeſty King *Charles* the Second, intituled, *An Act for rebuilding the City of* London as relates to the regulating Buildings and Party-walls; and an

6 Annæ, c. 31. Act made in the ſixth Year of the Reign of her late Majeſty Queen *Anne* (intituled, *An Act for the better*

7 Annæ, c. 17. *preventing Miſchiefs that may happen by Fire)*; alſo an Act made in the ſeventh Year of the Reign of her ſaid late Majeſty (intituled, *An Act for making more effectual an Act, made in the ſixth Year of her Majeſty's*

11 Geo. 1. c. 28. *Reign, for the better preventing of Miſchiefs that may happen by Fire)*; alſo ſo much of an Act made in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt (intituled, *An Act for the better regulating of Buildings, and to prevent Miſchiefs that may happen by Fire within the Weekly Bill of Mortality,*

33 Geo. 2. c. 30. *and other Places therein mentioned)*, as relates to regulating Buildings and Party-walls; alſo ſo much of an Act made in the thirty-third Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for widening certain Streets, Lanes, and Paſſages, within the City of* London, *and Liberties thereof, and for opening certain new Streets and Ways within the ſame, and for other Purpoſes therein mentioned)*, as relates to the regulating of Buildings and Party-walls, and preventing Miſchiefs that may happen by Fire;

4 Geo. 3. c. 14. alſo ſo much of an Act made in the fourth Year of the Reign of his preſent Majeſty (intituled, *An Act for the better regulating of Buildings, and to prevent Miſchiefs that may happen by Fire within the Weekly Bills of Mortality, and other Places therein mentioned)*, as relates to the regulating of Buildings and Party-walls,

6 Geo. 3. c. 27. and preventing Miſchiefs happening by Fire; alſo ſo much of an Act made in the ſixth Year of his preſent Majeſty's Reign (intituled, *An Act to explain, amend, and render more effectual the Powers of an Act, made in the thirty-third Year of the Reign of his late Majeſty, intituled,* An Act for widening certain Streets, Lanes, and Paſſages, within the City of *London*, and Liberties thereof; and for opening certain new Streets and Ways within the ſame; and for other Purpoſes therein mentioned), as relates to the regulating

lating of Buildings and Party-walls; alſo ſo much of another Act made in the ſaid ſixth Year of his preſent Majeſty's Reign (intituled, *An Act to explain, amend, and render more effectual, an Act made in the fourth Year of his preſent Majeſty's Reign, for the better regulating of Buildings, and to prevent Miſchiefs that may happen by Fire within the Weekly Bills of Mortality, and other Places therein mentioned)*, as relates to the regulating of Buildings and Party-walls, and preventing Miſchiefs that may happen by Fire, ſhall be, and continue, repealed. 6 Geo. 3. c. 27.

CII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame. Publick Act.

CAP. LXXIX.

An Act for explaining an Act, made in the twelfth Year of the Reign of Queen *Anne*, intituled, *An Act to reduce the Rate of Intereſt, without any Prejudice to Parliamentary Securities.*

'WHEREAS large Sums of Money have been and may be lent, by his Majeſty's Subjects in *Great Britain*, upon Mortgages, or other Securities, on Eſtates in the Kingdom of *Ireland*, and alſo in his Majeſty's Colonies or Plantations in the *Weſt Indies*; which Loans have been found to contribute greatly to the Improvement of the ſaid Kingdom, Colonies, and Plantations: And whereas it has frequently been found convenient to execute ſuch Mortgages or Securities, and the Transfers or Aſſignments thereof, in *Great Britain*: And whereas Doubts have ariſen, whether ſuch Loans, and the Mortgages or Securities for the ſame, and the Transfers or Aſſignments thereof, when made and executed in *Great Britain*, are as valid and effectual as when made and executed in the ſaid Kingdom of *Ireland*, Colonies, Plantations, or Dominions; and, by reaſon of an Act, paſſed in the twelfth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act to reduce the Rate of Intereſt, without any Prejudice to Parliamentary Securities*, whether ſuch Mortgages or Securities are valid and effectual where the Rate of Intereſt thereby reſerved or made payable is more than five Pounds *per Centum*, though ſuch Intereſt does not exceed the Rate of Intereſt allowed and eſtabliſhed by the Law of the Kingdom of *Ireland*, Colony, Plantation, Country, or Place, in which the Eſtates compriſed in ſuch Mortgages or Securities reſpectively are; and whether his Majeſty's Subjects in *Great Britain* have not, or may not, become ſubject or liable to Penalties or Forfeitures by receiving or taking Intereſt for the Sums of Money really and *bona fide* advanced or lent on ſuch Mortgages or Securities, at the Rate of Intereſt allowed and eſtabliſhed by the Law of the Kingdom, Colony, Plantation, Country, or Place, wherein the mortgaged Eſtates reſpectively lie:' For obviating ſuch Doubts, be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Mortgages and Securities which, by any of his Majeſty's Subjects, already have been made and executed in *Great Britain*, of or concerning any Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, lying and being in the Kingdom of *Ireland*, or in any of the ſaid Colonies, Plantations, or Dominions, or any Eſtate or Intereſt therein, to any of his Majeſty's Subjects, for ſecuring the Repayment of the Sums of Money thereon reſpectively really and *bona fide* advanced and lent, with Intereſt for the ſame; and all Bonds, Covenants, and Securities, for Payment of the ſame Sums of Money and Intereſt reſpectively, and all Transfers or Aſſignments which have been made and executed in *Great Britain* of ſuch Mortgages, Securities, or Bonds, to any of his Majeſty's Subjects; ſhall be as good, valid, and effectual, to all Intents and Purpoſes whatſoever, as ſuch Mortgages, Securities, Bonds, Covenants, Transfers, or Aſſignments, would have been, if the ſame had been made and executed in the Kingdom, Iſland, Plantation, Country, or Place, where the Lands, Tenemen s, Hereditaments, Slaves, Cattle, or other Things, mentioned and compriſed in any ſuch Mortgage, Security, Transfer, or Aſſignment, as aforeſaid, ſeverally lie or are; and that none of his Majeſty's Subjects in *Great Britain* ſhall be ſubject or liable to any of the Penalties or Forfeitures in the ſaid Act, made in the twelfth Year of her ſaid late Majeſty's Reign, by receiving or taking Intereſt for the Sum or Sums of Money really and *bona fide* advanced or lent on any ſuch Mortgage, Security, Bond, Covenant, Transfer, or Aſſignment, as aforeſaid, at the Rate of Intereſt allowed and eſtabliſhed by the Law of the Kingdom, Colony, Plantation, Country, or Place, wherein the mortgaged Premiſes reſpectively lie or are. Preamble. Act 12 Annæ. All Mortgages, &c. executed in Britain, of Lands in Ireland, or the Colonies, or Intereſt therein, for ſecuring Sums lent, to be as effectual, as if executed in the Place where the Lands lie; and no Britiſh Subject is liable to the Penalties of Act 12 Annæ.

II. And be it further enacted by the Authority aforeſaid, That all Mortgages and Securities which, by any of his Majeſty's Subjects, after the paſſing of this Act, ſhall be made and executed in *Great Britain*, of or concerning any Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, lying and being in the Kingdom of *Ireland*, or in any of the ſaid Colonies, Plantations, or Dominions, or any Eſtate or Intereſt therein, to any of his Majeſty's Subjects, for ſecuring the Repayment of the Sums of Money thereon reſpectively to be really and *bona fide* advanced and lent, with Intereſt for the ſame; and all Bonds, Covenants, and Securities, for Payment of the ſame Sums of Money, and Intereſt reſpectively, and all Transfers or Aſſignments which, after the paſſing of this Act, ſhall be made and executed in *Great Britain* of ſuch Mortgages, Securities, or Bonds, to any of his Majeſty's Subjects, ſhall be as good, valid, and effectual, to all Intents and Purpoſes whatſoever, as ſuch Mortgages, Securities, Bonds, Covenants, Transfers, or Aſſignments, would be if the ſame were made and executed in the Kingdom, Iſland, Plantation, Country, or Place, where the Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things to be mentioned or compriſed in any ſuch Mortgage, Security, Transfer, or Aſſignment, as aforeſaid, ſeverally lie or are; and that none of his Majeſty's Subjects in *Great Britain* ſhall be ſubject Transfers of ſuch Mortgages executed in Britain concerning Lands in Ireland, in the Colonies, &c. to be valid.

or

or liable to any of the Penalties or Forfeitures in the ſaid Act, made in the twelfth Year of her ſaid late Majeſty's Reign, by receiving or taking Intereſt for the Sum or Sums of Money to be really and *bona fide* advanced or lent on any ſuch Mortgage, Security, Bond, Covenant, Transfer, or Aſſignment, as aforeſaid, ſo as the Intereſt ſo to be received or taken do not exceed the Rate of ſix Pounds for one hundred Pounds for a Year; the aforeſaid Act of Parliament, or any other Law or Statute to the contrary notwithſtanding.

Not to make good ſuch Mortgage, if the Lender has advanced more than the Lands are worth.

III. Provided always, and it is hereby declared, That this Act ſhall not make good, valid, or effectual, any ſuch Mortgage, Security, Bond, Covenant, Transfer, or Aſſignment, where the Lender or Lenders of any Sum or Sums of Money has or have knowingly advanced or lent, or ſhall knowingly advance or lend thereon, more Money than the Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, in ſuch Mortgages, Securities, Transfers, or Aſſignments, mentioned or compriſed, or to be mentioned or compriſed, was, were, or ſhall be, at the Time or Times of advancing or lending ſuch Sum or Sums of Money as aforeſaid, really and *bona fide* worth, to be ſold.

Perſons borrowing Sums exceeding the Value which the Lands ſhall be worth, to forfeit triple the Value of the Sum. One Half to the Informer, and the other to Greenwich Hoſpital.

IV. And be it enacted by the Authority aforeſaid, That all and every Perſon or Perſons, borrowing any Sum or Sums of Money under the Authority of this Act, upon any ſuch Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, as aforeſaid, exceeding the Value which the ſame ſhall be, at the Time of borrowing ſuch Sum or Sums of Money, really and *bona fide* worth to be ſold over and above all Incumbrances which ſhall then affect the ſame, ſhall forfeit triple the Value of the Sum borrowed; the one Half to be paid to the Informer, the other Half to the Treaſurer of the Royal Hoſpital for Seamen, at *Greenwich*, in the County of *Kent*, or to his ſufficient Deputy or Agent, for the Uſe of the ſaid Hoſpital.

Mortgages to be regiſtered in the Colony, &c. where the Lands lie.

V. Provided alſo, and be it enacted, That all ſuch Mortgages, or other Securities granted under the Authority of this Act, by which ſuch Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, are intended to be charged or affected, ſhall be regiſtered within the Kingdom, Iſland, Colony, Plantation, Country, or Place, where the ſaid Lands, Tenements, Hereditaments, Slaves, Cattle, or other Things, ſeverally lie, or are within the Time limited by the Laws of ſuch Kingdom, Iſland, Colony, Plantation, Country, or Place, otherwiſe the ſame ſhall be ſubject to the ſeveral Proviſions and Penalties contained in the ſaid Act, made in the twelfth Year of her late Majeſty Queen *Anne*, in ſuch Manner as the ſame would have been if this Act had never been paſſed, unleſs the Mortgagee, or other Perſon or Perſons, for whoſe Behoof ſuch Mortgage or other Security ſhall have been made or granted, ſhall have *bona fide* uſed his or their utmoſt Endeavour to cauſe the ſame to be regiſtered within the Time hereinbefore limited for that Purpoſe.

CAP. LXXX.

An Act to continue the ſeveral Laws therein mentioned, for the better Encouragement of the making of Sail Cloth in *Great Britain*; and for ſecuring the Duties upon foreign-made Sail Cloth, and charging foreign-made Sails with a Duty.

Preamble.

'WHEREAS the Laws herein-after mentioned are near expiring;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the thirty-third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act to continue an Act made in the twelfth Year of the Reign of her late Majeſty Queen* Anne, *intituled*, An Act for the better Encouragement of the making of Sail Cloth in *Great Britain*, which was to continue in Force until the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſixty-ſeven, and from thence to the End of the then next Seſſion of Parliament; and which by an Act made in the eighth Year of the Reign of his preſent Majeſty, was further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

Act 33 Geo. 2. and Act 8 Geo. 3. for encouraging the making of Sail Cloth in Great Britain, further continued till Sept. 29, 1781.

Act 29 Geo. 2. for ſecuring the Duties on foreign-made Sail Cloth, &c. continued by Acts 26 & 32 Geo. 2. and 6 Geo. 3. further continued till June 24, 1781.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the nineteenth Year of the Reign of his late Majeſty King *George* the Second, for the more effectual ſecuring the Duties now payable on foreign-made Sail Cloth, imported into this Kingdom, and for charging all foreign-made Sails with a Duty; and for explaining a Doubt concerning Ships being obliged, at their firſt ſetting out to Sea, to be furniſhed with one compleat Set of Sails made of *Britiſh* Sail Cloth, which was to continue in Force from the twenty-fourth Day of *June*, one thouſand ſeven hundred and forty-ſix, for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament; and which, by three ſubſequent Acts, made in the twenty-ſixth and thirty-ſecond Years of the Reign of his ſaid late Majeſty, and of the ſixth Year of the Reign of his preſent Majeſty, was further continued until the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

CAP.

CAP. LXXXI.

An Act for altering and amending an Act, made in the ſixteenth Year of his late Majeſty's Reign, intituled, *An Act to explain and amend the Laws touching the Elections of Members to ſerve for the Commons in Parliament, for that Part of* Great Britain *called* Scotland; *and to reſtrain the Partiality, and regulate the Conduct, of returning Officers at ſuch Elections*, by altering the Time of Notice, ordered by the ſaid Act to be given, in the Service of Complaints to the Court of Seſſion, of Wrongs done in Elections, and by regulating the Manner, and ſettling the Place, of Election of a Burgeſs to ſerve in Parliament for a Diſtrict of Boroughs in *Scotland*, when the Election of the Magiſtrates and Council of a Borough, which ought in Courſe to be the preſiding Borough at an Election, happens to be reduced, and made void, by a Decree of the Court of Seſſion, and not revived by the Crown, when ſuch Election is made.

Preamble. Act 15 Geo. 2.

'WHEREAS by an Act, made in the ſixteenth Year of his late Majeſty's Reign, intituled, *An Act to explain and amend the Laws touching the Elections of Members to ſerve for the Commons in Parliament, for that Part of* Great Britain *called* Scotland; *and to reſtrain the Partiality, and regulate the Conduct, of returning Officers, at ſuch Elections*; Complaints to the Court of Seſſion, for Redreſs of Wrongs committed by the inrolling, or refuſing to inrol, Perſons claiming to be inrolled in the Roll of Freeholders, or in the annual Elections of Royal Boroughs, are ordered to be ſerved upon thirty Days Notice: And whereas it is found by Experience, ſo long Notice is unneceſſary, and occaſions Delay in the ſummary Determination of ſuch Complaints, agreeable to the Intendment of the ſaid Act;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twelfth Day of *June*, in the Year of our Lord one thouſand ſeven hundred and ſeventy-four, the Court of Seſſion ſhall grant Warrants for the Service of all ſuch Complaints as aforeſaid, upon fifteen Days Notice.

Court of Seſſion, on 15 Days Notice, ſhall grant Warrants for Service of Complaints for Redreſs of Wrongs committed by inrolling at Elections.

'II. And whereas the Elections of Magiſtrates and Counſellors of Royal Boroughs in *Scotland* have ſometimes been reduced and made void, by Decrees of the Court of Seſſion, in Actions or Complaints brought before the ſaid Court for that Purpoſe, by which the Corporate Powers of ſuch Boroughs are in Effect in a State of Nonexiſtence, until reſtored by the Juſtice and Favour of the Crown: And whereas no Proviſion is made in the aforeſaid Act of the ſixteenth Year of the Reign of his late Majeſty, or any other Act now in being, for regulating the Manner, and ſettling the Place, of Election of a Burgeſs to ſerve in Parliament for a Diſtrict of Boroughs in *Scotland*, when the Election of Magiſtrates and Council of a Borough, which ought in Courſe to have been the preſiding Borough at the Election, happens to be reduced, and not revived when the Election is made:' For remedying thereof, be it enacted by the Authority aforeſaid, That in every Election of a Burgeſs to ſerve in Parliament for a Diſtrict of Boroughs in *Scotland*, when it ſhall happen that the Election of the Magiſtrates and Council of the Borough, which ought to have been the preſiding Borough at ſuch Election, is reduced and not revived, the next Borough intitled to preſide in Turn ſhall be the preſiding Borough, and the Election ſhall be made at that Borough; and the Commiſſioner for that Borough ſhall be the Preſident of the Meeting of Commiſſioners for the Election, and have a caſting and deciſive Vote, beſides his own as Commiſſioner, where the Votes of the Commiſſioners are equal; and the common Clerk of that Borough ſhall be Clerk to the Election; and every Matter and Thing concerning the Election ſhall be proceeded in as if that Borough had been the preſiding Borough, in the ordinary Courſe of Rotation.

Election of a Burgeſs to ſerve in Parliament regulated.

III. And be it further enacted by the Authority aforeſaid, That the Borough which would have been the preſiding Borough at the Election, if the Election of the Magiſtrates and Counſellors of ſuch Borough had not been reduced, ſhall, when revived by the Juſtice and Favour of the Crown, have no Right or Title to be a preſiding Borough in the Election of a Burgeſs to ſerve in Parliament for the Diſtrict of Boroughs of which it is one, until the other Boroughs of the Diſtrict, each in their Turn, have ſucceſſively provided, and that the Right devolves upon ſuch Borough in the ordinary Courſe of Rotation.

The preſiding Borough of the Diſtrict how to be aſcertained.

CAP. LXXXII.

An Act for explaining and altering an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain and amend, and reduce into one Act of Parliament, the general Laws now in being for regulating of Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; ſo far as the ſame relates to the Payment of additional Tolls at Weighing Engines, and the Number of Horſes to be uſed in Carriages drawn on Turnpike Roads; and for allowing certain Exemptions with reſpect to Weight and Payment of Toll in particular Caſes.

Preamble. Act 13 Geo. 3.

'WHEREAS much Inconvenience has been found to ariſe from the heavy additional Tolls authoriſed and directed to be taken by an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act*

'to

'to explain and amend, and reduce into one Act of Parliament, the general Laws now in being for regulating 'of Turnpike Roads in that Part of Great Britain called England, and for other Purposes, from Persons 'who have in Waggons, Carts, or Carriages, carried greater Weights than are thereby allowed upon 'Turnpike Roads: And whereas it is expedient and necessary to make some Alteration with respect to 'such additional Tolls, in order to prevent innocent Persons from suffering unwarily or inadvertently 'thereby: And whereas the permitting any Waggon, Cart, or Carriage, when weighed at any weighing 'Engine, to be drawn by an unlimited Number of Horses, has been found, on Trial, to be inconve-'nient, and liable to Abuse;' for Remedy thereof, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said before-recited Act, as impowers the Trustees of any Turnpike Road to receive and take the additional Toll of twenty Shillings for every Hundred Weight, which any Waggon, Cart, or Carriage, together with its Loading, shall weigh at any Weighing Engine, over and above the Weight allowed thereby; and also so much thereof as permits any Waggon, Cart, or Carriage, after having been weighed as aforesaid, to be drawn by an unlimited Number of Horses; shall be, and is hereby repealed.

Part of the said Act repealed.

Additional Tolls to be hereafter taken for extra Weights on Waggons.

II. And be it further enacted by the Authority aforesaid, That from and after the first Day of *August*, one thousand seven hundred and seventy-four, it shall and may be lawful for all Trustees, appointed by any Act or Acts of Parliament, for the Repair of any Turnpike Road within that Part of *Great Britain* called *England*, or any five or more of them, or for any Person or Persons properly impowered by any five or more of them, to receive and take, over and above the Tolls already granted, or hereafter to be granted, the following Sums of Money, as additional Tolls for every Hundred Weight of one hundred and twelve Pounds to the Hundred, which any Waggon, Cart, or Carriage, together with the Loading thereof, shall weigh at any Weighing Engine erected, or to be erected, over and above the Weights by the before-recited Act allowed to each of them respectively; that is to say, For the First and Second hundred of such over Weight, the Sum of three-pence for each hundred; for every hundred of such over Weight above two hundred, and not exceeding five hundred, the Sum of Six-pence; for every hundred of such over Weight above five hundred, and not exceeeding ten hundred, the Sum of two Shillings and Sixpence; for every Hundred of such over Weight above ten hundred, and not exceeding fifteen hundred, the Sum of five Shillings; and for every Hundred of such over Weight above fifteen hundred, the Sum of twenty Shillings: Which said additional Toll or Duty, hereby granted and made payable at any Weighing Engine, as aforesaid, shall and may be levied and recovered in any of the Cases aforesaid, upon any Person liable thereto, or upon his or her Goods or Chattels, who shall, after Demand made thereof, refuse or neglect to pay the same, in such Manner as any other Toll or Duty payable at the same Toll-gate or Bar, where any such Engine shall be erected, is or shall be by Law to be levied and recovered; and the Money arising from such additional Toll or Duty shall be applied to the Repairs of the Turnpike Road where the same shall be collected.

No Waggon, Cart, or Carriage, employed in Husbandry, to be weighed.

III. And be it further enacted, That from and after the said first Day of *August*, no Waggon, Cart, or Carriage, employed only in Husbandry, or carrying only Manure or Lime for the Improvement of Land, or Hay, Straw, Fodder, or Corn unthreshed (excepting Hay or Straw carried for Sale), shall be weighed at any Weighing Engine now erected, or hereafter to be erected; any Law or Usage to the contrary notwithstanding.

Trustees within 10 Miles of London, &c. may lower the Tolls.

IV. And be it further enacted, That the Trustees of the several Turnpike Roads within ten Miles of the Cities of *London* and *Westminster*, and the Borough of *Southwark*, may, and they are hereby impowered, at their General or Quarterly Meetings, to lower the several additional Tolls hereby directed to be taken, as aforesaid, for over Weight, in such Manner as to them shall seem fit and convenient.

Waggons, Carts, &c. moving upon Rollers to pass Toll free for five Years,

'V. And whereas the Exemption from Toll in the before-recited Act, given to Waggons, Carts, and 'Carriages, moving upon Rollers of the Breadth of sixteen Inches on each Side thereof, with flat Sur-'faces, during the Term of one Year only, is found not to be a sufficient Encouragement to induce Per-'sons to erect and make use of the same;' be it therefore enacted, That all such Waggons, Carts, and Carriages, shall, for and during the Term of five Years, to be computed from the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, be permitted to pass or be drawn upon any Turnpike Road Toll free; any Law to the contrary thereof in any-wise notwithstanding: And from and after the Expiration of such Term, then to pay Half Toll only, as directed by the before-recited Act.

and after that Term to pay only Half Toll.

CAP. LXXXIII.

An Act for making more effectual Provision for the Government of the Province of *Quebec* in *North America*.

Preamble.

'WHEREAS his Majesty, by his Royal Proclamation, bearing Date the seventh Day of *October*, 'in the third Year of his Reign, thought fit to declare the Provisions which had been made in re-'spect to certain Countries, Territories, and Islands in *America*, ceded to his Majesty by the definitive 'Treaty of Peace, concluded at *Paris* on the tenth Day of *February*, one thousand seven hundred and 'sixty-three: And whereas, by the Arrangements made by the said Royal Proclamation, a very large Ex-'tent of Country, within which there were several Colonies and Settlements of the Subjects of *France*, 'who claimed to remain therein under the Faith of the said Treaty, was left, without any Provision be-'ing made for the Administration of Civil Government therein; and certain Parts of the Territory of '*Canada*, where sedentary Fisheries had been established and carried on by the Subjects of *France*, Inha-'bitants

'bitants of the ſaid Province of *Canada*, under Grants and Conceſſions from the Government thereof, were 'annexed to the Government of *Newfoundland*, and thereby ſubjected to Regulations inconſiſtent with the 'Nature of ſuch Fiſheries:' May it therefore pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all the Territories, Iſlands, and Countries in *North America*, belonging to the Crown of *Great Britain*, bounded on the South by a Line from the Bay of *Chaleurs*, along the High Lands which divide the Rivers that empty themſelves into the River *Saint Lawrence* from thoſe which fall into the Sea, to a Point in forty-five Degrees of Northern Latitude, on the Eaſtern Bank of the River *Connecticut*, keeping the ſame Latitude directly Weſt, through the Lake *Champlain*, until, in the ſame Latitude, it meets the River *Saint Lawrence*; from thence up the Eaſtern Bank of the ſaid River to the Lake *Ontario*; thence through the Lake *Ontario*, and the River commonly called *Niagara*; and thence along by the Eaſtern and South-eaſtern Bank of Lake *Erie*, following the ſaid Bank, until the ſame ſhall be interſected by the Northern Boundary, granted by the Charter of the Province of *Penſylvania*, in caſe the ſame ſhall be ſo interſected; and from thence along the ſaid Northern and Weſtern Boundaries of the ſaid Province, until the ſaid Weſtern Boundary ſtrike the *Ohio*: But in caſe the ſaid Bank of the ſaid Lake ſhall not be found to be ſo interſected, then following the ſaid Bank until it ſhall arrive at that Point of the ſaid Bank which ſhall be neareſt to the North-weſtern Angle of the ſaid Province of *Penſylvania*, and thence by a right Line, to the ſaid North-weſtern Angle of the ſaid Province; and thence along the Weſtern Boundary of the ſaid Province, until it ſtrike the River *Ohio*; and along the Bank of the ſaid River, Weſtward, to the Banks of the *Miſſiſſippi*, and Northward to the Southern Boundary of the Territory granted to the Merchants Adventurers of *England*, trading to *Hudſon's Bay*; and alſo all ſuch Territories, Iſlands, and Countries, which have, ſince the tenth of *February*, one thouſand ſeven hundred and ſixty-three, been made Part of the Government of *Newfoundland*, be, and they are hereby, during his Majeſty's Pleaſure, annexed to, and made Part and Parcel of, the Province of *Quebec*, as created and eſtabliſhed by the ſaid Royal Proclamation of the ſeventh of *October*, one thouſand ſeven hundred and ſixty-three.

The Territories, Iſlands, and Countries in North America, belonging to Great Britain, annexed to the Province of Quebec.

II. Provided always, That nothing herein contained, relative to the Boundary of the Province of *Quebec*, ſhall in anywiſe affect the Boundaries of any other Colony.

Not to affect the Boundaries of any other Colony;

III. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to make void, or to vary or alter any Right, Title, or Poſſeſſion, derived under any Grant, Conveyance, or otherwiſe howſoever, of or to any Lands within the ſaid Province, or the Provinces thereto adjoining; but that the ſame ſhall remain and be in Force, and have Effect, as if this Act had never been made.

nor to make void other Rights formerly granted,

'IV. And whereas the Proviſions, made by the ſaid Proclamation, in reſpect to the Civil Government 'of the ſaid Province of *Quebec*, and the Powers and Authorities given to the Governor and other Civil 'Officers of the ſaid Province, by the Grants and Commiſſions iſſued in conſequence thereof, have been 'found, upon Experience, to be inapplicable to the State and Circumſtances of the ſaid Province, the In'habitants whereof amounted, at the Conqueſt, to above ſixty-five thouſand Perſons profeſſing the Re'ligion of the Church of *Rome*, and enjoying an eſtabliſhed Form of Conſtitution and Syſtem of Laws, 'by which their Perſons and Property had been protected, governed, and ordered, for a long Series of 'Years, from the firſt Eſtabliſhment of the ſaid Province of *Canada*;' be it therefore further enacted by the Authority aforeſaid, That the ſaid Proclamation, ſo far as the ſame relates to the ſaid Province of *Quebec*, and the Commiſſion under the Authority whereof the Government of the ſaid Province is at preſent adminiſtered, and all and every the Ordinance and Ordinances made by the Governor and Council of *Quebec* for the Time being, relative to the Civil Government and Adminiſtration of Juſtice in the ſaid Province, and all Commiſſions to Judges and other Officers thereof, be, and the ſame are hereby revoked, annulled, and made void, from and after the firſt Day of *May*, one thouſand ſeven hundred and ſeventy-five.

Former Proviſions made for the Province to be null and void after May 1, 1775.

'V. And, for the more perfect Security and Eaſe of the Minds of the Inhabitants of the ſaid Pro'vince,' it is hereby declared, That his Majeſty's Subjects, profeſſing the Religion of the Church of *Rome* of and in the ſaid Province of *Quebec*, may have, hold, and enjoy, the free Exerciſe of the Religion of the Church of *Rome*, ſubject to the King's Supremacy, declared and eſtabliſhed by an Act, made in the firſt Year of the Reign of Queen *Elizabeth*, over all the Dominions and Countries which then did, or thereafter ſhould belong, to the Imperial Crown of this Realm; and that the Clergy of the ſaid Church may hold, receive, and enjoy, their accuſtomed Dues and Rights, with reſpect to ſuch Perſons only as ſhall profeſs the ſaid Religion.

Inhabitants of Quebec may profeſs the Romiſh Religion, ſubject to the King's Supremacy, as by Act 1 Eliz.; and the Clergy enjoy their accuſtomed Dues.

VI. Provided nevertheleſs, That it ſhall be lawful for his Majeſty, his Heirs or Succeſſors, to make ſuch Proviſion out of the reſt of the ſaid accuſtomed Dues and Rights, for the Encouragement of the Proteſtant Religion, and for the Maintenance and Support of a Proteſtant Clergy within the ſaid Province, as he or they ſhall, from Time to Time, think neceſſary and expedient.

Proviſion may be made by his Majeſty for the Clergy.

Support of the Proteſtant

VII. Provided always, and be it enacted, That no Perſon, profeſſing the Religion of the Church of *Rome*, and reſiding in the ſaid Province, ſhall be obliged to take the Oath required by the ſaid Statute paſſed in the firſt Year of the Reign of Queen *Elizabeth*, or any other Oaths ſubſtituted by any other Act in the Place thereof; but that every ſuch Perſon who, by the ſaid Statute, is required to take the Oath therein mentioned, ſhall be obliged, and is hereby required, to take and ſubſcribe the following Oath before the Governor, or ſuch other Perſon in ſuch Court of Record as his Majeſty ſhall appoint, who are hereby authoriſed to adminiſter the ſame; *videlicet*,

No Perſon profeſſing the Romiſh Religion obliged to take the Oath of 1 Eliz.; but to take, before the Governor, &c. Oath,

the following

'I *A. B.*

The Oath.

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful, and bear true Allegiance to his Ma-
'jeſty King *George*, and him will defend to the utmoſt of my Power, againſt all traitorous Conſpi-
'racies, and Attempts whatſoever, which ſhall be made againſt his Perſon, Crown, and Dignity; and I
'will do my utmoſt Endeavour to diſcloſe and make known to his Majeſty, his Heirs and Succeſſors, all
'Treaſons, and traitorous Conſpiracies, and Attempts, which I ſhall know to be againſt him, or any of
'them; and all this I do ſwear without any Equivocation, mental Evaſion, or ſecret Reſervation, and
'renouncing all Pardons and Diſpenſations from any Power or Perſon whomſoever to the contrary.
'*So help me* GOD.'

Perſons refuſing the Oath to be ſubject to the Penalties by Act 1 Eliz.

And every ſuch Perſon, who ſhall neglect or refuſe to take the ſaid Oath before mentioned, ſhall incur and be liable to the ſame Penalties, Forfeitures, Diſabilities, and Incapacities, as he would have incurred and been liable to for neglecting or refuſing to take the Oath required by the ſaid Statute paſſed in the firſt Year of the Reign of Queen *Elizabeth*.

His Majeſty's Canadian Subjects (religious Orders excepted) may hold all their Poſſeſſions, &c. and in Matters of Controverſy, Reſort may be had to the Laws of Canada for the Deciſion.

VIII. And be it further enacted by the Authority aforeſaid, That all his Majeſty's *Canadian* Subjects within the Province of *Quebec*, the religious Orders and Communities only excepted, may alſo hold and enjoy their Property and Poſſeſſions, together with all Cuſtoms and Uſages relative thereto, and all other their Civil Rights, in as large, ample, and beneficial Manner, as if the ſaid Proclamation, Commiſſions, Ordinances, and other Acts and Inſtruments, had not been made, and as may conſiſt with their Allegiance to his Majeſty, and Subjection to the Crown and Parliament of *Great Britain*; and that in all Matters of Controverſy, relative to Property and Civil Rights, Reſort ſhall be had to the Laws of *Canada*, as the Rule for the Deciſion of the ſame; and all Cauſes that ſhall hereafter be inſtituted in any of the Courts of Juſtice, to be appointed within and for the ſaid Province by his Majeſty, his Heirs and Succeſſors, ſhall, with reſpect to ſuch Property and Rights, be determined agreeably to the ſaid Laws and Cuſtoms of *Canada*, until they ſhall be varied or altered by any Ordinances that ſhall, from Time to Time, be paſſed in the ſaid Province by the Governor, Lieutenant Governor, or Commander in Chief, for the Time being, by and with the Advice and Conſent of the Legiſlative Council of the ſame, to be appointed in Manner herein-after mentioned.

Not to extend to Lands granted by his Majeſty in common Soccage.

IX. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Lands that have been granted by his Majeſty, or ſhall hereafter be granted by his Majeſty, his Heirs and Succeſſors, to be holden in free and common Soccage.

Owners of Goods may alienate the ſame by Will, &c. if executed according to the Laws of Canada.

X. Provided alſo, That it ſhall and may be lawful to and for every Perſon that is Owner of any Lands, Goods, or Credits, in the ſaid Province, and that has a Right to alienate the ſaid Lands, Goods, or Credits, in his or her Life-time, by Deed of Sale, Gift, or otherwiſe, to deviſe or bequeath the ſame at his or her Death, by his or her laſt Will and Teſtament; any Law, Uſage, or Cuſtom, heretofore or now prevailing in the Province, to the contrary hereof in any-wiſe notwithſtanding; ſuch Will being executed either according to the Laws of *Canada*, or according to the Forms preſcribed by the Laws of *England*.

Criminal Law of England to be continued in the Province.

'XI. And whereas the Certainty and Lenity of the Criminal Law of *England*, and the Benefits and
'Advantages reſulting from the Uſe of it, have been ſenſibly felt by the Inhabitants, from an Experience
'of more than nine Years, during which it has been uniformly adminiſtered;' be it therefore further enacted by the Authority aforeſaid, That the ſame ſhall continue to be adminiſtered, and ſhall be obſerved as Law in the Province of *Quebec*, as well in the Deſcription and Quality of the Offence as in the Method of Proſecution and Trial; and the Puniſhments and Forfeitures thereby inflicted to the Excluſion of every other Rule of Criminal Law, or Mode of Proceeding thereon, which did or might prevail in the ſaid Province before the Year of our Lord one thouſand ſeven hundred and ſixty-four; any Thing in this Act to the contrary thereof in any reſpect notwithſtanding; ſubject nevertheleſs to ſuch Alterations and Amendments as the Governor, Lieutenant-governor, or Commander in Chief for the Time being, by and with the Advice and Conſent of the legiſlative Council of the ſaid Province, hereafter to be appointed, ſhall, from Time to Time, cauſe to be made therein, in Manner herein-after directed.

His Majeſty may appoint a Council for the Affairs of the Province;

'XII. And whereas it may be neceſſary to ordain many Regulations for the future Welfare and good
'Government of the Province of *Quebec*, the Occaſions of which cannot now be foreſeen, nor, without
'much Delay and Inconvenience, be provided for, without intruſting that Authority, for a certain Time,
'and under proper Reſtrictions, to Perſons reſident there: And whereas it is at preſent inexpedient to
'call an Aſſembly;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, by Warrant under his or their Signet or Sign Manual, and with the Advice of the Privy Council, to conſtitute and appoint a Council for the Affairs of the Province of *Quebec*, to conſiſt of ſuch Perſons reſident there, not exceeding twenty-three, nor leſs than ſeventeen, as his Majeſty, his Heirs and Succeſſors, ſhall be pleaſed to appoint; and, upon the Death, Removal, or Abſence of any of the Members of the ſaid Council, in like Manner to conſtitute and appoint ſuch and ſo many other Perſon or Perſons as ſhall be neceſſary to ſupply the Vacancy or Vacancies; which Council, ſo appointed and nominated, or the major Part thereof, ſhall have Power and Authority to make Ordinances for the Peace, Welfare, and good Government, of the ſaid Province, with the Conſent of his Majeſty's Governor, or, in his Abſence, of the Lieutenant-governor, or Commander in Chief for the Time being.

which Council may make Ordinances, with Conſent of the Governor,

The Council are not impowered to lay Taxes, publick Roads or Buildings excepted,

XIII. Provided always, That nothing in this Act contained ſhall extend to authoriſe or impower the ſaid legiſlative Council to lay any Taxes or Duties within the ſaid Province, ſuch Rates and Taxes only excepted as the Inhabitants of any Town or Diſtrict within the ſaid Province may be authoriſed by the ſaid Council to aſſeſs, levy, and apply, within the ſaid Town or Diſtrict, for the Purpoſe of making Roads, erecting and repairing publick Buildings, or for any other Purpoſe reſpecting the local Convenience and Oeconomy of ſuch Town or Diſtrict.

XIV. Provided

XIV. Provided alſo, and be it enacted by the Authority aforeſaid, That every Ordinance ſo to be made, ſhall, within ſix Months, be tranſmitted by the Governor, or, in his Abſence, by the Lieutenant-governor, or Commander in Chief for the Time being, and laid before his Majeſty for his Royal Approbation; and if his Majeſty ſhall think fit to diſallow thereof, the ſame ſhall ceaſe and be void from the Time that his Majeſty's Order in Council thereupon ſhall be promulgated at *Quebec*. Ordinances made to be laid before his Majeſty for his Approbation.

XV. Provided alſo, That no Ordinance touching Religion, or by which any Puniſhment may be inflicted greater than Fine or Impriſonment for three Months, ſhall be of any Force or Effect, until the ſame ſhall have received his Majeſty's Approbation. Ordinances touching Religion not to be in Force without his Majeſty's Approbation.

XVI. Provided alſo, That no Ordinance ſhall be paſſed at any Meeting of the Council where leſs than a Majority of the whole Council is preſent, or at any Time except between the firſt Day of *January* and the firſt Day of *May*, unleſs upon ſome urgent Occaſion, in which Caſe every Member thereof reſident at *Quebec*, or within fifty Miles thereof, ſhall be perſonally ſummoned by the Governor, or, in his Abſence, by the Lieutenant-governor, or Commander in Chief for the Time being, to attend the ſame. When Ordinances are to be paſſed by a Majority.

XVII. And be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to prevent or hinder his Majeſty, his Heirs and Succeſſors, by his or their Letters Patent under the Great Seal of *Great Britain*, from erecting, conſtituting, and appointing, ſuch Courts of Criminal, Civil, and Eccleſiaſtical Juriſdiction within and for the ſaid Province of *Quebec*, and appointing, from Time to Time, the Judges and Officers thereof, as his Majeſty, his Heirs and Succeſſors, ſhall think neceſſary and proper for the Circumſtances of the ſaid Province. Nothing to hinder his Majeſty to conſtitute Courts of Criminal, Civil, and Eccleſiaſtical Juriſdiction.

XVIII. Provided always, and it is hereby enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to repeal or make void, within the ſaid Province of *Quebec*, any Act or Acts of the Parliament of *Great Britain* heretofore made, for prohibiting, reſtraining, or regulating, the Trade or Commerce of his Majeſty's Colonies and Plantations in *America*; but that all and every the ſaid Acts, and alſo all Acts of Parliament heretofore made concerning or reſpecting the ſaid Colonies and Plantations, ſhall be, and are hereby declared to be, in Force, within the ſaid Province of *Quebec*, and every Part thereof. All Acts formerly made are hereby inforced within the Province.

CAP. LXXXIV.

An Act to prevent certain Inconveniencies that may happen by Bills of Naturalization.

'WHEREAS it hath been found that many Perſons, born out of the Allegiance of the Crown of *Great Britain*, obtain Bills of Naturalization for the Purpoſe of availing themſelves in foreign Countries of the Immunities and Indulgences belonging to his Majeſty's trading Subjects, by Treaties, or otherwiſe; and in order to apply the ſaid Immunities and Indulgences to promote the Trade of the Country to which the Perſons ſo naturalized originally belonged, and not with any Deſign of fixing their Reſidence in *Great Britain*, or of becoming uſeful Subjects thereof: And whereas it is neither juſt nor expedient to permit ſuch Abuſes of the true Intent of Naturalization;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon ſhall hereafter be naturalized, unleſs in the Bill exhibited for that Purpoſe there ſhall be a Clauſe or Proviſo inſerted to declare that ſuch Perſon ſhall not thereby obtain, or become intitled to claim, within any foreign Country, any of the Immunities or Indulgences in Trade which are or may be enjoyed or claimed therein by natural-born *Britiſh* Subjects, by virtue of any Treaty, or otherwiſe, unleſs ſuch Perſon ſhall have inhabited and reſided within *Great Britain*, or the Dominions thereunto belonging, for the Space of ſeven Years, ſubſequent to the firſt Day of the Seſſion of Parliament in which the ſaid Bill of Naturalization ſhall have paſſed, and ſhall not have been abſent out of the ſame for a longer Space than two Months, at any one Time, during the ſaid ſeven Years; and that no Bill of Naturalization ſhall hereafter be received, in either Houſe of Parliament, unleſs ſuch Clauſe or Proviſo be firſt inſerted or contained therein. Preamble. Perſons how to be naturalized hereafter.

CAP. LXXXV.

An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-four; and for further appropriating the Supplies granted in this Seſſion of Parliament, for carrying to the Aggregate Fund a Sum of Money which hath ariſen by the two Sevenths Exciſe; and for enabling the Barons of the Exchequer in *Scotland* to make out a Certificate for the Payment of the Sum of five hundred Pounds to Lady *Ann Mackenzie*, out of the Balance remaining of the Sum of ſeventy-two thouſand Pounds, granted for paying the Creditors of the forfeited Eſtates in *Scotland*.

Moſt Gracious Sovereign,

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, towards raiſing the neceſſary Supplies which we have chearfully granted to your Ma-

'jeſty in this Seſſion of Parliament, have reſolved to give and grant to your Majeſty the Sum herein-after 'mentioned;' and do therefore moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as ſhall, from Time to Time, be and remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund, commonly called *The Sinking Fund*, after paying, or reſerving ſufficient to pay, all ſuch Sum or Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, there ſhall and may be iſſued and applied, for and towards making good the Supply granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and ſeventy-four, a Sum not exceeding two millions and eighty thouſand ſix hundred and ninety-ſix Pounds twelve Shillings and Eight-pence Farthing; and the Commiſſioners of his Majeſty's Treaſury, now or for the Time being, or any three or more of them, or the High Treaſurer for the Time being, are or is hereby authoriſed and impowered to iſſue and apply the ſame accordingly.

Not exceeding 2,080,696 l. 12 s. 8 d. 1 q. granted out of the Sinking Fund, for the Service of the current Year; to be iſſued by the Treaſury accordingly.

II. And it is hereby enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, now or for the Time being, or any three or more of them, or the High Treaſurer for the Time being, ſhall think it adviſable to raiſe the ſaid Sum of two millions and eighty thouſand ſix hundred and ninety-ſix Pounds twelve Shillings and Eight-pence Farthing, or any Part thereof, by Loans or Exchequer Bills, in Manner herein-after mentioned, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money not exceeding the ſaid Sum of two millions and eighty thouſand ſix hundred and ninety-ſix Pounds twelve Shillings and Eight-pence Farthing, upon the Credit of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues compoſing the Sinking Fund, and to have and receive Intereſt for the Forbearance of the Money lent, ſo as ſuch Loans be allowed to be made by the ſaid Commiſſioners of the Treaſury, or any three or more of them, now or for the Time being, or the High Treaſurer for the Time being, who are or is hereby authoriſed to iſſue his or their Warrants for that Purpoſe, as ſuch Loans ſhall be wanted for the publick Service; and moreover, that no Money to be lent upon the Security of this Act ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Treaſury impowered to raiſe the ſaid Sum, or any Part thereof, by Loans or Exchequer Bills, on the Credit of the Sinking Fund.

III. And be it further enacted, That all and every Perſon or Perſons who ſhall lend any Money upon the Credit of this Act, as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her, or their Repayment, bearing the ſame Date with his, her, or their Tally, in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money ſo to be lent ſhall be regiſtered in Courſe, according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtered in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her, or their Executors, Adminiſtrators, or Aſſigns, who ſhall have his, her, or their Order or Orders firſt entered in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues; and he, ſhe, or they, who ſhall have his, her, or their Order or Orders next entered, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively, and in Courſe; and that the Monies to come in of or for the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues compoſing the Sinking Fund, as aforeſaid, ſhall be, in the ſame Order, liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors, or Aſſigns, reſpectively, without any undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent, or Purpoſe whatſoever, other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf, as aforeſaid; and that no Fee, Reward, or Gratuity, directly or indirectly, ſhall be demanded or taken of any of his Majeſty's Subjects, for providing or making of any ſuch Books or Regiſters, or any Entries, Views, or Searches, in or for Payment of Money lent, or the Intereſt thereof, as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo: And if any undue Preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable, by Action of Debt, or on the Caſe, to pay the Value of the Debt, with full Coſts of Suit, to the Party grieved, and ſhall be forejudged of his Place or Office; and if any ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of the Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages, and Coſts, and ſhall be for ever after incapable of his Office or Place: And in caſe the Auditor of the Receipt ſhall not direct the ſaid Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon ſuch Orders, according to each Perſon's due Place and Order, as before directed; then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending to be liable to ſuch Action, Debt, Damages, and Coſts, in ſuch Manner as aforeſaid; all which ſaid Penalties, Forfeitures, Damages, and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any-wiſe granted or allowed.

All Perſons who ſhall lend any Money upon the Credit of this Act, ſhall have a Tally of Loan, with Orders for Repayment of the Money with Intereſt.

Orders to be regiſtered in Courſe.

No undue Preference to be given in Payment.

No Fee to be taken on Forfeiture of treble Damages, with full Coſts.

Penalty of undue Preference in point of Regiſtry or Payment.

Auditor, &c. neglecting his Duty, liable for Damages, &c.

to be recovered at Weſtminſter.

IV. Provided

IV. Provided always, and it is declared, That if it ſhall happen that ſeveral Tallies of Loan, or Orders for Payment, as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtered; then it ſhall be interpreted no undue Preference which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

No undue Preference in the Regiſtering, where Orders are brought the ſame Day; nor if ſubſequent Orders are paid before others not brought in Courſe, ſo as Money be reſerved for the preceding Orders.

V. Provided alſo, That it ſhall not be interpreted any undue Preference, to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders, to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come and take their Monies, and bring their Orders in Courſe, ſo as there be ſo much Money reſerved as will ſatisfy preceding Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Power of Aſſignment, and Method of transferring of Orders.

VI. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans to be regiſtered by virtue of this Act, after Order entered in the Book of Regiſter, as aforeſaid, his, her, or their Executors, Adminiſtrators, or Aſſigns, by proper Words or Aſſignment, to be indorſed and written upon his, her, or their Order, may aſſign and transfer his, her, or their Right, Title, Intereſt, and Benefit of ſuch Order, to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders (which the Officers ſhall, upon Requeſt, without Fee or Charge, accordingly make), ſhall intitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, to the Benefit thereof, and Payment thereon; and ſuch Aſſignee may, in like Manner, aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons, who hath or have made ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any Monies thereby due, or any Part thereof.

If it ſhall be judged more adviſable, the Treaſury may raiſe the ſaid Sum by Exchequer Bills, inſtead of Loans;

'VII. And to the End there may be no Want or Failure of a certain Sum, not to exceed in the 'Whole the ſaid Sum of two millions and eighty thouſand ſix hundred and ninety-ſix Pounds twelve 'Shillings and Eight-pence Farthing, to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Ex-'chequer Bills, as is herein-after mentioned, or by both or either of thoſe Ways or Means, for the 'Publick Service;' be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them, now or for the Time being, or the High Treaſurer for the Time being, ſhall judge it more adviſable to raiſe the ſaid Sum of two millions and eighty thouſand ſix hundred and ninety-ſix Pounds twelve Shillings and Eight-pence Farthing, or any Part thereof, by Exchequer Bills, inſtead of ſuch Loans, as aforeſaid, that then he or they reſpectively is or are hereby authoriſed and impowered, at any Time or Times, to prepare and make, or cauſe to be prepared or made, at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the Whole the ſaid Sum of two millions and eighty thouſand ſix hundred and ninety-ſix Pounds twelve Shillings and Eight-pence Farthing, together with ſuch Loans aforeſaid, in the ſame or like Manner, Form, or Order, and according to the ſame or like Rules and Directions as in and by a certain Act of this preſent Seſſion of Parliament, intituled, *An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-four*, are enacted and preſcribed concerning the Exchequer Bills to be made, in purſuance of the ſaid Act.

the Bills in ſuch Caſe to be made as thoſe preſcribed by the Malt Act of this Seſſion.

All Advantages and Penalties in the Malt Act of this Seſſion, relating to Loans or Exchequer Bills thereby authoriſed to be made forth, extended to this Act.

VIII. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities, contained in the ſaid laſt-mentioned Act relating to the Loans or Exchequer Bills authoriſed to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Taxes granted by the ſame Act, and except ſuch Clauſes as limit the Rate of Intereſt to be paid for the Forbearance of Money lent on the Credit of the ſaid Act), ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Exchequer Bills had been originally authoriſed by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this preſent Act.

The ſaid Exchequer Bills, Intereſt and Charges, are to be paid out of the Sinking Fund.

IX. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills which ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate, and Charges, incident to, or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid and borne by and out of the growing Produce of the Surpluſſes, Exceſſes, and overplus Monies, or other Revenues compoſing the Sinking Fund (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf); and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling, and diſcharging, ſuch Exchequer Bills, Intereſt, Premium, Rate, or Charges, until the Whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable, on Demand, to the reſpective Proprietors thereof.

Bank authoriſed to lend to his Majeſty the Sum of 2,080,696l. 12s. 8d. 1q. notwithſtanding Act 5 & 6 Gul. & Mariæ.

X. And be it declared and further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governor and Company of the Bank of *England* to advance or lend to his Majeſty, in like Manner, at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of two millions and eighty thouſand ſix hundred and ninety-ſix Pounds twelve Shillings and Eight-pence Farthing, any Thing in an Act made in the fifth and ſixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tonage of Ships and Veſſels; and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned to ſuch Perſons as ſhall voluntarily advance the Sum of one million five hundred thouſand Pounds, towards carrying on the War againſt France*; to the contrary thereof in any-wiſe notwithſtanding.

XI. And

The Sum of 113,190l. 11s. 7d. 1q. Surplus of the Sinking Fund in the Exchequer on 5 Jan. 1774; 619,303 l. 7s. 3d. 3q. remaining in the Exchequer on 5 April, 1774; and 126,981 l. 7s. 5d. remaining in the Exchequer for 1773; and such Monies as shall be paid into the Exchequer between April 5, 1774, and April 5, 1775, of the Produce of the Duties on Gum Senega and Gum Arabic; 20,237 l. 5s. 3d. remaining in the Exchequer of the Duties on Rice exported, and on Apples imported, Cambricks and Sugars granted by 6 Geo. 3. and out of impreſt 9 s. 3 d. paid 15,000 l. for

XI. And be it further enacted by the Authority aforeſaid, That the Sum of one hundred and thirteen thouſand one hundred and ninety Pounds eleven Shillings and Seven-pence Farthing, remaining in the Receipt of the Exchequer on the fifth Day of *January*, one thouſand ſeven hundred and ſeventy-four, for the Diſpoſition of Parliament, of the Monies which had then ariſen of the Surpluſſes, Exceſſes, and overplus Monies, and other Revenues of the Fund commonly called *The Sinking Fund*; and alſo the Sum of ſix hundred and nineteen thouſand three hundred and three Pounds ſeven Shillings and Three-pence three Farthings, remaining in the Receipt of the Exchequer on the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-four, for the Diſpoſition of Parliament, of the Monies which had then ariſen of the Surpluſſes, Exceſſes, and overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*; and alſo the Sum of one hundred and twenty-ſix thouſand nine hundred and eighty-one Pounds ſeven Shillings and Five-pence, now remaining in the Receipt of the Exchequer, being the Overplus of the Grants for the Service of the Year one thouſand ſeven hundred and ſeventy-three; and alſo ſuch of the Monies as ſhall be paid into the Receipt of the Exchequer after the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-four, and on or before the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-five, of the Produce of the Duties charged by two Acts, made in the fifth and fourteenth Years of his preſent Majeſty's Reign, upon the Importation and Exportation of *Gum Senega* and *Gum Arabic*; and alſo the Sum of twenty thouſand two hundred and thirty-ſeven Pounds five Shillings and Three-pence, remaining in the Receipt of the Exchequer, of the Monies ariſen by the Duties on Rice exported, the Duties on Apples imported, and on Cambricks and Sugars, granted by an Act of the ſixth Year of his preſent Majeſty's Reign; and alſo of ſuch impreſt Monies as remain there for the Diſpoſition of Parliament; and alſo the Sum of ſixteen thouſand five hundred Pounds and Four-pence, being the Balance remaining in the Hands of the Deputy Treaſurer of *Chelſea Hoſpital*, on account of the Deduction of Twelve-pence in the Pound upon Monies iſſued to him for the Out-penſioners of *Chelſea Hoſpital*; and alſo the Sum of thirty thouſand five hundred and ſixty-one Pounds nine Shillings and Three-pence, paid into the Receipt of the Exchequer, in purſuance of two Acts, made in the ſecond and ninth Years of the Reign of his preſent Majeſty, by the Receivers General of the ſeveral Counties in *England* and *Wales*, that have not raiſed the Militia, ſhall and may be iſſued and applied at the ſaid Receipt of his Majeſty's Exchequer, for and towards making good the ſaid Supply; and the Commiſſioners of his Majeſty's Treaſury now or for the Time being, or any three or more of them, or the High Treaſurer for the Time being, are or is hereby authoriſed and impowered to iſſue and apply the ſame accordingly.

Monies remaining for the Diſpoſition of Parliament; and 16,500l. 4d. in the Hands of the Treaſurer of Chelſea Hoſpital; and 30,561 l. into the Exchequer by Acts 2 & 9 Geo. 3.

15,000 l. for ſupporting the neceſſary Expences of Forces in America, Nova Scotia, Newfoundland, and the ceded Iſlands, out of the Monies to be paid into the Exchequer on April 5, 1775.

XII. And be it further enacted by the Authority aforeſaid, That a Sum not exceeding fifteen thouſand Pounds, out of ſuch Monies as are or ſhall be paid into the Receipt of the Exchequer on or before the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-five, of the Produce of all or any of the Duties and Revenues which by any Act or Acts of Parliament have been directed to be reſerved for the Diſpoſition of Parliament, towards defraying the neceſſary Expences of defending, protecting, and ſecuring, the *Britiſh* Colonies and Plantations in *America*, be applied towards making good ſuch Part of the Supply as hath been granted to his Majeſty for maintaining his Majeſty's Forces and Garriſons in the Plantations, and for Proviſions for the Forces in *North America*, *Nova Scotia*, *Newfoundland*, and the ceded Iſlands, for the Year one thouſand ſeven hundred and ſeventy-four: And the Commiſſioners of his Majeſty's Treaſury now or for the Time being, or any three or more of them, or the High Treaſurer for the Time being, are or is hereby authoriſed and impowered to iſſue and apply the ſame accordingly.

Appropriation of the Supplies. The Monies ariſing by the Malt Tax,

Land Tax,

Loans,

Lottery,

XIII. Provided always, and it is hereby enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-four*; and ſo much Money, if any ſuch be, of the Duties thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made, or to be made, on the ſame Act, and all the Intereſt, Premium, Rate, and Charges thereon; and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer, to ſatisfy and diſcharge the ſame; and alſo all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-four*; and ſo much Money, if any ſuch be, of the Tax thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made, or to be made, on the ſame Act, and all the Intereſt, Premium, Rate, and Charges thereon, and the Charges allowable thereby for raiſing the ſaid Land Tax ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to ſatisfy and diſcharge the ſame; and alſo the Sum of one million two hundred and fifty thouſand Pounds, granted by one other Act of this Seſſion of Parliament, intituled, *An Act for raiſing a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-four*; and alſo all the Monies coming into the Exchequer by Contributions for a Lottery, granted by one other Act of this Seſſion of Parliament, intituled, *An Act for redeeming the Sum of one million of the Capital Stocks of three Pounds* per Centum *Annuities, in the Manner, and on the Terms, therein mentioned; and for eſtabliſhing a Lottery*; and alſo the ſaid Sum of one hundred and thirteen thouſand one hundred and ninety Pounds eleven Shillings and Seven-pence Farthing, remaining in the Receipt of the Exchequer on the fifth Day of *January*, one thouſand ſeven hundred and ſeventy-four, for the Diſpoſition of Parliament, of the Monies which had then ariſen of the Surpluſſes, Exceſſes, and overplus Monies, and other Revenues of the Fund commonly called *The Sinking Fund*; and alſo the ſaid Sum of ſix hundred and nineteen thouſand three hundred and three Pounds ſeven Shillings and Three-pence three Farthings, remaining in the

and 113,190 l. 11s. 7d. 1q. remaining in the Exchequer on Jan. 5, 1774; and 619,303 l. 7s. 3d. 3q.

the Receipt of the Exchequer on the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-four, for the Diſpoſition of Parliament, of the Monies which had then ariſen of the Surpluſſes, Exceſſes, and overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*; and alſo the ſaid Sum of one hundred and twenty-ſix thouſand nine hundred and eighty-one Pounds ſeven Shillings and Five-pence, now remaining in the Receipt of the Exchequer, being the Overplus of the Grants for the Service of the Year one thouſand ſeven hundred and ſeventy-three; and alſo ſuch of the Monies as ſhall be paid into the Receipt of the Exchequer after the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-four, and on or before the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-five, of the Produce of the Duties charged by two Acts, made in the fifth and fourteenth Years of his preſent Majeſty's Reign, upon the Importation and Exportation of *Gum Senega* and *Gum Arabic*; and alſo the ſaid Sum of twenty thouſand two hundred and thirty-ſeven Pounds five Shillings and Three-pence, remaining in the Receipt of the Exchequer, of the Monies ariſen by the Duties on Rice exported, the Duties on Apples imported, and on Cambricks and Sugars, granted by an Act of the ſixth Year of his preſent Majeſty's Reign, and alſo of ſuch impreſt Monies as remain there for the Diſpoſition of Parliament; and alſo the ſaid Sum of ſixteen thouſand five hundred Pounds and Four-pence, being the Balance remaining in the Hands of the Deputy Treaſurer of *Chelſea Hoſpital*, on account of the Deduction of Twelve-pence in the Pound upon Monies iſſued to him for the Out-penſioners of *Chelſea Hoſpital*; and alſo the ſaid Sum of thirty thouſand five hundred and ſixty-one Pounds nine Shillings and Three-pence, paid into the Receipt of the Exchequer, in purſuance of two Acts, made in the ſecond and ninth Years of the Reign of his preſent Majeſty, by the Receivers-general of the ſeveral Counties in *England* and *Wales*, that have not raiſed the Militia; and alſo the further Sum of two millions, and eighty thouſand ſix hundred and ninety-ſix Pounds twelve Shillings and Eight-pence Farthing, by this Act granted, out of ſuch Monies as ſhall or may ariſe of the Surpluſſes, Exceſſes, or overplus Monies, and other Revenues compoſing the Fund, commonly called *The Sinking Fund*, ſhall be further appropriated, and are hereby appropriated, and ſhall be iſſued and applied, for and towards the ſeveral Uſes and Purpoſes hereafter expreſſed, together with the Reſidue of the Monies ariſing from the Sale of *French* Prizes taken before the Declaration of the late War, which his Majeſty declared in a moſt gracious Speech to his Parliament, that he had directed, for the Eaſe of his Subjects, to be applied to the publick Service; and alſo ſuch Sum or Sums of Money as his Majeſty, according to his moſt gracious Intentions, expreſſed in the ſame Speech, ſhall direct, for the further Eaſe of his Subjects, to be alſo applied to the publick Service, out of the Monies which have ariſen, or ſhall ariſe, by the Sale of Lands belonging to his Majeſty in the Iſlands of the *Weſt Indies*, which were ceded to his Majeſty by the late Treaty of Peace.

remaining in the Exchequer on April 5, 1774, for the Diſpoſition of Parliament; and 126,981l. 7s. 5d. now remaining of the Grants for 1773; and ſuch Monies as ſhall be paid into the Exchequer after April 5, 1775, of the Produce of the Duties on Gum Senega and Gum Arabic; and 20,237l. 5s. 3d. of the Monies on Rice exported, and Duties on Apples imported, and on Cambricks and Sugars, by Act 6 Geo. III. &c. and 16,500l. 4d. of Balance in the Hands of the Deputy Treaſurer of Chelſea Hoſpital; and 30,561l. 9s 3d. paid into the Exchequer by the Receivers-general in England and Wales, Fund; together ſhall direct to be

that have not raiſed the Militia; and 2,080,696l. 12s. 8d. 1q. by this Act granted, out of the Exceſſes, &c. compoſing the Sinking with the Money ariſing from the Sale of French Prizes taken before the Declaration of War; and alſo ſuch Sums of Money as his Majeſty applied to the publick Service, which ſhall ariſe by the Sale of the ceded Iſlands in the Weſt Indies.

XIV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one million nine hundred and four thouſand nine hundred and ſeventeen Pounds four Shillings and Three-pence, for or towards the naval Services herein particularly expreſſed; (that is to ſay), For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed, and to be performed; and for or towards Sea Services in the Office of Ordnance, performed, and to be performed; and for or towards defraying the Ordinary of his Majeſty's Navy, and for Half-pay to Sea and Marine Officers; and for or towards maintaining four thouſand three hundred and fifty-four Marines; and towards the Buildings, Rebuildings, and Repairs, of Ships of War in his Majeſty's Yards, and other *extra* Works, over and above what may be done upon the Heads of Wear and Tear, and Ordinary, for the Year one thouſand ſeven hundred and ſeventy-four.

Not exceeding 1,904,917l. 4s. 3d. to be iſſued out of the Supplies towards Naval Services.

XV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two hundred thouſand Pounds, towards paying off and diſcharging the Debt of the Navy.

200,000l. towards paying off the Debt of the Navy.

XVI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any of the Aids or Supplies aforeſaid, there ſhall be iſſued and applied any Sum or Sums of Money, not exceeding two hundred and forty-four thouſand ſix hundred and ninety-nine Pounds ſeventeen Shillings and Five-pence, for the Charge of the Office of Ordnance for Land Service, for the Year one thouſand ſeven hundred and ſeventy-four.

Not exceeding 244,699l. 17s. 5d. Charges of the Office of Ordnance.

XVII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding twenty-ſix thouſand four hundred and twenty-five Pounds and Two-pence, for defraying the Expence of Services performed by the Office of Ordnance for Land Service, and not provided for by Parliament in one thouſand ſeven hundred and ſeventy-three.

26,425l 2d. for Charges of the Office of Ordnance not provided for in 1773;

XVIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any of the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one million five hundred and thirty-four thouſand ſeven hundred and twenty Pounds fourteen Shillings and Eight-pence, and one-eighth Part of a Penny, for and towards maintaining his Majeſty's Land Forces, and other Services herein-after more particularly expreſſed; (that is to ſay,) Any Sum or Sums of Money, not exceeding ſix hundred and thirty-eight thouſand ſix hundred and thirty Pounds ſixteen Shillings and Ten-pence, for defraying the Charge of eighteen thouſand and twenty-four effective Men, commiſſioned and non-commiſſioned Officers included, and including one thouſand five hundred and twenty-two Invalids for Guards, Garriſons, and other his Majeſty's Land Forces in *Great Britain*, *Jerſey*, and *Guernſey*, for the Year

1,534,720l. 14s. 8d. and 1 8th of a Penny, towards the Land Forces; of which 638,630l. 16s. 10d. for defraying the Charges of 18,024 effective Men, &c.

and 1522 Invalids for Guards, &c. in Great Britain, &c. 360,062 l. 13 s. 4 d. and 1-8th of a Penny, for Forces and Garrisons in Africa, &c.

Not exceeding 4627 l. 3 d. to make good the Difference of Pay between the British and Irish Establishment of the Troops in the Isle of Man, &c.; 11,473 l. 18 s. 6 d. 2 q. for General and General Staff Officers in Great Britain;

107,525 l. 19 s. 2 d. to the reduced Officers of the Land Forces and Marines; 1010 l. 2 s. 2 d. to the Troops of Horse Guards reduced, &c. 628 l. to the Pensions of Officers Widows; Land Forces, and

Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding three hundred and sixty thousand and sixty-two Pounds thirteen Shillings and Four-pence, and one-eight Part of a Penny, towards further maintaining his Majesty's Forces and Garrisons in the Plantations, and *Africa*, including those in Garrison at *Minorca* and *Gibraltar*, and for Provisions for the Forces in *North America*, *Nova Scotia*, *Newfoundland*, *Gibraltar*, the ceded Islands, and *Africa*, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding four thousand six hundred and twenty-seven Pounds and Three-pence, for defraying the Charge of the Difference of Pay between the *British* and *Irish* Establishment of five Battalions and three Companies of Foot, serving in the *Isle of Man*, at *Gibraltar*, *Minorca*, and the ceded Islands, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding eleven thousand four hundred and seventy-three Pounds eighteen Shillings and Six-pence Halfpenny, for the Pay of the General and General Staff Officers in *Great Britain*, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding one hundred and seven thousand five hundred and twenty-five Pounds nineteen Shillings and Two-pence, upon account of the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding one thousand and ten Pounds two Shillings and one Penny, for defraying the Charge for Allowances to the several Officers and private Gentlemen of the two Troops of Horse Guards reduced, and to the superannuated Gentlemen of the four Troops of Horse Guards, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding six hundred and twenty-eight Pounds, for the paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December*, one thousand seven hundred and sixteen, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding one hundred and twenty-two thousand seven hundred and thirty-one Pounds and five Shillings, upon Account, towards defraying the Charge of Out-pensioners of *Chelsea Hospital*, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money not exceeding two hundred and eighty-eight thousand and thirty Pounds nineteen Shillings and Five-pence Halfpenny, towards defraying the extraordinary Expences of his Majesty's Land Forces, and other Services incurred between the twenty-fourth Day of *March*, one thousand seven hundred and seventy-three, and the twenty-second Day of *April*, one thousand seven hundred and seventy-four, and not provided for by Parliament.

122,731 l. 5 s. to the Out pensioners of Chelsea Hospital; not exceeding 288,030 l. 19 s. 5 d. 2 q. towards extraordinary Expences of the other Services incurred, and not provided for.

1,000,000 l. for discharging Exchequer Bills of last Session.

XIX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied the Sum of one million, for paying off and discharging the Exchequer Bills made out by virtue of an Act, passed in the last Session of Parliament, intituled, *An Act for raising a certain Sum of Money by Loans, or Exchequer Bills, for the Service of the Year one thousand seven hundred and seventy-three*, and charged upon the first Aids to be granted in this Session of Parliament.

10,100 l. to make good to his Majesty the like Sum issued in pursuance of the Addresses of the House of Commons.

XX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied the Sum of ten thousand one hundred Pounds, to make good to his Majesty the like Sum which has been issued by his Majesty's Orders, in pursuance of the Addresses of the House of Commons.

4346 l. 10 s. 5 d. for supporting the Civil Establishment of Nova Scotia; 3086 l. for the Civil Establishment of Georgia;

Not exceeding 4950 l. for the Civil Establishment of East Florida; 4850 l. for the Civil Establishment of West Florida;

2085 l. 4 s. for defraying Expences attending Surveys in North Ameca.

13,000 l. for repairing and maintaining the Forts in Africa; 6336 l. 9 d. 2 q. for supporting

XXI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding four thousand three hundred and forty-six Pounds ten Shillings and Five-pence, upon Account, for maintaining and supporting the Civil Establishment of his Majesty's Colony of *Nova Scotia*, for the Year one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding three thousand and eighty-six Pounds, upon Account, for defraying the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same, from the twenty-fourth Day of *June*, one thousand seven hundred and seventy-three, to the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding four thousand nine hundred and fifty Pounds, upon Account, for defraying the Expences of the Civil Establishment of his Majesty's Colony of *East Florida*, and other incidental Expences attending the same, from the twenty-fourth Day of *June*, one thousand seven hundred and seventy-three, to the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding four thousand eight hundred and fifty Pounds, upon Account, for defraying the Expences of the Civil Establishment of his Majesty's Colony of *West Florida*, and other incidental Expences attending the same, from the twenty-fourth Day of *June*, one thousand seven hundred and seventy-three, to the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four; and any Sum or Sums of Money, not exceeding two thousand and eighty-five Pounds and four Shillings, upon Account, for defraying the Expences attending General Surveys of his Majesty's Dominions in *North America*, for the Year one thousand seven hundred and seventy-four.

XXII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding thirteen thousand Pounds, to be employed in repairing, maintaining, and supporting, the *British* Forts and Settlements on the Coast of *Africa*; and any Sum or Sums of Money, not exceeding six thousand three hundred and thirty-six Pounds and Nine-pence Halfpenny, upon Account, for defraying the Expence of supporting and maintaining the Civil Establishment of the Government of *Senegambia*, on that Part of the Coast

Coaſt of *Africa* ſituate between the Port of *Sallee*, in South *Barbary*, and *Cape Rouge*, for the Year one thouſand ſeven hundred and ſeventy-four.

the Civil Eſtabliſhment of Senegambia.

XXIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two thouſand Pounds, towards enabling the Truſtees of the *Britiſh Muſeum* to carry on the Execution of the Truſts repoſed in them by Parliament.

Not exceeding 2000 l. to the Truſtees of the Britiſh Muſeum, &c.

XXIV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ſix thouſand nine hundred and ninety-eight Pounds eighteen Shillings and Seven-pence, upon account of the Expences of the new Roads of Communication, and building Bridges in the Highlands of *North Britain*, in the Year one thouſand ſeven hundred and ſeventy-four; and any Sum or Sums of Money, not exceeding two hundred and fifty thouſand Pounds, towards defraying the Expences which ſhall be incurred in calling in and recoining the deficient Gold Coin, in purſuance of the Reſolutions of the Houſe of Commons of the tenth Day of *May*, one thouſand ſeven hundred and ſeventy-four; and any Sum or Sums of Money, not exceeding two thouſand five hundred Pounds, to be paid to *David Hartley* Eſquire, towards enabling him to defray the Charge of Experiments, in order to aſcertain the Practicability and Utility of his Diſcovery of a Method to ſecure Buildings and Ships from Fire, and that the ſame be paid without Fee or Reward.

6998 l. 18 s. 7 d. on account of the Expence of New Roads, &c. in the Highlands of Scotland in 1774.

250,000 l. for defraying the Deficiency of the Gold Coin, &c. 2500 l. to Mr. Hartley, for enabling him in the Charge of his Diſcovery to ſecure Buildings, &c. from Fire.

XXV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied the Sum of eight hundred and eighty thouſand Pounds, to enable his Majeſty to ſatisfy and make good the ſeveral Sums payable to the Perſons who have ſubſcribed their capital Stock of three Pounds *per Centum* Annuities, to be diſcharged and annihilated upon the Terms expreſſed in the Reſolution of the Houſe of Commons of the nineteenth Day of *May*, one thouſand ſeven hundred and ſeventy-four.

880,000 l. granted to his Majeſty, to be payable to Perſons who have ſubſcribed their Capital of 3 per Cent, &c.

XXVI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding forty-three thouſand ſix hundred and forty-five Pounds twelve Shillings and Eight-pence, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency on the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-three, of the Fund eſtabliſhed for paying Annuities granted by an Act, made in the thirty-firſt Year of the Reign of his late Majeſty, towards the Supply granted for the Service of the Year one thouſand ſeven hundred and fifty-eight.

Not exceeding 43,645 l. 12 s. 8 d. to the Sinking Fund to make good the Deficiency on July 5, 1773.

XXVII. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Aids and Supplies, provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent, or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſaid Deficiency, or other Payments directed to be ſatisfied thereout by any Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe, contained in any other Act or Acts of this preſent Seſſion of Parliament.

The ſaid Aids to be applied only to the Uſes before mentioned.

'XXVIII. And as to the Sum of one hundred and ſeven thouſand five hundred and twenty-five Pounds 'nineteen Shillings and Two-pence, by this Act appropriated on account of Half Pay as aforeſaid,' it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein-after preſcribed ſhall be duly obſerved in the Application of the ſaid Half Pay; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop, or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſon who did actual Service in ſome Regiment, Troop, or Company; that no Perſon having any other Place or Employment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half Pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland* ſhall have or receive any Part of the ſaid Half Pay; that no Perſon ſhall have or receive any Part of the ſame who has reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon, by virtue of any Warrant or Appointment, except to ſuch Perſons as would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half Pay in *Great Britain*

Rules to be obſerved in the Application of the Half Pay.

'XXIX. And whereas by an Act of Parliament, made in the thirteenth Year of his preſent Majeſty's 'Reign, (intituled, *An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund; and 'for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-'three; and for further appropriating the Supplies granted in this Seſſion of Parliament; and for paying to* John 'Harriſon *a further Reward for his Invention of a Time-keeper for aſcertaining the Longitude at Sea, and his 'Diſcovery of the Principles upon which the ſame was conſtructed)*; the ſeveral Supplies which had been 'granted to his preſent Majeſty, as is therein mentioned, were appropriated to the ſeveral Uſes and Pur-'poſes therein expreſſed, amongſt which any Sum or Sums of Money, not exceeding one hundred and 'eleven thouſand one hundred and twenty-ſeven Pounds five Shillings and Ten-pence, was appropriated 'to be paid to the reduced Officers of his Majeſty's Land Forces and Marines for the Year one thouſand 'ſeven hundred and ſeventy-three, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of 'the ſaid Half Pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted, and declared, by the Authority aforeſaid, That ſo much of the ſaid Sum of one hundred and eleven thouſand one hundred and twenty-ſeven Pounds five Shillings and Ten-pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the Rules preſcribed by the ſaid Act to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall and may be diſpoſed of to ſuch Officers who are maimed, or have loſt their Limbs in the late Wars, or ſuch others as, by reaſon of their

By Act 13 Geo. 3.

a Sum not exceeding 111,127 l. 5 s. 10 d. was appropriated to be paid to the reduced Officers.

Overplus Monies, above ſatisfying ſaid Officers, to be diſpoſed of to

Officers who were maimed, &c. in the late Wars, or to Officers Widows and Children, as his Majesty shall direct.

their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity; or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any Thing in this Act, or the said former Act, to the contrary notwithstanding.

23,637l. 11s. 10d. 3q. remaining in the Exchequer on April 5, 1774, to be made Part of The Aggregate Fund.

XXX. And be it further enacted by the Authority aforesaid, That the Sum of twenty-three thousand six hundred and thirty-seven Pounds eleven Shillings and Ten-pence three Farthings, remaining in the Receipt of the Exchequer, on the fifth Day of *April*, one thousand seven hundred and seventy-four, of the two-seventh Parts of the additional Rates and Duties of Excise, granted by an Act of Parliament made in the fifth and sixth Years of the Reign of King *William* and Queen *Mary*, after satisfying the several Charges and Incumbrances thereupon for the Half Year then ended, be carried to and made Part of the Fund commonly called *The Aggregate Fund*; and that such Annuities and other Demands payable out of the said Sum, as the growing Produce of the two-seventh Parts of the said Excise shall not be sufficient to answer, shall be charged upon, and payable out of the said Fund, commonly called *The Aggregate Fund*; and the Commissioners of the Treasury now or for the Time being, or any three or more of them, or the High Treasurer for the Time being, are or is hereby impowered to authorise the Payment out of the said Fund of such Monies as shall be necessary to make good any such Deficiency or Deficiencies.

By Act 10 Geo. 3. 72,000l was granted for discharging Debts on the forfeited Estate of the late Earl of Cromarty, &c.

'XXXI. And whereas, by an Act passed in the tenth Year of his present Majesty's Reign, (intituled, '*An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, and for applying certain* '*Monies therein mentioned, for the Service of the Year one thousand seven hundred and seventy; and for further* '*appropriating the Supplies granted in this Session of Parliament)*; it is enacted, That there should be issued 'and applied any Sum or Sums of Money, not exceeding seventy-two thousand Pounds, for paying and discharging the Debts claimed and sustained upon the Lands and Estates which became forfeited to the Crown, 'by the Attainder of *George* late Earl of *Cromarty*, and others: And whereas for the better and more easy 'paying and discharging the Debts of Creditors upon the Lands and Estates of *Cromarty*, and others, they 'were thereby directed and required, on or before the fifth Day of *July*, in the Year one thousand seven 'hundred and seventy, to produce, or cause to be produced, in his Majesty's Court of Exchequer in *Scot*-'*land*, the Decree or Decrees of the Court of Session, sustaining the said Claims; and upon producing the 'same, the Barons of the said Court of Exchequer were thereby impowered and required to make out De-'bentures or Certificates for the several Sums of Money and Interest, which should appear to be due by and 'under the said Decrees respectively, upon the Receiver General of his Majesty's Land Rents, and Casual-'ties, in that Part of *Great Britain* called *Scotland*; and that the said Claim or Claims should not carry any 'further Interest, from and after the fifth Day of *July*, one thousand seven hundred and seventy: And 'whereas Lady *Anne M'Kenzie*, Sister to *George* late Earl of *Cromarty*, entered a Claim upon the Estate of '*Cromarty*, for the Sum of five hundred Pounds, contained in a Bond to her from the said late Earl, with 'the legal Interest, from the Term of *Whitsunday*, one thousand seven hundred and forty-four, which Inter-'est she was intitled to receive at two Terms in the Year, in which Bond there was this Condition, "That "in case she should die unmarried, the said Sum of five hundred Pounds should return to the said late Earl, "and his Heirs, succeeding to him in his Estate of *Cromarty*, in the same Manner as if the said Bond had "not been made to her:" And whereas by a Decree of the Court of Session the first Day of *July*, one thou-'sand seven hundred and fifty-six, she was found a just and lawful Creditor of the said *George* late Earl of '*Cromarty*, for the principal Sum of five hundred Pounds, and Interest, from *Whitsunday* one thousand 'seven hundred and forty-five, and in Time coming, till Payment, according to the Condition of the 'Bond: And whereas the Barons of the Court of Exchequer in *Scotland*, on account of the Condition in 'the said Bond, did not think themselves authorised to order the said Lady *Anne Mackenzie* Payment of the 'said Sum of five hundred Pounds out of the seventy-two thousand Pounds voted by Parliament, for pay-'ing the Debts upon the forfeited Estates, she still remaining unmarried: And whereas the said Lady *Anne* '*Mackenzie*, by the said Decree, is intitled to receive the Interest of the said Sum of five hundred Pounds 'yearly, at the Rate of five Pounds *per Centum*: And whereas it may be a Doubt whether the said Interest 'ought to be paid out of the Rents of the Estate of *Cromarty*, since the Annexation thereof: And whereas 'the said Sum of five hundred Pounds is lying in the Hands of the Receiver-General, without Interest, by 'which Means the said Lady *Anne Mackenzie* may be exposed to great Difficulties and Distress;' be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for the Barons of the Court of Exchequer in *Scotland*, and they are hereby impowered and required to make out the Debenture or Certificate, under their Hands, to the Receiver-General of his Majesty's Land Rents and Casualties, in that Part of *Great Britain* called *Scotland*, for Payment of the said principal Sum of five hundred Pounds, to the said Lady *Anne Mackenzie*, to be had and retained by her, to her own Use, notwithstanding the Condition in the said Bond; which Sum of five hundred Pounds Sterling is to be paid upon Sight, and without Abatement, out of the Balance in the said Receiver's Hands, remaining, of the said Sum of seventy-two thousand Pounds, granted for paying the Creditors of forfeited Estates; and the said Debenture and Certificate shall be a sufficient Discharge to the said Receiver of the said Sum of five hundred Pounds; and upon such Payment, the said Estate of *Cromarty* shall be for ever acquitted, exonerated, and discharged, against the said Lady *Anne Mackenzie*, her Heirs, Executors, and Assigns, touching the said Claim, and from all Demands whatsoever in respect of the same.

Out of the said Sum of 72,000l. Barons of the Exchequer in Scotland, to make out a Debenture to his Majesty's Receiver-general of Land Rents there, for Payment of 500l. to Lady Anne Mackenzie; which Debenture to be a sufficient Discharge.

CAP.

CAP. LXXXVI.

An Act to continue ſeveral Laws therein mentioned, relating to the allowing a Drawback of the Duties upon the Exportation of Copper Bars imported; to the clandeſtine running of uncuſtomed Goods, and preventing Frauds relating to the Cuſtoms; to the Encouragement of the Silk Manufactures, and for taking off ſeveral Duties on Merchandiſe exported, and reducing other Duties; to prevent the clandeſtine running of Goods, and the Danger of Infection thereby; to the Premiums upon Maſts, Yards, and Bowſprits, Tar, Pitch, and Turpentine; to the encouraging the Growth of Coffee in his Majeſty's Plantations in *America*; to the free Importation of Cochineal and Indico; to the prohibiting the Importation of Books reprinted abroad, and firſt compoſed, written, and printed in *Great Britain*; to the Bounty on the Exportation of *Britiſh*-made Cordage; to the free Importation of certain raw Hides and Skins from *Ireland*, and the *Britiſh* Plantations in *America*; to the regulating the Fees of Officers of the Cuſtoms, and Naval Officers in *America*; to the preventing the ſpreading of the contagious Diſorder among the Horned Cattle in *Great Britain*; and to extend the Proviſions of an Act of the twelfth Year of the Reign of King *George* the Firſt, for the Improvement of his Majeſty's Revenues of Cuſtoms, Exciſe, and Inland Duties, ſo far as relates to the commencing Proſecutions for Penalties againſt the Revenue of Cuſtoms to ſubſequent Acts.

Preamble.

'WHEREAS the Laws herein-after mentioned, which have by Experience been found uſeful and beneficial, are near expiring;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That a Clauſe in an Act, made in the ninth and tenth Years of the Reign of his late Majeſty King *William* the Third, intituled, *An Act to ſettle the Trade to* Africa, *for allowing, during a limited Time, a Drawback of the Duties upon the Exportation of Copper Bars imported*, and which Clauſe was to continue in Force for the Term of thirteen Years, and from thence to the End of the then next Seſſion of Parliament; and which Clauſe, after the Expiration thereof, was, by an Act, made in the twelfth Year of the Reign of her late Majeſty Queen *Anne*, revived, and continued; and alſo a Proviſo in the laſt-mentioned Act contained, that no Drawback ſhould be allowed on the Exportation of any Copper, but ſuch as had been, or ſhould be, imported from the *Eaſt Indies*, and the Coaſt of *Barbary* only; and which ſaid Clauſe and Proviſo, by ſeveral ſubſequent Acts of the thirteenth Year of the Reign of his late Majeſty King *George* the Firſt, and of the fifteenth, twenty-ſixth, and thirty-ſecond Years of the Reign of his late Majeſty King *George* the Second, and of the ſixth Year of the Reign of his preſent Majeſty, were continued until the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame are hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

Clauſe in Act 9 and 10 Gul. 3. allowing a Drawback on the Exportation of Copper Bars imported, revived by 12 Annæ, reſpecting Bars imported from the Eaſt Indies and Barbary only, and continued by Act 13 Geo. I. 15, 26, and 32 Geo. II. and 6 Geo. III. till June 24, 1774, further continued until June 24, 1781.

II. And be it further enacted by the Authority aforeſaid, That the ſeveral Clauſes in an Act, made in the fifth Year of the Reign of his Majeſty King *George* the Firſt, intituled, *An Act againſt clandeſtine Running of uncuſtomed Goods; and for the more effectual preventing of Frauds relating to the Cuſtoms*; relating to ſuch Foreign Goods, Wares, and Merchandiſes, as ſhall be taken in at Sea, out of any Ship or Veſſel, in order to be landed or put into any other Ship or Veſſel, or Boat; and alſo relating to Goods not reported and found after clearing Ships, and whereby further Remedies are provided againſt relanding Goods prohibited to be worn in this Kingdom, and foreign Goods ſhipped out for Parts beyond the Seas; and alſo relating to the opening or altering the Package of Goods on board Ships outward bound; and alſo relating to hovering Ships or Veſſels of the Burthen of fifty Tons, or under; and alſo concerning the Bales or Package in which Coffee ſhall be exported; and alſo relating to Rum imported in Caſks or Veſſels not containing twenty Gallons at the leaſt; and alſo relating to Certificate Goods entered in order to be exported to *Ireland*, which were to have Continuance for the Term of three Years from the ſeveral Times of the Commencement thereof, and from thence to the End of the then next Seſſion of Parliament reſpectively; and which, by ſeveral ſubſequent Acts, paſſed in the ninth Year of his ſaid Majeſty's Reign, and in the ſecond, eighth, fifteenth, ſixteenth, twentieth, twenty-ſeventh, and thirty-third Years of the Reign of his late Majeſty King *George* the Second; and of the ſeventh Year of the Reign of his preſent Majeſty, were further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

Clauſes in Act 5 Geo. I. relating to foreign Goods taken at Sea, &c. and by Act 9 Geo. I. 2, 8, 15, 16, 20, 27, and 33 Geo. II. 7 Geo. III. continued until Sept. 29, 1774, further continued till Sept. 29, 1781.

III. And be it further enacted by the Authority aforeſaid, That ſo much of an Act, made in the eighth Year of the Reign of his late Majeſty King *George* the Firſt, *for the Encouragement of the Silk Manufactures of this Kingdom; and for taking off ſeveral Duties on Merchandiſes exported; and for reducing the Duties upon Beaver*

Act 8 Geo. I. relating to the Encouragement of Silk Manufactures, &c.

Beaver Skins, Pepper, Mace, Cloves, and Nutmegs imported; and for Importation of all Furs of the Produce of the Britiſh *Plantations into this Kingdom only; and that the two Corporations of Aſſurances in any Suits brought on their Policies ſhall be liable only to ſingle Damages and Coſts of Suit*; as relates to the Encouragement of the Silk Manufactures of this Kingdom; and to the taking off ſeveral Duties on Merchandiſes exported, which was to continue in Force for three Years, from the twenty-fifth Day of *March*, one thouſand ſeven hundred and twenty-two, and from thence to the End of the then next Seſſion of Parliament; and which by ſeveral ſubſequent Acts, made in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, and in the ſecond, eighth, fifteenth, twentieth, twenty-ſixth, and thirty-ſecond Years of the Reign of his late Majeſty King *George* the Second, and of the ſixth Year of the Reign of his preſent Majeſty, hath been continued until the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued from the Expiration thereof until the twenty-fourth Day of *June*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

and by Act 11 Geo. 1. 2, 8, 15, 20, 26, & 32 Geo. 2. 6 Geo. 3. continued till June 24, 1774.

further continued till June 24, 1781.

IV. And be it further enacted by the Authority aforeſaid, That an Act made in the eighth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act to prevent the clandeſtine Running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarantine; and to ſubject Copper Ore, of the Production of the* Britiſh *Plantations, to ſuch Regulations as other enumerated Commodities of the like Production are ſubject*, which was to be in Force for two Years, from the twenty-fifth Day of *March*, one thouſand ſeven hundred and twenty-two, and from thence to the End of the then next Seſſion of Parliament; and which by ſeveral ſubſequent Acts (except the Clauſes obliging all Ships and Veſſels to perform Quarantine), was to have further Continuance to the firſt Day of *June*, one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament; and which, by an Act, made in the twentieth Year of the Reign of his late Majeſty King *George* the Second, was intended to be further continued to the firſt Day of *June*, one thouſand ſeven hundred and fifty-four, but by Miſtake, the Year one thouſand ſeven hundred and forty-ſeven was inſerted therein, inſtead of the ſaid Year one thouſand ſeven hundred and fifty-four; and which, by ſeveral ſubſequent Acts, made in the twenty-firſt, twenty-ſeventh, and thirty-third Years of the Reign of his ſaid late Majeſty, and of the ſeventh Year of the Reign of his preſent Majeſty, was further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-four, and from thence to the End of the then next Seſſion of Parliament, ſhall be, and the ſame is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thouſand ſeven hundred and eighty-one, and from thence to the End of the then next Seſſion of Parliament.

(Exception.)

and by Act 20 Geo. 2. continued till June 1, 1754, and by ſubſequent Acts of 21, 27, & 33 Geo. 2. and 7 Geo. 3. continued till Sept. 29, 1774, further continued till Sept. 29, 1781.

Act 8 Geo. 1. and ſeveral ſubſequent Acts, to prevent clandeſtine Running of Goods, &c.

Act 8 Geo. 1. recited, reſpecting the running of prohibited Goods.

‘ V. And whereas by the ſaid laſt-recited Act, made in the eighth Year of the Reign of his late Ma‘ jeſty King *George* the Firſt, reciting; “ And whereas ſeveral Perſons, guilty of the clandeſtine running “ of Brandy, or other cuſtomable or prohibited Goods, or of receiving ſuch Goods, knowing the ſame “ to have been ſo run, do frequently remove from their uſual Places of Abode into ſome other Country, “ and are there called by other than their true Names, to avoid their being proſecuted with Effect for “ ſuch their notorious Offences; it is therefore, amongſt other Things, enacted by the ſaid recited Act, “ That if any Perſon or Perſons ſhall be guilty of any Offence or Offences, contrary to the true Intent “ and Meaning of that or any other Act of Parliament made for the preventing clandeſtine running of “ Brandy, or other cuſtomable or prohibited Goods, or of receiving ſuch Goods into his or their Houſe, “ Shop, or Warehouſe, Cuſtody, or Poſſeſſion, knowing the ſame to be ſo run; ſuch Perſon and Per“ ſons ſhall and may be proſecuted for any of the Offences or Matters aforeſaid, by Action, Bill, Plaint, “ or Information, and thereupon a *Capias*, in the firſt Proceſs, ſpecifying the Sum of the Penalty ſued “ for, ſhall and may iſſue; and ſuch Perſon or Perſons ſhall be obliged to give ſufficient Bail or Security, “ by natural-born Subjects or Denizens, to the Perſon or Perſons to whom ſuch *Capias* ſhall be directed, “ to appear in the Court out of which ſuch *Capias* ſhall iſſue, at the Day of Return of ſuch Writ, to an“ ſwer ſuch Suit and Proſecution; and ſhall likewiſe, at the Time of ſuch appearing, give ſufficient Bail “ or Security by ſuch Perſons as aforeſaid, in the ſaid Court, to anſwer and pay all the Forfeitures and “ Penalties incurred for ſuch Offence or Offences, in caſe he or they ſhall be convicted thereof, or to “ yield his or their Body or Bodies to Priſon:” ‘ And whereas it is expedient, that the Proviſion herein‘ before mentioned ſhould extend to Offences committed againſt any Act of Parliament for preventing ‘ Frauds in his Majeſty's Revenue of Cuſtoms, which hath been or may be made after the paſſing of the ſaid ‘ in-part recited Act;’ be it therefore enacted by the Authority aforeſaid, That from and after the paſſing of this Act, a *Capias*, in the firſt Proceſs, requiring Bail and Security, in the Manner directed by the ſaid recited Act, ſhall and may iſſue, in like Manner, againſt any Perſon or Perſons proſecuted for any Offence committed contrary to the true Intent and Meaning of any Act or Acts of Parliament now made, or hereafter to be made, for preventing the clandeſtine importing, running, or exporting, or relanding, any cuſtomable or prohibited Goods whatſoever, or for receiving ſuch Goods into his or their Houſe, Shop, or Warehouſe, Cuſtody, or Poſſeſſion, knowing the ſame to be ſo prohibited, run, or relanded; any Cuſtom or Uſage to the contrary notwithſtanding.

A *Capias* to be iſſued againſt Perſons proſecuted for Offences committed againſt the Act.

VI. And be it further enacted by the Authority aforeſaid, That ſo much of an Act, made in the Second Year of the Reign of his late Majeſty King *George* the Second, for the better Preſervation of his Majeſty's Woods in *America*; and for the Encouragement of the Importation of Naval Stores from thence; and to encourage the Importation of Maſts, Yards, and Bowſprits, from that Part of *Great Britain* called *Scotland*, as relates to the Premiums upon Maſts, Yards, and Bowſprits, Tar, Pitch, and Turpentine, which was to continue in Force from the Twenty-ninth Day of *September*, one thouſand ſeven hundred and twenty-nine, for the Term of thirteen Years, and to the End of the then next Seſſion of Parliament; and which, by ſeveral ſubſequent Acts, made in the thirteenth and twenty-fourth Years of his ſaid late Majeſty's Reign, was further continued until the twenty-fifth Day of *December*, one thouſand ſeven

Act 2 Geo. 2. for the Preſervation of his Majeſty's Woods in America, &c.

and by Acts 13, 24, 25, & 32 Geo. 2. and

seven hundred and fifty-one, and from thence to the End of the then next Session of Parliament; and which, by another Act made in the twenty-fifth Year of the Reign of his said late Majesty, was amended, and further continued until the twenty-fifth Day of *March*, one thousand seven hundred and fifty-eight; and which, by another Act, made in the thirty-second Year of the Reign of his said late Majesty, was further continued until the twenty-fourth Day of *June*, one thousand seven hundred and sixty-six, and from thence to the End of the then next Session of Parliament; and which, by another Act, made in the sixth Year of the Reign of his present Majesty, was further continued until the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

6 Geo. 3. was amended and continued till June 24, 1774.

to be further continued till 1781.

VII. And be it further enacted by the Authority aforesaid, That an Act, made in the fifth Year of the Reign of his late Majesty King *George* the Second, for encouraging the Growth of Coffee in his Majesty's Plantations in *America*, which was to continue in Force from the twenty-fifth Day of *March*, one thousand seven hundred and thirty-five, until the twenty-fifth Day of *March*, one thousand seven hundred and thirty-nine, and from thence to the End of the then next Session of Parliament; and which, by several subsequent Acts, made in the eleventh, nineteenth, twenty-fifth, and thirty-second Years of his said late Majesty's Reign, and of the sixth Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, except such Part thereof as relates to the Importation and Exportation of foreign Coffee into and from the *British* Colonies and Plantations in *America*, shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

Act 5 Geo. 2. for encouraging the Growth of Coffee,

and by Acts 11, 19, 25, & 32 Geo. 2. 6 Geo. 3. continued till June 24, 1774, (Exception.) further continued till June 24, 1781.

VIII. And be it further enacted by the Authority aforesaid, That an Act, made in the seventh Year of the Reign of his late Majesty, intituled, *An Act for the Revival of an Act, made in the thirteenth Year of the Reign of his late Majesty King* George *the First, intituled*, An Act for the free Importation of *Cochineal* during the Time therein limited; *and also for the free Importation of Indico*; which was to continue in Force from the twenty-fourth Day of *June*, one thousand seven hundred and thirty-four, for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which, by several subsequent Acts, passed in the fourteenth, twentieth, twenty-seventh, and thirty-third Years of his said late Majesty's Reign, and of the seventh Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thousand seven hundred and eighty-one, and from thence to the End of the then next Session of Parliament.

Act 7 Geo. 2. for the free Importation of Cochineal, &c.

and by 14, 20, 27, & 33 Geo. 2. 7 Geo. 3. was continued till Sept. 29, 1774.

further continued till Sept. 29, 1781.

IX. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the twelfth Year of the Reign of his late Majesty, intituled, *An Act for prohibiting the Importation of Books reprinted abroad, and first composed or written and printed in* Great Britain; *and for repealing so much of an Act, made in the eighth Year of the Reign of her late Majesty Queen* Anne, *as impowers the limiting the Prices of Books*; which Act was to continue in Force from the twenty-ninth Day of *September*, one thousand seven hundred and thirty-nine, for the Space of seven Years, and from thence to the End of the then next Session of Parliament; and which, so far as relates to the prohibiting the Importation of Books reprinted abroad, and first composed or written and printed in *Great Britain*, by several subsequent Acts, made in the twentieth, twenty-seventh, and thirty-third Years of his late Majesty's Reign, and of the seventh Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, to the twenty-ninth Day of *September*, one thousand seven hundred and eighty-one, and from thence to the End of then next Session of Parliament.

Act 12 Geo. 2. prohibiting the Importation of Books reprinted abroad, &c.

and by 20, 27, & 33 Geo. 2. 7 Geo. 3. continued till Sept. 29, 1774,

further continued till Sept. 29, 1781.

X. And be it further enacted by the Authority aforesaid, That an Act made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for allowing a Bounty on the Exportation of* British-*made Cordage*; *and for discontinuing the Drawbacks upon foreign rough Hemp exported*, which was to be in Force from the first Day of *July*, one thousand seven hundred and sixty-six, for the Term of five Years, and from thence to the End of the then next Session of Parliament; and which by another Act, made in the twelfth Year of the Reign of his present Majesty, was amended and further continued for the Term of three Years, shall be, and the same is hereby further continued, from the Expiration thereof, for the further Term of three Years, and from thence to the End of the then next Session of Parliament.

Act 6 Geo. 3. for allowing a Bounty on the Exportation of British-made Cordage, &c. and by Act 12 Geo. 3. was amended and continued,

further continued for three Years.

XI. And be it further enacted by the Authority aforesaid, That so much of an Act, made in the ninth Year of the Reign of his present Majesty, as relates to the free Importation of certain raw Hides and Skins from *Ireland*, and the *British* Plantations in *America*, which was to continue in Force for five Years, from the first Day of *June*, one thousand seven hundred and sixty-nine, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby continued, from the Expiration thereof, for the further Term of five Years, and from thence to the End of the then next Session of Parliament.

Act 9 Geo. 3. relating to the free Importation of raw Hides from Ireland, &c. further continued for five Years.

XII. And be it further enacted by the Authority aforesaid, That so much of two Acts, made in the fifth and tenth Years of the Reign of his present Majesty, as relates to the regulating the Fees of the Officers

So much of two Acts 5 and 10

Geo. 3. as relates to Fees of Officers of the Customs in America, and which was by Act 12 Geo. 3. continued till Aug. 1, 1774, further continued till Aug. 1, 1778.

Officers of the Customs in *America*, and for extending the same to the Naval Officers there, which was to be in Force from the first Day of *August*, one thousand seven hundred and seventy, for the Term of two Years, and from thence to the End of the then next Session of Parliament; and which was, by an Act made in the twelfth Year of his present Majesty, further continued, from the Expiration thereof, until the first Day of *August*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same are hereby further continued, from the Expiration thereof, until the first Day of *August*, one thousand seven hundred and seventy-eight, and from thence to the End of the then next Session of Parliament.

Act 10 Geo. 3. to prevent the contagious Disorder among the Horned Cattle, and by Act 12 Geo. 3. continued till Sept. 29, 1774, further continued till Sept. 29, 1776.

XIII. And be it further enacted by the Authority aforesaid, That an Act, made in the tenth Year of the Reign of his present Majesty, intituled, *An Act to prevent the further spreading of the contagious Disorder among the Horned Cattle in* Great Britain, which was to continue in Force from the Commencement thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-one, and from thence to the End of the then next Session of Parliament; and which, by another Act, made in the twelfth Year of the Reign of his present Majesty, was further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-four, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued, from the Expiration thereof, until the twenty-ninth Day of *September*, one thousand seven hundred and seventy-six, and from thence to the End of the then next Session of Parliament.

Act 12 Geo. 1. recited.

'XIV. And whereas by an Act of Parliament, made in the twelfth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act for the Improvement of his Majesty's Revenues of the Customs, Excise, and Inland Duties*, reciting, That great Quantities of prohibited Goods, and Goods liable to the Payment of Customs, Excise, or Salt Duty, are, by evil-disposed Persons, fraudulently landed in this Kingdom, and Goods pretended to be shipped outwards, intitled to a Drawback or Bounty, are frequently not shipped, or after the shipping thereof relanded, whereby they become liable to several Penalties; but knowing themselves subject to be prosecuted for the said Offences, and that their fraudulent Practices may in Time be discovered, do frequently, before any Discovery can be made by the Officers of the Revenues, cause Informations to be entered and filed against themselves in some of the Courts at *Westminster* or *Edinburgh*, in the Name of some Person or Persons in his, her, or their Behalf; and if no Discovery be made of the said fraudulent Practices by the Officers of the Revenues, the said Informations are never prosecuted; but in case the said Frauds are discovered by any Officer or Officers of the Revenues, who thereupon enter and file real Informations against such Offender and Offenders, then either some secret Agreement or Agreements is or are made by such Offender or Offenders with such Person or Persons who have filed or exhibited such Informations on the Behalf of such Offender or Offenders, or else a Plea or Pleas of Priority of Suit is or are pleaded in bar of such real Informations prosecuted by the Officers of the Revenues, whereby the said Offenders evade the several Penalties inflicted by Law, to the great Prejudice of the Crown, and also the Discouragement of real Prosecutions: For Prevention of which fraudulent Practices, it is by the said Act enacted, That it shall not be lawful for any Person or Persons whatsoever to enter, or cause or procure to be entered, filed, or prosecuted, any Information or Informations, in any of the said Courts, against any Person or Persons, for the Recovery of any Penalty or Penalties inflicted by any of the Laws of the Customs, Excise, and the Duty upon Salt, unless the same be entered, filed, and prosecuted, in the Name of his Majesty's Attorney General, or in the Name or Names of some Officer or Officers of some or one of the aforesaid Revenues of Customs, Excise, or Salt Duty; and if any Information or Informations is or are entered in any other Persons Name or Names than as is before mentioned, the same, and all Proceedings thereupon had, are thereby declared to be null and void, and the said Court or Courts, where such Information or Informations is, are, or shall be so entered, filed, or prosecuted, shall not permit or suffer any Proceeding or Proceedings to be had thereupon, and shall cause such Information or Informations to be taken off the File: And whereas, since the passing of the said recited Act, various pecuniary Penalties have been inflicted by several Acts of Parliament against Persons importing various Goods and Commodities, which are prohibited to be imported into or worn or used in this Kingdom, and against Persons working up such Goods, or selling or exposing the same to Sale, or for having such Goods in their Houses, Shops, Warehouses, Custody, or Possession, for those Purposes, one Moiety of which Penalties are given by Law to his Majesty, and the other Moiety to any Person who will sue and prosecute for the same: And whereas there is reason to believe that several Prosecutions have been commenced for such Penalties by common Informers, who have, in consequence thereof, extorted various Sums of Money from his Majesty's Subjects, and stopped such Prosecutions without any legal Authority, or accounting to his Majesty for any Part of the Money so received by them;' for preventing such Practices in future be it therefore

and after passing of this Act, to extend to prosecuting of Penalties for prohibited Goods, &c.

enacted by the Authority aforesaid, That from and after the passing of this Act, the said herein-before in-part recited Act, made in the twelfth Year of the Reign of his late Majesty King *George* the First, shall extend, and be deemed to extend, to the suing for, prosecuting, and recovering, of any Penalty or Penalties inflicted by any Act or Acts of Parliament, now made, or hereafter to be made, for preventing the Importation, Wear, or Use, of any prohibited Goods or Commodities whatsoever in this Kingdom, where his Majesty, his Heirs or Successors, is, are, or may be intitled to any Part or Share of the Penalty or Penalties thereby incurred; any Law, Custom, or Usage, to the contrary in anywise notwithstanding.

CAP.

CAP. LXXXVII.

An Act to prevent the Miſchiefs that ariſe from driving Cattle within the Cities of *London* and *Weſtminſter*, and Liberties thereof, and the Bills of Mortality.

Preamble.

'WHEREAS the improper and cruel Manner in which Cattle are driven from *Smithfield* Market, within the City of *London*, through the Streets of the ſaid City and Liberties thereof, the City of *Weſtminſter*, and the Bills of Mortality, has occaſioned great Miſchief, and endangered the Lives of many of his Majeſty's liege Subjects inhabiting therein;' for preventing whereof for the future, may it pleaſe your moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, if any Perſon or Perſons, who ſhall be hired or employed to drive any Cattle within the ſaid Cities of *London* or *Weſtminſter*, or the Liberties thereof, or the Bills of Mortality, ſhall, by Negligence, or ill Uſage, in the driving ſuch Cattle, be the Means that any Miſchief ſhall be done by ſuch Cattle, or by any one or more of them, which ſhall be committed to his, her, or their Care; or if any Driver or Drivers of Cattle within the Limits aforeſaid, ſhall in any-wiſe miſbehave himſelf, herſelf, or themſelves, in the Driving, Care, or Management of any ſuch Cattle, by the improper driving, treating, or uſing of ſuch Cattle; then, and in any of the ſaid Caſes, and ſo often as any of them ſhall happen, it ſhall and may be lawful to or for any Conſtable, or other Peace Officer, upon View thereof, or Information of any Perſon or Perſons (who ſhall declare, his, her, or their Name or Names, and Place or Places of Abode, to the ſaid Conſtable, or other Peace Officer), to ſeize and ſecure, by the Authority of this Act, and without any other Warrant to convey ſuch Offender or Offenders before ſome Juſtice of the Peace of the ſaid Cities of *London* or *Weſtminſter*, or within the Bills of Mortality, and the Party or Parties accuſed being brought before ſuch Juſtice within whoſe Juriſdiction the Offence ſhall be committed, ſuch Juſtice ſhall proceed to examine, upon Oath, any Witneſs or Witneſſes who ſhall appear or be produced to give Information touching ſuch Offence (which Oath the ſaid Juſtice is hereby authoriſed and required to adminiſter); and if the Party or Parties accuſed ſhall be convicted of any ſuch Offence, either by his, her, or their own Confeſſion, or upon ſuch Information, as aforeſaid, he, ſhe, or they, ſo convicted, ſhall forfeit and pay any Sum not exceeding twenty Shillings, nor leſs than five Shillings, to the Perſon or Perſons who ſhall proſecute to Conviction any ſuch Offender or Offenders; and if the Perſon or Perſons ſo convicted ſhall refuſe or not be able forthwith to pay the Sum forfeited, every ſuch Offender ſhall, by Warrant under the Hand and Seal of ſome Juſtice of the Peace within whoſe Juriſdiction the Perſon offending ſhall be convicted, be committed to the Houſe of Correction, or ſome other Priſon within the Cities of *London* or *Weſtminſter*, or Liberties thereof, or within the Bills of Mortality, within which the Offence ſhall have been committed, or the Offender ſhall be apprehended, there to be kept to hard Labour for any Time not exceeding one Month, or ſhall be publickly whipped, as ſuch Juſtice ſhall think fit and order.

Any Perſons driving Cattle in London and Weſtminſter, and being the Cauſe of Miſchief done by ſuch Cattle;

Conſtables to ſecure and convey ſuch Offenders to ſome Juſtice;

and, on Conviction, by Confeſſion, &c. he ſhall forfeit not exceeding 20 s. nor leſs than 5 s.

or be committed for one Month, or publickly whipped.

II. And be it further enacted by the Authority aforeſaid, That in caſe the Perſon or Perſons giving ſuch Information as aforeſaid ſhall neglect or refuſe to attend, without ſome lawful Excuſe, to be allowed by the Juſtice, ſuch Conſtable, or other Peace Officer, within the Space of ſix Hours from the Time of making ſuch Information, he, ſhe, or they, ſo offending, ſhall, upon Proof being made on the Oath of ſuch Conſtable or Peace Officer, that ſuch Perſon had given ſuch Information as aforeſaid (which Oath the ſaid Juſtice is hereby authoriſed and required to adminiſter), forfeit and pay any Sum not exceeding forty Shillings, nor leſs than ten Shillings, to ſuch Conſtable or Peace Officer; and in caſe the ſame ſhall not, upon Demand being made by ſuch Conſtable or Peace Officer, be forthwith paid, the ſame ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of ſuch Juſtice.

Informers neglecting to attend, to forfeit not exceeding 40 s. nor leſs than 10 s.

III. And be it further enacted, That the Court of Mayor and Aldermen of the City of *London* for the Time being ſhall have full Power and Authority to make, frame, and ſet down, in Writing, ſuch reaſonable Rules, Orders, or Ordinances, for governing and regulating all Perſons who ſhall drive any Cattle, Sheep, Calves, or Lambs, within the ſaid Cities of *London* or *Weſtminſter*, and Liberties thereof, or the Bills of Mortality, and to annex reaſonable Penalties and Forfeitures for the Breach of ſuch Rules, Orders, and Ordinances, not exceeding forty Shillings, nor leſs than ten Shillings, for any one Offence; and ſuch Rules, Orders, and Ordinances, or any of them, from Time to Time to alter and amend.

Court of Mayor and Aldermen impowered to make reaſonable Rules, and annex Penalties.

IV. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower the ſaid Court of Mayor and Aldermen to ſhorten or abridge the Time for keeping the ſaid Market open; but that the ſame ſhall be kept open from the Hour of twelve of the Clock at Night till the Hour of three of the Clock in the Afternoon on the ſeveral Market Days, and at no other Hours, unleſs the ſaid Court of Mayor and Aldermen ſhall judge it proper to enlarge the Time for keeping it open.

Not to abridge the Market Hours.

V. And be it further enacted by the Authority aforeſaid, That any one Juſtice of the Peace of the Cities of *London* or *Weſtminſter*, or within the Bills of Mortality, within whoſe Juriſdiction any Offence ſhall be committed, ſhall have Power to hear and determine, in a ſummary Way, Complaints of Offences that ſhall be committed contrary to any of the Rules, Orders, or Ordinances, at any Time hereafter to be made by the ſaid Court of the Mayor and Aldermen in purſuance of this Act; and the ſaid Juſtice or Juſtices, and each of them reſpectively within their reſpective Juriſdictions, is, and are hereby authoriſed and required, upon View, or upon Complaint made on Oath to them reſpectively of any ſuch Offence committed

Powers of the Juſtices of Peace of both Cities.

committed within their reſpective Juriſdictions, contrary to ſuch Rules, Orders, or Ordinances, within ſix Days after the Commiſſion of any ſuch Offence, to iſſue his or their Warrant or Warrants, under his Hand and Seal, or their Hands and Seals, directed to ſuch Conſtables, or other Peace Officer or Officers, as the ſaid Juſtice or Juſtices, or any one of them, ſhall, from Time to Time, think fit, thereby requiring him or them to apprehend ſuch Offender or Offenders, and to bring him, her, or them, before the ſaid Juſtice or Juſtices, or any one of them, within their reſpective Juriſdictions, to anſwer the Matters of Complaint to be contained in ſuch Warrant or Warrants: And if ſuch Offender or Offenders ſhall be convicted, either by his, her, or their Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice or Juſtices reſpectively, or any one of them, is and are hereby authoriſed and required to adminiſter), it ſhall be lawful for ſuch Juſtice or Juſtices, or any one of them, to impoſe a Fine upon him, her, or them, for the ſaid Offence, not exceeding the Penalty or Penalties which ſhall be inflicted in and by the ſaid Rules, Orders, and Ordinances; and if the Perſon or Perſons ſo convicted ſhall neglect or refuſe forthwith to pay the Penalty or Forfeiture impoſed upon him, her, or them, it ſhall and may be lawful for ſuch Juſtice or Juſtices, or one of them, in his or their reſpective Juriſdictions, immediately to commit the Perſon or Perſons convicted to the Houſe of Correction, or other Priſon within the Juriſdiction of ſuch Juſtice or Juſtices reſpectively, or any one of them, there to be kept to hard Labour for any Time not exceeding one Month, unleſs the ſaid Penalty or Forfeiture ſhall be ſooner paid; all which Penalties and Forfeitures ſhall go and be paid to the Perſon or Perſons who ſhall inform and proſecute to Conviction any ſuch Offender or Offenders.

Offenders concealing their Names, &c. to be committed to the Houſe of Correction.

VI. And be it further enacted by the Authority aforeſaid, That if any Perſon, who ſhall be apprehended for having committed any Offence againſt this Act, ſhall refuſe to diſcover his, her, or their Name or Names, and Place or Places of Abode, to the Juſtice or Juſtices before whom he, ſhe, or they, ſhall be brought, ſuch Perſon or Perſons ſo refuſing ſhall immediately be delivered over to a Conſtable, or other Peace Officer, and ſhall by him be conveyed to the common Gaol, or Houſe of Correction, of the County or Place where the Offence ſhall be committed, or the Offender or Offenders ſhall be apprehended, there to remain for the Space of one Month, or until, he, ſhe, or they, ſhall declare his, her or their Name or Names, and Place or Places of Abode to the ſaid Juſtice, or to ſome other Juſtice of the Peace of the ſaid County or Place.

Abſtract hereof, &c. to be printed and affixed up in conſpicuous Places.

VII. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That an Abſtract of the ſeveral Proviſions and Penalties contained in this Act, and all ſuch Rules, Orders, and Ordinances, ſo to be made from Time to Time by the ſaid Court of Mayor and Aldermen, ſhall, within fourteen Days after the making of ſuch Rules, Orders, and Ordinances, be printed and affixed upon ſuch of the moſt conſpicuous Places within the ſaid Cities of *London* and *Weſtminſter*, and Liberties thereof, and Bills of Mortality, in ſuch Manner as the ſaid Court ſhall think proper, and from Time to Time order.

Juſtices may indorſe Warrants, and try Offenders, or return them to the firſt Juſtice.

VIII. And be it further enacted, That in caſe any Perſon againſt whom a Warrant ſhall be iſſued by any Juſtice of the Peace, either before or after Conviction, as aforeſaid, for any Offence againſt this Act, or againſt ſuch Rules, Orders, and Ordinances, hereafter to be made, as aforeſaid, ſhall eſcape, go into, reſide, or be in any other County, City, Liberty, Town, or Place, out of the Juriſdiction of the Perſon granting ſuch Warrant or Warrants as aforeſaid; or if the Goods and Chattels of any Offender, convicted of any Offence in purſuance of this Act, ſhall be in a different County, City, Liberty, Town, or Place, than where the ſaid Party was convicted, or the Warrant of Diſtreſs granted, it ſhall and may be lawful for any Juſtice of the Peace of the County, City, Liberty, Town, or Place, into which ſuch Perſon ſhall eſcape, either before or after Conviction, or where his Goods and Chattels ſhall be after ſuch Conviction, and they, and every of them, are hereby required, within their reſpective Juriſdictions, upon Proof made upon Oath of the Hand-writing of the ſaid Juſtice granting ſuch Warrant or Warrants, to indorſe his or their Name or Names on ſuch Warrant, and the ſame, when ſo indorſed, ſhall be a ſufficient Authority to all Peace Officers to execute ſuch Warrant in ſuch other County, City, Liberty, Town, or Place, out of the Juriſdiction of the Perſon granting the ſaid Warrant; and the ſaid Juſtices reſpectively, or any one of them, as the Caſe ſhall happen, after indorſing the ſaid Warrant, may, on the Offender or Offenders being apprehended and brought before the ſaid Juſtices, or any one of them, within their reſpective Juriſdictions, proceed to hear and determine the Complaint in the ſame Manner as if it had originally aroſe within their reſpective Juriſdictions, or may direct the Offender to be carried to the Perſon who granted the ſaid Warrant, to be dealt with according to Law.

No Perſon to ſuffer Puniſhment, if the Proſecution is not commenced within 14 Days after committed.

IX. Provided always, and be it enacted by the Authority aforeſaid, That no Perſon ſhall ſuffer any Puniſhment for any Offence committed againſt this Act, unleſs the Proſecution for the ſame be commenced within fourteen Days after the Offence ſhall be committed; and that when any Perſon ſhall ſuffer Impriſonment purſuant to this Act, for any Offence contrary thereto, in Default of Payment of any Penalty hereby impoſed, or ſhall hereafter be impoſed, for the Breach of any of the Rules, Orders, and Ordinances, which ſhall or may be made by the Court of Mayor and Aldermen, as aforeſaid, ſuch Perſon ſhall not be liable afterwards to pay ſuch Penalty.

Perſons aggrieved may appeal to the next General Quarter Seſſions.

X. Provided alſo, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think him, her, or themſelves, aggrieved by the Order or Judgment of any Juſtice of the Peace, upon account of any Offence committed, or ſuppoſed to be committed, againſt this Act, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the next General or Quarter Seſſions of the Peace, to be holden for the County, City, or Place, where any ſuch Conviction ſhall be made, the Perſon or Perſons ſo appealing firſt giving Security in the Sum forfeited, before ſuch Juſtice or Juſtices, in their reſpective Juriſdictions, to proſecute ſuch Appeal with Effect, and to abide by the Order or Orders which ſhall be made on ſuch Appeal, and giving fourteen Days Notice, in Writing, of ſuch Intention to appeal to the Party or Parties on whoſe Proſecution ſuch Conviction was founded, if there are ſo many Days between the Time of the Conviction and ſuch General or Quarter Seſſions, and if there are not, then to the next ſubſequent

ſubſequent General or Quarter Seſſion which ſhall be held after any ſuch Conviction; and the Juſtices, in the ſaid General or Quarter Seſſions, are hereby authoriſed to hear and determine every ſuch Appeal, and to make ſuch Order therein, and to award ſuch Coſts, as to them ſhall appear to be juſt; and to cauſe to be levied, under the Order of any ſuch Seſſion, the Coſts which ſhall be awarded, together with ſuch Sum of Money as any ſuch Court of Seſſion, on the hearing any ſuch Appeal, ſhall adjudge to be forfeited, by Diſtreſs and Sale of the Goods and Chattels of the Perſon who ſhall refuſe to pay ſuch Coſts and Sum of Money forfeited, or of the Perſon or Perſons who ſhall have become Surety or Sureties for him, as aforeſaid.

No Order to be vacated for Want of Form, nor removeable by *Certiorari*.

XI. Provided alſo, and be it enacted, That no Order or Proceedings, to be made or had by or before any Juſtice of the Peace by virtue of this Act, ſhall be quaſhed or vacated for Want of Form; and that the Order of the Juſtices, at their General or Quarter Seſſions within their ſeveral Juriſdictions, ſhall be final; and that no Proceedings of any ſuch Juſtices out of Seſſion, or in their ſaid General or Quarter Seſſions, in purſuance of this Act, ſhall be removeable by *Certiorari*, or otherwiſe.

Form of Conviction.

'XII. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act,' be it further enacted, That all and every the Juſtice and Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen; *(videlicet,)*

'BE it remembered, That on the Day of in the Year of our
'Lord *A. B.* is convicted before me *C. D.* one of his
'Majeſty's Juſtices of the Peace for the Cities of *London* or *Weſtminſter*, or the County of *Middleſex*, ei-
'ther on his own Confeſſion, or on the Oath of one or more credible Witneſs or Witneſſes *(as the Caſe*
'ſhall be), by virtue of an Act, made in the fourteenth Year of the Reign of his Majeſty King *George* the
'Third, *to prevent the Miſchiefs that ariſe from driving Cattle within the Cities of* London *and* Weſtminſter,
'and Liberties thereof, and the Bills of Mortality [ſpecifying the Offence, and Time and Place when and where
'the ſame was committed, as the Caſe ſhall be]. Given under my Hand and Seal, the Day and Year above
'written.'

Limitation of Actions.

XIII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, it ſhall be brought or commenced within ſix Calendar Months next after every ſuch Cauſe of Action ſhall have accrued, and not afterwards, and ſhall be brought, laid, and tried, in the County, City, or Place, in which ſuch Offence ſhall have been committed, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial or Trials which ſhall be had thereon, and that the ſame was done in purſuance and by Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be commenced within the Time before limited, or ſhall be laid or brought in any other County, City, or Place than where the Offence ſhall have been committed; then, and in any of ſuch Caſes, the Jury or Juries ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or ſhall diſcontinue his Action or Actions, or if Judgment ſhall be given for the Defendant or Defendants therein; then, and in any of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or may have for his or their Coſts in any other Caſes by Law.

General Iſſue.

Treble Coſts.

The Act to continue for three Years.

XIV. And be it further enacted, That this Act ſhall continue and be in Force for the Term of three Years, and from thence to the End of the then next Seſſion of Parliament.

Publick Act.

XV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. LXXXVIII.

An Act to eſtabliſh a Fund towards further defraying the Charges of the Adminiſtration of Juſtice, and Support of the Civil Government within the Province of *Quebec*, in *America*.

Preamble.

Certain Duties impoſed by his moſt Chriſtian Majeſty upon Rum, Brandy, &c. imported into Quebec,

'WHEREAS certain Duties were impoſed, by the Authority of his moſt Chriſtian Majeſty, upon Wine, Rum, Brandy, *Eau de Vie de Liqueur*, imported into the Province of *Canada*, now called
'the Province of *Quebec*, and alſo a Duty of three Pounds *per Centum ad Valorem*, upon all dry Goods
'imported into, and exported from, the ſaid Province, which Duties ſubſiſted at the Time of the Sur-
'render of the ſaid Province to your Majeſty's Forces in the late War: And whereas it is expedient that
'the ſaid Duties ſhould ceaſe and be diſcontinued; and that in Lieu and in Stead thereof, other Duties
'ſhould be raiſed by the Authority of Parliament, for making a more adequate Proviſion for defraying
'the Charge of the Adminiſtration of Juſtice, and the Support of Civil Government in the ſaid Pro-
'vince:' We your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-five, all the Duties which were

after April 5, 1775, to be diſ-

continued within the Province, imposed upon Rum, Brandy, *Eau de Vie de Liqueur*, within the said Province, and also of three Pounds *per Centum ad Valorem*, on dried Goods imported into, or exported from, the said Province, under the Authority of his most Christian Majesty, shall be, and are hereby discontinued; and that in Lieu and in Stead thereof, there shall, from and after the said fifth Day of *April*, one thousand seven hundred and seventy-five, be raised, levied, collected, and paid, unto his Majesty, his Heirs and Successors, for and upon the respective Goods herein-after mentioned, which shall be imported or brought into any Part of the said Province, over and above all other Duties now payable in the said Province, by any Act or Acts of Parliament, the several Rates and Duties following; that is to say,

and in Stead of which the following Duties to be paid to his Majesty.

The Rates.

For every Gallon of Brandy, or other Spirits, of the Manufacture of *Great Britain*, Three-pence.

For every Gallon of Rum, or other Spirits, which shall be imported or brought from any of his Majesty's Sugar Colonies in the *West Indies*, Sixpence.

For every Gallon of Rum, or other Spirits, which shall be imported or brought from any other of his Majesty's Colonies or Dominions in *America*, Nine-pence.

For every Gallon of Foreign Brandy, or other Spirits, of Foreign Manufacture, imported or brought from *Great Britain*, one Shilling.

For every Gallon of Rum, or Spirits, of the Produce or Manufacture of any of the Colonies or Plantations in *America*, not in the Possession or under the Dominion of his Majesty, imported from any other Place, except *Great Britain*, one Shilling.

For every Gallon of Molasses and Syrups, which shall be imported or brought into the said Province, in Ships or Vessels belonging to his Majesty's Subjects in *Great Britain* or *Ireland*, or to his Majesty's Subjects in the said Province, Three-pence.

For every Gallon of Molasses and Syrups, which shall be imported or brought into the said Province, in any other Ships or Vessels, in which the same may be legally imported, Sixpence; and after those Rates for any greater or less Quantity of such Goods respectively.

Rates deemed Sterling Money of Great Britain; how they are to be levied, &c.

II. And it is hereby further enacted by the Authority aforesaid, That the said Rates and Duties, charged by this Act, shall be deemed, and are hereby declared to be, Sterling Money of *Great Britain*, and shall be collected, recovered, and paid, to the Amount of the Value of which such nominal Sums bear in *Great Britain*; and that such Monies may be received and taken according to the Proportion and Value of five Shillings and Sixpence the Ounce in Silver; and that the said Duties, herein-before granted, shall be raised, levied, collected, paid, and recovered, in the same Manner and Form, and by such Rules, Ways, and Means, and under such Penalties and Forfeitures, except in such Cases where any Alteration is made by this Act, as any other Duties payable to his Majesty upon Goods imported into any *British* Colony or Plantation in *America* are or shall be raised, levied, collected, paid, and recovered, by any Act or Acts of Parliament, as fully and effectually, to all Intents and Purposes, as if the several Clauses, Powers, Directions, Penalties, and Forfeitures, relating thereto, were particularly repeated and again enacted in the Body of this present Act; and that all the Monies that shall arise by the said Duties (except the necessary Charges of raising, collecting, levying, recovering, answering, paying, and accounting for the same), shall be paid by the Collector of his Majesty's Customs, into the Hands of his Majesty's Receiver-general in the said Province for the Time being, and shall be applied, in the first place, in making a more certain and adequate Provision, towards defraying the Expences of the Administration of Justice, and of the Support of Civil Government, in the said Province; and that the Lord High Treasurer, or Commissioners of his Majesty's Treasury, or any three or more of them for the Time being, shall be, and is or are hereby impowered, from Time to Time, by any Warrant or Warrants under his or their Hand or Hands, to cause such Money to be applied out of the said Produce of the said Duties, towards defraying the said Expences; and that the Residue of the said Duties shall remain and be reserved in the Hands of the said Receiver-general, for the future Disposition of Parliament.

to whom they are to be paid, and how to be applied.

Regulations with respect to Goods brought into the Province chargeable with the Duties before mentioned.

III. And it is hereby further enacted by the Authority aforesaid, That if any Goods chargeable with any of the said Duties herein-before mentioned shall be brought into the said Province by Land Carriage, the same shall pass and be carried through the Port of *Saint John*'s, near the River *Sorrel*; or if such Goods shall be brought into the said Province by any inland Navigation, other than upon the River *Saint Lawrence*, the same shall pass and be carried upon the said River *Sorrel*, by the said Port, and shall be there entered with, and the said respective Rates and Duties paid for the same, to such Officer or Officers of his Majesty's Customs as shall be there appointed for that Purpose; and if any such Goods coming by Land Carriage, or inland Navigation, as aforesaid, shall pass by or beyond the said Place before named, without Entry or Payment of the said Rates and Duties, or shall be brought into any Part of the said Province, by or through any other Place whatsoever, the said Goods shall be forfeited; and every Person who shall be assisting, or otherwise concerned in the bringing or removing such Goods, or to whose Hands the same shall come, knowing that they were brought or removed contrary to this Act, shall forfeit treble the Value of such Goods, to be estimated and computed according to the best Price that each respective Commodity bears in the Town of *Quebec*, at the Time such Offence shall be committed; and all the Horses, Cattle, Boats, Vessels, and other Carriages whatsoever, made use of in the Removal, Carriage, or Conveyance of such Goods, shall also be forfeited and lost, and shall and may be seized by any Officer of his Majesty's Customs, and prosecuted, as herein-after mentioned.

Penalties and Forfeitures where to be prosecuted for, &c.

IV. And it is hereby further enacted by the Authority aforesaid, That the said Penalties and Forfeitures by this Act inflicted, shall be sued for and prosecuted in any Court of Admiralty, or Vice Admiralty, having Jurisdiction within the said Province, and the same shall and may be recovered and divided in the same Manner and Form, and by the same Rules and Regulations, in all Respects, as other Penalties and Forfeitures

Forfeitures for Offences againſt the Laws relating to the Cuſtoms and Trade of his Majeſty's Colonies in *America* ſhall or may, by any Act or Acts of Parliament be ſued for, proſecuted, recovered, and divided.

Any Perſon keeping a Houſe of publick Entertainment to pay 1 l. 16 s. for a Licence.

V. And be it further enacted by the Authority aforeſaid, That there ſhall, from and after the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-five, be raiſed, levied, collected, and paid, unto his Majeſty's Receiver-general of the ſaid Province, for the Uſe of his Majeſty, his Heirs and Succeſſors, a Duty of one Pound ſixteen Shillings, Sterling Money of *Great Britain*, for every Licence that ſhall be granted by the Governor, Lieutenant Governor, or Commander in Chief of the ſaid Province, to any Perſon or Perſons for keeping a Houſe or any other Place of publick Entertainment, or for the retailing Wine, Brandy, Rum, or any other Spirituous Liquors, within the ſaid Province; and any Perſon keeping any ſuch Houſe or Place of Entertainment, or retailing any ſuch Liquors without ſuch Licence, ſhall forfeit and pay the Sum of ten Pounds for every ſuch Offence, upon Conviction thereof; one Moiety to ſuch Perſon as ſhall inform or proſecute for the ſame, and the other Moiety ſhall be paid into the Hands of the Receiver-general of the Province, for the Uſe of his Majeſty.

Penalty of 10 l. for every Offence.

Not to make void French Revenues, &c. reſerved at the Conqueſt.

VI. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to diſcontinue, determine, or make void, any Part of the territorial or caſual Revenues, Fines, Rents, or Profits whatſoever, which were reſerved to, and belonged to, his moſt Chriſtian Majeſty, before and at the Time of the Conqueſt and Surrender thereof to his Majeſty the King of *Great Britain*; but that the ſame, and every of them, ſhall remain and be continued to be levied, collected, and paid, in the ſame Manner as if this Act had never been made; any thing therein contained to the contrary notwithſtanding.

In Suits brought purſuant to this Act,

Defendants to have Treble Coſts.

VII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, and if it ſhall appear to the Court or Judge where or before whom the ſame ſhall be tried, that ſuch Action or Suit is brought for any Thing that was done in purſuance of and by the Authority of this Act, the Defendant or Defendants ſhall be indemnified and acquitted for the ſame; and if ſuch Defendant or Defendants ſhall be ſo acquitted; or if the Plaintiff ſhall diſcontinue ſuch Action or Suit, ſuch Court or Judge ſhall award to the Defendant or Defendants Treble Coſts.

CAP. LXXXIX.

An Act to enable his Majeſty to allow the Adminiſtrator, with the Will annexed, or other the perſonal Repreſentative, of Sir *Joſeph Jekyll* Knight, deceaſed, to ſell ten thouſand Pounds *South Sea* Stock, Part of a Legacy given by him to the Uſe of the Sinking Fund, and to receive the Dividends due thereon, as alſo on ten thouſand Pounds *Eaſt India* Stock; and for applying the ſame as therein is mentioned.

Preamble.

'WHEREAS Sir *Joſeph Jekyll* Knight, by his laſt Will and Teſtament in Writing, bearing Date the fourth Day of *May*, in the Year of our Lord one thouſand ſeven hundred and thirty-eight, bequeathed ſeveral pecuniary Legacies and Annuities for Life to ſeveral of his Relations, and directed, that the *Eaſt India* and *South Sea* Stock, which he ſhould be poſſeſſed of at the Time of his Death, ſhould not be transferred or altered by his Executor during the Life of Dame *Elizabeth* his Wife, but, after her Death, he gave his ſaid *Eaſt India* and *South Sea* Stock to his Majeſty, his Heirs and Succeſſors, Kings or Queens of *England*, to be applied to the Uſe of the Sinking Fund in ſuch Manner as ſhould be directed by Act of Parliament; and all the reſt and Reſidue of his Eſtate, both Real and Perſonal, he gave and deviſed unto *Thomas Jekyll*, *John Jekyll*, *Joſeph Jekyll*, *Edward Jekyll*, *Richard Blackett Jekyll*, *Mary Jekyll*, and *Hannah Jekyll*, the Children of *John Jekyll*, late of *New England*, deceaſed, and to *Joſeph Jekyll* Grocer, the Son of *Thomas Jekyll*, and to *Nicholas Roberts*, *Thomas Heſter*, *Tryphena Baldwin*, and *Tryphoſa Sanders*, and to their Heirs, Executors, and Adminiſtrators, as Tenants in common; and he appointed the ſaid *Joſeph Jekyll*, one of the Children of the ſaid *John Jekyll*, Executor of his Will: And whereas the ſaid Sir *Joſeph Jekyll* died ſoon after the Date of his ſaid Will, poſſeſſed of ten thouſand Pounds *Eaſt India* Stock, and ten thouſand Pounds *South Sea* Stock, and leaving *Elizabeth Kirkham*, Dame *Mary Blackett*, *Tryphena Lovell*, *Thomas Jekyll* the elder, *Richard Mart*, *Francis Hill*, *Tryphena Ruſſell*, *Mary Parſons*, and *Tryphena Heſter* (all ſince deceaſed), his Nieces and Nephews, his next of kin; and the ſaid *Joſeph Jekyll*, the Executor, ſoon afterwards proved the ſaid Will in the Prerogative Court of the Archbiſhop of *Canterbury*, and the ſaid Dame *Elizabeth Jekyll* died ſome Time in the Year of our Lord one thouſand ſeven hundred and forty-five: And whereas by an Act, made in the twentieth Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act to enable his Majeſty to allow to the reſiduary Legatees of Sir* Joſeph Jekyll *Knight, late Maſter of the Rolls, deceaſed, Part of the Legacy given by his Will, to the Uſe of the Sinking Fund*), it was enacted, That it ſhould and might be lawful for his Majeſty, his Heirs and Succeſſors, by Warrant or Order under his or their Sign Manual, to permit the ſaid *Joſeph Jekyll*, the Executor, Executors, Adminiſtrators, or Aſſigns, to ſell ſo much of the *Eaſt India* and *South Sea* Stock, deviſed as aforeſaid, as would enable him or them to raiſe, for the Benefit of the ſaid reſiduary Legatees, the Sum of thirteen thouſand five hundred and eighty-two Pounds nine Shillings and Two-pence; to be applied by him or them in the ſame Manner as the Real and Perſonal Eſtate of the ſaid Sir *Joſeph Jekyll* was, by his ſaid Will, directed to be applied: And whereas, in purſuance of the ſaid recited Act, his late Majeſty did, by Warrant or Order, under his Sign Manual, impower the ſaid *Joſeph Jekyll* to ſell the ſaid *South Sea* Stock and *Eaſt India* Stock, and to apply thirteen thouſand five hundred and eighty-two Pounds nine Shillings and Two-pence, Part of the Money ariſing by Sale of the ſaid Stocks, for the Benefit of the reſiduary Legatees of the ſaid Sir *Joſeph Jekyll*, in the ſame Manner as his Real and Perſonal Eſtate

'was by his ſaid Will directed to be applied; and to pay the Remainder of the Money ariſing by ſuch 'Sale into the Exchequer, purſuant to the ſaid Will; to be applied to the ſame Uſes as the Sinking 'Fund was applicable; and thereupon the ſaid *Joſeph Jekyll*, ſoon afterwards, at ſeveral Times within the 'Month of *October*, in the Year one thouſand ſeven hundred and forty-ſeven, did ſell ten thouſand 'Pounds *Eaſt India* Stock, then ſtanding in the Name of Sir *Joſeph Jekyll*, at ſeveral Prices, amounting 'together (after a Deduction of Commiſſion, and the Charges of the ſeveral Transfers), to the Sum of 'fifteen thouſand eight hundred and ſeventy-two Pounds fourteen Shillings, and applied the Sum of 'thirteen thouſand five hundred and eighty-two Pounds nine Shillings and Two-pence, Part of the ſaid 'Sum of fifteen thouſand eight hundred and ſeventy-two Pounds fourteen Shillings, for the Benefit of the 'ſaid reſiduary Legatees, according to the Direction of the ſaid recited Act of Parliament: And whereas 'the ſaid *Joſeph Jekyll* is dead, and Lady *Anne Jekyll*, Widow and Adminiſtratrix, with the Teſtamentary 'Schedule annexed, of the ſaid *Joſeph Jekyll*, is ſince alſo dead, after making her laſt Will and Teſta-'ment in Writing, whereof ſhe appointed certain Executors; and the ſaid *Thomas Jekyll* hath obtained 'Adminiſtration to the ſaid Sir *Joſeph Jekyll*, with his Will annexed, of his Goods unadminiſtered by 'the ſaid *Joſeph Jekyll*: And whereas in purſuance of an Act, made in the twelfth Year of the Reign of 'his preſent Majeſty (intituled, *An Act to enable the Lords of the Treaſury to diſcharge the Executors of Lady* 'Anne Jekyll *from a Debt due to his Majeſty for the Uſe of the Sinking Fund, upon Payment of the ſame into* '*the Exchequer*), the Sum of two thouſand two hundred and ninety Pounds four Shillings and Ten-pence, 'the Reſidue of the ſaid Sum of fifteen thouſand eight hundred and ſeventy-two Pounds fourteen Shil-'lings, has been paid by the Executors of the ſaid Lady *Anne Jekyll* into the Receipt of his Majeſty's 'Exchequer: And whereas the ſaid Sum of ten thouſand Pounds *South Sea* Stock is ſtill ſtanding in the 'Name of the ſaid Sir *Joſeph Jekyll*, and all the Dividends accrued due thereon, from *Midſummer* one 'thouſand ſeven hundred and forty-five (to which Time they were received by the ſaid *Joſeph Jekyll*), to the 'fifth Day of *January* one thouſand ſeven hundred and ſeventy-four, amounting to the Sum of ten thou-'ſand ſix hundred Pounds, ſtill remain in the Hands of the *South Sea Company*; and the Dividends that 'accrued due upon the ſaid ten thouſand Pounds *Eaſt India* Stock, from *Midſummer* one thouſand ſeven 'hundred and forty-five (to which Time they were alſo received by the ſaid *Joſeph Jekyll*), to *Midſummer* 'one thouſand ſeven hundred and forty-ſeven (ſoon after which Time the ſaid ten thouſand Pounds *Eaſt* '*India* Stock was ſold as aforeſaid), amounting to the Sum of one thouſand ſix hundred Pounds, ſtill 'remain in the Hands of the *Eaſt India Company*, none of the ſaid Sums, or any Part of them, having as 'yet been appropriated by Parliament, or applied to the Uſe of the Sinking Fund: And whereas it is 'apprehended, that the Motive to Sir *Joſeph Jekyll*'s bequeathing this Legacy to the Publick was, the Hope 'of exciting others of Opulence to follow the Example; but, as in the Courſe of near forty Years this 'Expectation has not been anſwered in any Inſtance;' therefore, we your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, having taken the Premiſes into Conſideration, do moſt humbly beſeech your moſt Excellent Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,

By Warrant under his Majeſty's Sign Manual, the Adminiſtrator may ſell 10,000 l. South Sea Sock, ſtanding in the Name of Sir Joſeph Jekyll;

That it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, by Warrant or Order under his or their Sign Manual, to permit and allow the ſaid *Thomas Jekyll*, the Adminiſtrator, or other the perſonal Repreſentative of the ſaid Sir *Joſeph Jekyll*, to ſell and transfer the ſaid ten thouſand Pounds *South Sea* Stock, now ſtanding in the Name of the ſaid Sir *Joſeph Jekyll*, and to receive the Money ariſing by ſuch Sale, and to receive all Dividends due, and to grow due, on ſuch *South Sea* Stock; as alſo to receive all Dividends due and unreceived upon the ſaid ten thouſand Pound *Eaſt India* Stock, ſo ſold as aforeſaid.

Sign Manual to be inrolled in Chancery.

II. And be it further enacted by the Authority aforeſaid, That ſuch Sign Manual, when obtained, ſhall be inrolled in his Majeſty's High Court of Chancery, and the Clerks of the Inrolments in the ſaid Court are hereby required to inroll the ſame accordingly.

Perſonal Repreſentative to transfer the Sum, and receive Dividends due.

III. And be it further enacted by the Authority aforeſaid, That, upon the obtaining ſuch Sign Manual, and the Inrolment thereof, as aforeſaid, it ſhall and may be lawful to and for the ſaid *Thomas Jekyll*, and other the perſonal Repreſentative of the ſaid Sir *Joſeph Jekyll*, to ſell and transfer the ſaid ten thouſand Pounds *South Sea* Stock, and to receive all Dividends due, and to grow due thereon; as alſo to receive all the Dividends due upon the ſaid ten thouſand Pounds *Eaſt India* Stock, ſo ſold as aforeſaid: And the *South Sea Company*, and the *Eaſt India Company*, are hereby reſpectively directed and impowered to permit ſuch Sale and Transfer of Stock, and Receipt of ſuch Dividends, as aforeſaid.

Sums to ariſe by the Sale, how to be applied.

IV. And be it further enacted by the Authority aforeſaid, That all ſuch Sums of Money as ſhall ariſe by Sale of the ſaid ten thouſand Pounds *South Sea* Stock, together with all Dividends to be received as aforeſaid, as well upon the ſaid *South Sea* Stock as upon the ſaid *Eaſt India* Stock, ſhall be paid and applied by the ſaid *Thomas Jekyll*, his Executors or Adminiſtrators, or other the perſonal Repreſentative of the ſaid Sir *Joſeph Jekyll*, in Manner following (that is to ſay); That one Moiety, or Half Part thereof, ſhall be paid and applied unto and amongſt the ſeveral reſiduary Legatees named in the Will of the ſaid Sir *Joſeph Jekyll*, and their reſpective Executors and Adminiſtrators, in ſuch Manner as the reſiduary Eſtate of the ſaid Sir *Joſeph Jekyll* is by his ſaid Will directed to be applied; and that the other Moiety, or Half Part thereof, ſhall be paid and applied unto and amongſt the Executors and Adminiſtrators of the ſaid *Elizabeth Kirkham*, Dame *Mary Blackett*, *Tryphena Lovell*, *Thomas Jekyll* the elder, *Richard Mart*, *Francis Hill*, *Tryphena Ruſſel*, *Mary Parſons*, and *Tryphena Heſter* reſpectively, in equal Shares and Proportions.

Charges of the Act to be paid

V. And be it further enacted by the Authority aforeſaid, That the Charges of obtaining and paſſing this Act of Parliament, and of all other Matters attending the Transfer, Receipt, and Application of all

and

and every the Sums before mentioned, ſhall be paid by the ſaid *Thomas Jekyll*, his Executors or Adminiſtrators, or other the perſonal Repreſentative of the ſaid Sir *Joſeph Jekyll*, out of the Monies that ſhall be received by him or them, under and by virtue of this Act, before any Payment and Application of ſuch Monies, unto and amongſt the Parties aforeſaid, or any of them. out of the firſt Monies to ariſe.

CAP. XC.

An Act for the better Regulation of the Nightly Watch and Beadles within the City and Liberty of *Weſtminſter*, and Parts adjacent; and for other Purpoſes therein mentioned.

'WHEREAS the well-ordering and regulating a proper and ſufficient uniform Nightly Watch throughout the City of *Weſtminſter*, and the Liberties thereof, the ſeveral Pariſhes of *Saint Clement Danes*, and *Saint Mary le Strand*, as well within as without the Liberties of the ſaid City, and the Precinct of the *Savoy*; the united Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*; the united Pariſhes of *Saint Andrew Holborn* above the Bars, and *Saint George the Martyr*; and the Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents*, in the County of *Middleſex*, is of great Importance, and will tend to the Preſervation of the Perſons and Properties of the Inhabitants thereof, and to prevent, as well Miſchiefs that may happen by Fires, as Murders, Burglaries, Robberies, and other Outrages and Diſorders: And whereas no effectual Proviſion is, by any Laws now in being, made for the eſtabliſhing, ordering, and well-governing, ſuch Nightly Watch and Beadles, in ſome Parts of the ſaid Diſtrict, or for raiſing, levying, and collecting, any Sums of Money for defraying the neceſſary Charges thereof, or for enforcing a due Application and Account of any Monies collected for the Purpoſe of keeping ſuch Nightly Watch: And whereas it may tend to the better Security of the Inhabitants of the ſaid Diſtrict, if the Nightly Watch and Beadles were uniformly ordered and regulated throughout the Whole of the ſaid Diſtrict, and ſome further Proviſions and Powers were made and given to the Managers or Directors of ſuch Watch and Beadles than are or have been hitherto made and given to them: And whereas great Inconveniencies reſpecting the Nightly Watch, in ſome Parts of the ſaid Diſtrict, have ariſen, and are likely hereafter to ariſe, from the Appointment of improper Perſons to be Deputy Conſtables therein, which might be prevented, if ſuch Deputy Conſtables were to be approved by the Veſtries of the reſpective Pariſhes, Precincts, and Places, for which ſuch Deputy Conſtables are choſen, and if the Conſtables and Headboroughs were compellable to obſerve neceſſary and proper Regulations, during the reſpective Times of Watching: And whereas it has been found, by Experience, that the hiring Men to patrol the Squares, Streets, Lanes, and other Places within ſome Parts of the ſaid Diſtrict, has greatly contributed to the Security of the Inhabitants thereof:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, the Powers and Authorities for the better regulating the Nightly Watch and Beadles, created, made, and given, to the Veſtries of the ſeveral Pariſhes of *Saint James* and *Saint George*, *Hanover Square*, ſeverally and reſpectively, in and by an Act of Parliament, made and paſſed in the eighth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the two Pariſhes of* Saint James *and* Saint George, Hanover Square, *within the Liberties of the City of* Weſtminſter; and the Powers and Authorities for the like Purpoſe, created, made, and given, to the Veſtry of the Pariſh of *Saint Martin in the Fields*, in and by an Act of Parliament, made and paſſed in the ninth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the Pariſh of* Saint Martin in the Fields, *within the Liberties of the City of* Weſtminſter; and the Powers and Authorities for the like Purpoſe, created, made, and given, in and by another Act, alſo made and paſſed in the ninth Year of his ſaid late Majeſty's Reign, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the Pariſh of* Saint Paul Covent Garden, *within the Liberties of the City of* Weſtminſter, to the Veſtry of the ſaid Pariſh for the Time being, and certain other Perſons nominated, and to be nominated, by and in purſuance of the laſt-mentioned Act; the Powers and Authorities for the like Purpoſe, created, made, and given, to the Veſtries of the united Pariſhes of *Saint Margaret* and *Saint John the Evangeliſt*, in and by an Act of Parliament alſo made and paſſed in the ninth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the ſaid Pariſhes of* Saint Margaret *and* Saint John the Evangeliſt, *within the City and Liberty of* Weſtminſter; and the Powers and Authorities for the like Purpoſe, created, made, and given, to the Veſtry of the Pariſh of *Saint Anne*, in and by an Act of Parliament alſo made and paſſed in the ninth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the Pariſh of* Saint Anne, *within the Liberties of the City of* Weſtminſter; and the Powers and Authorities for the like Purpoſe, created, made, and given, to the Truſtees elected and choſen, and to be elected and choſen, by virtue and in purſuance of an Act of Parliament, made and paſſed in the tenth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for the better regulating the Nightly Watch and Beadles within the Liberty of* Saffron Hill, Hatton Garden, *and* Ely Rents, *in the Pariſh of* Saint Andrew Holborn, *in the County of* Middleſex; and the Powers and Authorities for the like Purpoſe, created, made, and given, to the Directors or Governors of the Nightly Watch and Beadles of the ſaid Pariſh of *Saint Clement Danes*, nominated and appointed, and to be nominated and appointed, by virtue and in purſuance of an Act of Parliament, made and paſſed in the fourth Year of the Reign of his preſent Majeſty, intituled, *An Act for eſtabliſhing a regular and Nightly Watch, and for maintaining, regulating, and employing, the Poor within the Pariſh of* Saint Clement Danes, *in the Liberty of* Weſtminſter, Preamble.

After paſſing of this Act, the Authorities for regulating the Nightly Watch, Act 8 Geo. 2.

Four Acts 9 Geo. 2.

Act 10 Geo. 2.

Act 4 Geo. 3.

Weſtminſter, *and County of* Middleſex; and the Powers and Authorities for the like Purpoſe, created, made, and given, to the Governors and Directors of the Poor of the ſaid united Pariſhes of *Saint Andrew Holborn* above the Bars, and *Saint George the Martyr*, nominated and elected, and to be nominated and elected, by virtue and in purſuance of an Act of Parliament, made and paſſed in the ſixth Year of his preſent Majeſty's Reign, intituled, *An Act for the better regulating and employing the Poor, and for cleanſing, lighting, and watching, the Squares, Streets, Lanes, and other Places, within that Part of the Pariſh of* Saint Andrew Holborn *which lies above the Bars, in the County of* Middleſex, *and the Pariſh of* Saint George the Martyr, *in the ſaid County (except only in ſuch Caſes and Particulars where the ſame are herein and hereby varied, altered, or otherwiſe enacted, provided, or directed)*; are hereby continued, and ſhall and may be uſed and exerciſed by ſuch Veſtries, Truſtees, Directors, or Governors, of the Watch, Governors and Directors of the Poor, and other Perſons within each and every of the ſaid ſeveral and reſpective Pariſhes, Liberty, Precinct, and Places, in and for which they ſeverally and reſpectively ſhall be Veſtrymen, Truſtees, Directors, or Governors of the Watch, or Governors and Directors of the Poor, as aforeſaid, at ſuch Times, and in ſuch Manner, as by the ſaid ſeveral Acts of Parliament the ſaid Powers and Authorities were and are ſeverally and reſpectively authoriſed or directed to be uſed or exerciſed; and that in and for each and every the ſaid ſeveral Pariſhes, Liberty, Precinct, and Places, laſt mentioned, the Number of Watchmen and Beadles, already appointed, ſhall and may continue for and during the Time for which they have been appointed, and until the ſeveral and reſpective Times, by each of the ſaid ſeveral Acts of Parliament reſpectively limited for the Appointment of Watchmen and Beadles, and ſuch Watchmen and Beadles ſhall and may be paid and allowed ſuch Wages and Allowances as are and have been ordered and directed to be paid and given to them reſpectively; and that all Rules, Orders, and Regulations already made, and now in Force, reſpecting the Nightly Watch and Beadles within the ſame Pariſhes, Liberty, Precinct, and Places reſpectively, ſhall continue and be in Force until the reſpective Times appointed or directed by the ſaid Acts reſpectively for making new Rules, Orders, and Regulations; and that all and every the Rates already made for the Purpoſes of each and every of the ſaid Acts reſpectively, ſhall continue and be in Force, and be collected and levied by the Ways and Means, and in ſuch Manner as the ſame are in and by ſuch Acts reſpectively directed to be collected and levied; any Thing herein-contained to the contrary thereof in anywiſe notwithſtanding.

Act 6 Geo. III.

are hereby continued;

until the reſpective Times appointed for making new Orders.

Truſtees, Directors, &c. to ſet up ſubſtantial Watch-boxes.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Veſtries, Truſtees, Directors, or Governors of the Watch, Governors and Directors of the Poor, and other Perſons choſen, and to be choſen, as aforeſaid, within their ſeveral and reſpective Pariſhes, Liberty, Precinct, and Places reſpectively, from Time to Time, to ſet or fix up and place a ſufficient Number of ſubſtantial Watchboxes, at and in ſuch convenient Parts of each of their ſaid ſeveral and reſpective Pariſhes, Liberty, Precinct, and Places, as they, or the Majority of ſo many of them as ſhall be aſſembled at any of their publick Meetings reſpectively, ſhall judge neceſſary or convenient; which Watch-boxes, ſo ſet or fixed up and placed, or any of them, ſhall not be taken down or removed by any Perſon or Perſons, on any Pretence whatever, without the Order or Conſent of the ſaid Veſtries, Truſtees, Directors, or Governors of the Watch, or Governors or Directors of the Poor, or the Majority of ſo many of them as ſhall be aſſembled at ſome ſuch publick Meeting.

Penalty, if any Perſon deſtroy the Watch-boxes, is not exceeding 20 s.

beſides the Charge of replacing them.

III. And be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully break, take down, or remove, damage, or deſtroy, any or either of ſuch Watch-boxes, every Perſon ſo offending, being thereof convicted upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, or upon his, her, or their own Confeſſion, before any one or more of his Majeſty's Juſtices of the Peace for the County of *Middleſex*, or the City and Liberty of *Weſtminſter*, as the Caſe may be (which Oath ſuch Juſtice and Juſtices is and are hereby authoriſed and impowered to adminiſter), ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding twenty Shillings, over and above the neceſſary Charges of replacing, repairing, or making good, ſuch Watch-box or Watch-boxes, or any Damage done thereto, together alſo with all ſuch neceſſary Charges as aforeſaid, to be aſcertained before ſuch Juſtice or Juſtices, in ſuch Manner as he or they ſhall think fit, and, in his or their Diſcretion, in that Behalf require.

Twelve Truſtees when and by whom to be elected, viz. St. Mary le Strand;

Seven Truſtees to be elected for the Savoy Precinct:

Veſtrymen of St. Giles, and St. George,

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Inhabitants of the ſaid Pariſh of *Saint Mary le Strand*, and they are hereby directed and required to meet together at the uſual Place of Meeting for tranſacting the publick Buſineſs of the ſaid Pariſh, on the ſecond *Wedneſday* after the paſſing of this Act, or within ten Days after, and annually afterwards, on the firſt *Wedneſday* in *June*, in every ſucceeding Year, or within ten Days then next following, between the Hours of Ten and Twelve in the Forenoon (Notice of ſuch Meeting being for that Purpoſe given in the Church of the ſaid Pariſh, on the *Sunday* next preceding, immediately after Divine Service), and then and there, by the Majority of the Inhabitants preſent at ſuch Meeting, to nominate and chuſe twelve Inhabitants of the ſaid Pariſh to be Truſtees for the better regulating the nightly Watch and Beadles, and other the Purpoſes of this Act, within the ſaid Pariſh of *Saint Mary le Strand:* And that it ſhall and may be lawful for the Inhabitants of the ſaid Precinct of the *Savoy*, and they are hereby directed and required to meet together at the uſual Place of Meeting for tranſacting the publick Buſineſs of the ſaid Precinct, on the ſaid ſecond *Wedneſday*, or within ten Days after, and annually afterwards on the firſt *Wedneſday* in *June*, in every ſucceeding Year, or within ten Days then next following, between the Hours of Ten and Twelve in the Forenoon (Notice of every ſuch Meeting being for the Purpoſe given in the Church or Chapel of the *Savoy*, on the *Sunday* next preceding, immediately after Divine Service), and then and there, by the Majority of the Inhabitants preſent at ſuch Meeting, to nominate and chuſe ſeven Inhabitants of the ſaid Precinct to be Truſtees for the better regulating the nightly Watch and Beadles, and other the Purpoſes of this Act, within the ſaid Precinct: And that the Veſtrymen of both the ſaid united Pariſhes of *Saint Giles in the Fields*, and *Saint George, Bloomſbury*, jointly, ſhall be Truſtees for the better regulating the Nightly Watch and Beadles, and for other the Purpoſes of this Act, within the ſaid united Pariſhes of *Saint Giles in*

in the Fields, and *Saint George Bloomſbury*; which united Pariſhes laſt mentioned ſhall have and hold all their Meetings for the executing the Powers and Purpoſes of this Act at the Veſtry-room of the ſaid Pariſh of *Saint Giles in the Fields*, and ſhall, for the Purpoſes of this Act, and for every Thing to be done in purſuance thereof, act together, and ſhall be deemed and taken to be one Pariſh only. Bloomſbury, to be Truſtees.

V. And be it further enacted by the Authority aforeſaid, That the Truſtees to be nominated and choſen in and for the ſaid Pariſh of *Saint Mary le Strand*, and the ſaid Precinct of the *Savoy*, ſhall ſeverally aſſemble and meet together at the ſeveral uſual Places of Meeting for tranſacting the publick Buſineſs of the ſaid Pariſh and Precinct; and the Veſtrymen of the ſaid united Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*, as Truſtees, as aforeſaid, ſhall aſſemble and meet together at the Veſtry-room of the ſaid Pariſh of *Saint Giles in the Fields*, on the ſaid ſecond *Wedneſday* after paſſing this Act, or within ten Days after, and annually afterwards on the firſt *Wedneſday* in *June*, or within ten Days after, in every enſuing Year, between the Hours of Ten and Twelve in the Forenoon; and the Veſtrymen of the ſaid united Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*, Truſtees, as aforeſaid, and ſuch Truſtees ſo to be nominated and choſen in and for the ſaid Pariſh of *Saint Mary le Strand*, and the ſaid Precinct of the *Savoy*, ſhall, at their ſaid firſt, and other annual Meetings; and the Veſtries of the ſaid ſeveral Pariſhes of *Saint James*, *Saint George Hanover Square*, and *Saint Martin in the Fields*; and the Veſtry, and other Perſons nominated, and to be nominated, in and for the ſaid Pariſh of *Saint Paul*, *Covent Garden*, the Veſtry of the ſaid united Pariſhes of *Saint Margaret and Saint John the Evangeliſt*, the Veſtry of the ſaid Pariſh of *Saint Anne*, the Truſtees elected and choſen, and to be elected and choſen, in and for the ſaid Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents*, the Directors or Governors of the Watch for the ſaid Pariſh of *Saint Clement Danes*, and the Governors and Directors of the Poor of the ſaid united Pariſhes of *Saint Andrew Holborn* above the Bars, and *Saint George the Martyr*, ſhall alſo aſſemble and meet together at the ſeveral Times in and by the herein-before mentioned or recited Acts reſpectively directed; and every of them reſpectively ſhall then and there appoint what Number of Watchmen they ſhall judge neceſſary to be kept and employed in each and every of their ſaid Pariſhes, Liberty, Precinct, and Places, for the Year then next enſuing, ſpecifying particularly how many of ſuch Watchmen are to have certain Beats and Stands, and at what Places, and how many of them are to patrol and have no certain Stands, under the following Reſtrictions and Limitations; (that is to ſay,) In the ſaid united Pariſhes of *Saint Margaret* and *Saint John the Evangeliſt*, the Number of Watchmen having Beats and Stands to be forty, or more, and the Watchmen to patrol to be ſix, at the leaſt; and in and for the ſaid Pariſh of *Saint Martin in the Fields*, the Watchmen to have Stands and Beats to be forty, or more, and the Watchmen to patrol to be ſix, at the leaſt; in the ſaid Pariſh of *Saint James*, the Watchmen to have Stands and Beats to be fifty, or more, and the Watchmen to patrol to be eight, at the leaſt; in the ſaid Pariſh of *Saint George Hanover Square*, the Watchmen to have Stands or Beats to be ſixty, or more, and the Watchmen to patrol to be eight, at the leaſt; in the ſaid Pariſh of *Saint Anne*, the Watchmen to have Stands and Beats to be twenty, or more, and the Watchmen to patrol to be four, at the leaſt; in the ſaid Pariſh of *Saint Paul*, *Covent Garden*, the Watchmen to have Stands and Beats to be eighteen, or more, and the Watchmen to patrol to be four, at the leaſt; in the Pariſh of *Saint Clement Danes*, as well within as without the Liberties of the ſaid City, the Watchmen to have Stands and Beats, to be twenty or more, and the Watchmen to patrol to be five, at the leaſt; in the ſaid Pariſh of *Saint Mary le Strand*, as well within as without the Liberties of the ſaid City, the Watchmen to have Stands and Beats to be not leſs than two, and one to patrol; and in the ſaid Precinct of the *Savoy* to be one Watchman; in the ſaid united Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*, the Watchmen to have Stands and Beats, to be thirty, or more, and the Watchmen to patrol to be ſix, at the leaſt; in the ſaid united Pariſhes of *Saint Andrew Holborn* above the Bars, and *Saint George the Martyr*, the Watchmen to have Stands and Beats, to be thirty, or more, and the Watchmen to patrol to be ſix, at the leaſt; and in the ſaid Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents*, the Watchmen to have Stands and Beats, to be twelve, or more, and the Watchmen to patrol to be two, at the leaſt: And the ſaid Truſtees, Veſtries, and other Perſons ſo met, ſhall then and there direct, and ſet down, in Writing, at what Places particularly the Stands or Watch-boxes ſhall be fixed or put, and the Extents, Limits, or Boundaries, of the ſeveral Beats of every ſuch Watchmen and Patroles; and ſhall alſo then and there, or at ſome other Meeting of the ſaid Truſtees, Veſtries, or other Perſons, to be held within fourteen Days then next following, nominate and appoint ſuch Number of Beadles as ſhall be kept within each of the ſaid Pariſhes, Liberty, Precinct, and Places, in proportion to the Extent of each reſpective Pariſh, Liberty, Precinct, or Place, and to the Monies which can be raiſed therein, by the Rates to be made purſuant to the Directions of the ſaid former Acts, and of this Act; and ſhall alſo nominate and chuſe ſuch honeſt and able-bodied Men to be employed in the Offices of Beadles and Watchmen, as they ſhall find beſt qualified for the ſame; and alſo ſhall and may order what Wages and Allowances are to be paid and given to the ſaid Beadles, and to the ſaid Watchmen reſpectively, as well Patroles as others, for their Services and Attendances, under and ſubject nevertheleſs to the Limitations, and Reſtrictions, herein-after expreſſed and directed; and alſo may and ſhall order and direct what Pound Rate ſhall be made for defraying the Charges and Expences of ſuch nightly Watch and Beadles.

First Meeting of the Truſtees for the ſeveral Pariſhes where to be held;

who are to appoint a ſufficient Number of Watchmen for the Year enſuing, under the following Reſtrictions;

VI. Provided nevertheleſs, and it is hereby enacted and declared, That the Wages of every Watchman appointed to patrol as aforeſaid, ſhall not be leſs than one Shilling and Three-pence *per* Night, during ſuch Time as he ſhall be employed, and that the Wages of every Watchman who ſhall be appointed to a Stand or Beat, ſhall be regulated, ſo that ſuch Wages ſhall not be leſs than eighteen Pounds five Shillings, in every Year; and that the Wages of any of ſuch Watchmen ſhall not be more than four Weeks in Arrear at any one Time.

Proviſo for appointing the Wages of Watchmen.

VII. Provided alſo, and be it enacted by the Authority aforeſaid, That no ſuch Aſſeſſment or Aſſeſſments to be made in any one Year ſhall exceed Sixpence in the Pound, of the yearly Value of the Houſes, Tene-

No Aſſeſſment to exceed 6 d. per Pound in one Year.

ments, Shops, Warehouſes, Cellars, or other Buildings, to be aſſeſſed and charged by virtue of any of the ſaid former Acts, or of this Act.

Watchmen how to be armed and accommodated;

VIII. And be it further enacted by the Authority aforeſaid, That each of the ſaid Watchmen, as well thoſe who ſhall be appointed to patrol as thoſe who ſhall have Stands and Beats, ſhall be furniſhed with a Rattle, and ſuch other Accommodations, and ſhall be armed with a Staff, or ſuch other Weapons or Arms, to be provided at the Expence of each of the ſaid Pariſhes, Liberty, Precinct, and Places, as the ſaid Veſtries, Truſtees, or other Perſons authoriſed to put this Act, or the ſaid former Acts, in Execution, ſhall direct; and that each Watchman to be appointed to a Stand or Beat ſhall provide himſelf a Lanthorn, to be numbered in ſuch Part and Manner, as, from the Light within, may moſt effectually tend to make ſuch Number diſtinguiſhable in the Night-time; and that each and every ſuch Watchman, being appointed to a Beat or Stand, ſhall be, and appear, at his Stand every Night before the Hour of Ten, or ſuch earlier Hour as the ſaid Veſtries, Truſtees, Governors, or Directors, ſhall order, direct, and appoint; and ſhall keep Watch at his Stand, or in his Beat or Round, from the ſaid Hour of Ten, or ſuch earlier Hour as ſhall be ſo appointed, as aforeſaid, until Five in the Morning, during all the Months of *May*, *June*, *July*, and *Auguſt*; and from Ten, or ſuch earlier Hour as ſhall be ſo appointed, as aforeſaid, in the Evening, until Six in the Morning, during all the Months of *September*, *October*, *March*, and *April*; and from the Hour of Ten in the Evening, or ſuch earlier Hour as ſhall be ſo appointed, as aforeſaid, until Seven in the Morning, during all the Months of *November*, *December*, *January*, and *February*; and every ſuch Watchman ſhall appear and be at the Watch-houſe belonging to each reſpective Pariſh, Liberty, Precinct, and Place, at leaſt Half an Hour before he is to be at his Stand, to receive his Rattle and Arms, or other Accommodations, and ſhall return to the Watch-houſe the next Morning, when the Time for his keeping Watch is expired, to the End that both at Night and Morning his Name may be called over, and the Condition of his Arms, Rattle, and Lanthorn, may be examined by the Conſtable or Beadle of the Watch, or other Perſon to be appointed for that Purpoſe; and that each and every the Watchmen, who ſhall be appointed to patrol, ſhall appear at, and ſhall ſet out from, the Watch-houſe of the Pariſh, Precinct, or Place, in and for which he is employed, in the Evening of the firſt Day of *October*, and every Evening afterwards, until and upon the laſt Day of *April*, in every Year, at Eleven of the Clock, and ſhall (not ſingly, but two together, and not more) patrol the whole of the ſaid Pariſh, Liberty, Precinct, or Place, or ſuch Parts or Diviſions thereof as ſhall be directed and appointed in each reſpective Pariſh, Liberty, or Place, where two or more Patroles are directed continually from that Hour, until Six of the Clock in the Morning, during the whole of the ſeveral Months of *December*, *January*, and *February*, and until Five of the Clock in the Morning, during the ſeveral Months of *October*, *November*, *March*, and *April*, and until Four of the Clock in the Morning, during all or ſo much of the other Months as ſuch Patrol Watchmen reſpectively ſhall be employed.

and the Time when they are to do Duty.

Patrols appointed;

IX. And be it enacted by the Authority aforeſaid, That the Watchmen appointed to patrol the ſaid Pariſh of *Saint Mary le Strand*, ſhall, in Company, and together with one of the Watchmen appointed to patrol the ſaid Pariſh of *Saint Clement Danes*, patrol the whole of ſaid Pariſh of *Saint Mary le Strand*, and the Precinct of the *Savoy*, and ſuch Part of the ſaid Pariſh of *Saint Clement Danes* as lies Weſtward of the ſaid Pariſh of *Saint Mary le Strand*, and of the ſaid Precinct of the *Savoy*; and that the Truſtees for the Watch to be nominated and choſen for the ſaid Precinct of the *Savoy* ſhall, and they are hereby authoriſed, directed, and required, from Time to Time, to bear and pay to the Directors or Governors of the nightly Watch and Beadles of the ſaid Pariſh of *Saint Clement Danes* for the Time being, or to ſuch Perſon as ſhall be by them appointed to receive the ſame, one-fifth Part of the Wages and Charges of ſuch Watchman of the ſaid Pariſh of *Saint Clement Danes*, ſo to patrol in Company with the Watchman of the Pariſh of *Saint Mary le Strand*; and ſhall alſo pay to the Truſtees for the Watch to be nominated and choſen for the ſaid Pariſh of *Saint Mary le Strand*, or to ſuch Perſon as they ſhall appoint to receive the ſame, one-fifth Part of the Wages and Charges of ſuch Watchman, ſo to patrol in Company with the Watchman of the ſaid Pariſh of *Saint Clement Danes*.

and Payments how to be made.

When the Patrol Watchmen are to be employed.

X. Provided, and it is hereby declared, That the ſaid Veſtries, Truſtees, or other Perſons, or any of them, are not required, nor ſhall be compellable, to employ any ſuch Patrol Watchmen for any other Parts of any Year than during the ſeveral Months of *October*, *November*, *December*, *January*, *February*, *March*, and *April*, and within the ſaid Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents*, during the ſeveral Months of *November*, *December*, *January*, and *February*, only.

5 l. Penalty for aſſaulting a Watchman.

XI. And be it further enacted, That if any Perſon or Perſons ſhall aſſault or reſiſt any Watchman whilſt in the Execution of his Office, or ſhall promote or encourage the ſame; every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding five Pounds.

Conſtables Duty.

XII. And be it further enacted by the Authority aforeſaid, That the Conſtables appointed, and to be appointed in and for the ſaid Pariſhes of *Saint Clement Danes* and *Saint Mary le Strand*, ſhall watch in the Watch-houſes of the ſaid Pariſhes, as well within as without the Limits of the Duchy of *Lancaſter*, alternately, and by Turns, in a Rotation, to be ſettled by the ſaid Directors or Governors of the Watch for the ſaid Pariſh of *Saint Clement Danes*, and the Truſtees to be choſen in and for the ſaid Pariſh of *Saint Mary le Strand*, as aforeſaid, jointly, at ſome Meeting of the ſaid Directors or Governors and Truſtees, to be held for the Purpoſes of this Act, and as if ſuch Conſtables were or had been choſen Conſtables for all Parts of both the ſaid Pariſhes; and all and every ſuch Conſtables, in the ſaid Watch-houſes, and in each and every other of the Pariſhes, Precincts, and Places, ſubjected to the Powers of this Act (the Precinct of the *Savoy* only excepted), each and every of the Conſtables and Headboroughs ſhall watch, in the Watch-houſe of the Pariſh, Liberty, Precinct, or Place, in and for which he ſhall ſerve as Conſtable or Headborough, alternately and by Turns, in a Rotation, to be ſettled and aſcertained by the ſaid Veſtries, Truſtees, or other Perſons aforeſaid, and ſhall continue ſo to do throughout the Year, during all the Hours herein and hereby appointed, for the Watchmen having Stands or Beats to watch and continue on Duty; and

and ſhall take Charge, and diſpoſe of, according to Law, all ſuch Perſons as ſhall be brought before ſuch Conſtables or Headboroughs, by any of the Watchmen or Beadles, in Manner herein and hereby directed.

'XIII. And, for the more eaſy aſcertaining and ſettling the Rotation, or Turns, in which ſuch Conſta-' bles and Headboroughs are to watch as aforeſaid,' be it enacted, That the High Conſtable for the City and Liberty of *Weſtminſter* for the Time being, and the High Conſtable for *Holborn* Diviſion, in the County of *Middleſex*, for the Time being, ſhall, and they are hereby required, within four Days next after the Appointment of Conſtables and Headboroughs in and for the ſeveral Pariſhes, Liberty, Precinct, and Places, reſpectively included in this Act, within their reſpective Diſtricts, to make and return to the Veſtry Clerk of each of the ſaid Pariſhes, Liberty, Precinct, and Places, a true Liſt of the Conſtables and Headboroughs ſo appointed for ſuch Pariſh, Liberty, Precinct, or Place reſpectively. Liſt of the Conſtables to be given to the Clerk of each Pariſh.

XIV. And be it further enacted by the Authority aforeſaid, That every Watchman (other than and except ſuch as are appointed to patrol) ſhall, every Night, twice in every Hour, during his whole Time of watching, go round his Walk or Beat, and loudly, and as audibly as he can, call or proclaim the Time of the Night or Morning; and every ſuch Watchman, and every other Watchman appointed to patrol, as aforeſaid, ſhall carefully obſerve and try whether the Houſes, Shops, Warehouſes, or other Buildings, in his reſpective Beat or Walk, are ſafe and well ſecured; and in caſe he ſhall diſcover and perceive, that any Doors, Shutters, Windows, or other Parts of any ſuch Houſe, Shop, Warehouſe, or Building, ſhall not be ſhut and faſtened, he ſhall forthwith give Notice thereof to the Occupier, or other Perſon or Perſons inhabiting or being therein, to the End every ſuch Door, Shutter, Window, or other Part of ſuch Building, may be properly ſecured, and ſhall give his beſt Aſſiſtance in or toward ſecuring the ſame; and each of the ſaid Watchmen, as well Patroles as others, and every Beadle, ſhall, during his reſpective Time of watching, to the utmoſt of his Power, endeavour to prevent, as well all Miſchiefs happening by Fire, as all Murders, Burglaries, Robberies, Affrays, and other Outrages and Diſorders; and, to that End, during the Time of watching, each and every of them ſhall and may, and is hereby authoriſed and impowered, to arreſt and apprehend all Night-walkers, Malefactors, Rogues, Vagabonds, and other looſe, idle, and diſorderly Perſons, whom he ſhall find within his Beat or Walk, or within any Part of ſuch Pariſh, Liberty, Precinct, or Place, for which he ſhall be Watchman, Patrolman, or Beadle, diſturbing the publick Peace, or that he ſhall have Cauſe to ſuſpect of any evil Deſigns, and all Perſons lying or loitering in any Square, Street, Court, Lane, Mews, Yard, Alley, Paſſage, or Place; and to deliver the Perſon or Perſons, ſo apprehended, as ſoon as conveniently may be, to the Conſtable or Headborough of the Night, at the Watch-houſe, in order that ſuch Perſon or Perſons may be there, or in ſome proper Place of Safety, ſecured and detained, until he, ſhe, or they, can be conveniently conveyed before ſome or one of his Majeſty's Juſtices of the Peace in and for the County of *Middleſex*, or City and Liberty of *Weſtminſter*, as the Caſe ſhall be, to be dealt with according to Law. Watchman's Duty.

XV. And be it further enacted by the Authority aforeſaid, That in caſe any one or more of the ſaid Watchmen ſhall want any Aſſiſtance to enable him or them to perform any Part of the Duty herein and hereby required to be by him or them done; then, and in every ſuch Caſe, any other of the Watchmen of the ſame, or any adjoining Pariſh, Precinct, or Place, having Knowledge or Notice thereof by the Rattle, or other Signal, Outcry, or otherwiſe, ſhall and may, and is hereby required, immediately to repair to and aſſiſt ſuch Watchman or Watchmen wanting Aſſiſtance, by the beſt Ways and Means in his or their Power, and as the Caſe may require; but that no Watchman, during the Time of keeping Watch, as aforeſaid, ſhall be abſent from his particular Stand, Beat, or Walk, on any Pretence whatever, except on ſome ſuch Occaſion or Occaſions as is or are above expreſſed, nor longer, on any other Occaſion as before expreſſed, than the Neceſſity of the Caſe ſhall require; nor ſhall go into any Ale-houſe, or other Publick-houſe, during the aforeſaid Times of watching, unleſs called there to or on account of an Affray, Breach of the Peace, or of the apprehending ſome Malefactor or diſorderly Perſon. Watchmen to aſſiſt each other in each Precinct.

XVI. And be it further enacted by the Authority aforeſaid, That one or more Beadle or Beadles, on every Night of his and their watching, ſhall, twice, or oftener, go and patrol in and through all the Squares, Streets, and Places, in the Pariſh, Liberty, or Precinct, in which he ſhall watch, and ſhall ſee to the Behaviour of the Patroles and other Watchmen; and ſhall, twice, or oftener, in every ſuch Night of watching, make true and juſt Returns and Reports to the Conſtable, Headborough of the Night, or to ſuch other Perſon as ſhall be appointed to receive the ſame, of all Miſbehaviours and Neglects of Duty (if any) of ſuch Watchmen, as well Patroles as others, who ſhall be found negligent or remiſs in the Duty of watching, or miſbehaving in any Manner howſoever; and ſuch Returns or Reports ſhall enter, or cauſe to be entered, in a Book or Books to be kept at the Watch-houſe for that Purpoſe, by ſuch Beadle or Beadles, or other Perſon, to be appointed to keep and take Care of the ſame; and that each and every of the ſaid Patroles ſhall alſo, twice, or oftener, in every Night, watch and ſee to the Behaviour of the other Watchmen, and ſhall make true and juſt Returns or Reports to the Conſtable, Headborough, Beadle of the Night, or to ſuch other Perſon as ſhall be appointed to receive the ſame, of all Neglects of Duty, or other Miſbehaviour (if any) of all the Watchmen; and ſhall enter, or cauſe to be entered, ſuch Returns or Reports in the ſaid Book or Books; which Book or Books ſhall be laid before the ſaid Veſtries, Truſtees, Directors, or Governors of the Watch, and Governors and Directors of the Poor for the Time being, and before the Committee, and to be appointed, as herein directed, at every of their Meetings, to the End all ſuch Neglects of Duty and Miſbehaviours may be enquired into and puniſhed purſuant to the Powers of the ſaid former Acts, and of this Act. Beadles to patrol through the Streets or Places.

'XVII. And, for the more general Knowledge of the Reſidence of the Turncocks of the ſeveral Water ' Companies, which very materially concerns the publick Safety in Caſes of Fire;' be it enacted, That every of the ſaid Turncocks employed within the Limits of this Act, ſhall, and they are hereby required, within fourteen Days after the paſſing the ſame Act, to deliver, in Writing, to ſome or one of the Conſtables Turncocks Duty.

ſtables or Headboroughs of each and every the ſaid Pariſhes, Liberty, Precinct, and Places reſpectively, wherein any Part of his Duty as a Turncock ſhall or ought to be performed, an Account of his Name and Place of Abode, together with the Names of the Streets and Places within his Duty, from Time to Time, to ſupply with Water; which Name and Place of Abode, and other Particulars, every ſuch Conſtable or Headborough ſhall forthwith cauſe to be written, printed, or painted, in a plain and intelligent Manner, and affixed in ſome conſpicuous Part of the Watch-houſe, and in every Watch-box of and within ſuch Pariſh, Liberty, Precinct, and Place reſpectively; and that, on every Removal or Change of Reſidence, or Place or Places of Duty, of ſuch reſpective Turncocks, every of ſuch Turncocks ſhall ſeverally forthwith give Notice, and deliver an Account, in Writing, of his and their new Reſidence or Abode, and new Duty, and ſuch other Particulars as aforeſaid, to a Conſtable or Headborough of each and every the Pariſhes, Liberty, Precinct, and Places, wherein ſuch his Duty, or any Part thereof as a Turncock ſhall or ought to be performed as aforeſaid; every of which Conſtables or Headboroughs ſhall, and he is hereby required to cauſe the ſame to be either in Writing, Printing, or Painting, affixed in Manner aforeſaid, in the Watch-houſe, and in every Watch-box of and within the Pariſh, Liberty, Precinct, and Place, for which he ſhall be a Conſtable or Headborough, and ſo in like Manner, as often as ſuch Changes of Reſidence and Duty reſpectively ſhall from Time to Time happen; and in caſe of the Death or Diſcharge of any ſuch Turncock or Turncocks, every ſucceeding Turncock ſhall, in all Reſpects, obſerve and conform himſelf and themſelves to the foregoing Rules, Orders, and Regulations: And if any Conſtable, Headborough, or Turncock, ſhall neglect his Duty, as directed and required by this Act, or if any Perſon or Perſons ſhall wilfully remove or obliterate any ſuch Writing, Printing, or Painting, as aforeſaid, except on ſuch Change of Reſidence, Death, or Diſcharge, as aforeſaid, ſuch Conſtable or Headborough, Turncock or other Perſon or Perſons, ſhall, for every Offence, forfeit and pay to the Informer any Sum not exceeding ten Shillings; to be recovered before any one or more of his Majeſty's Juſtices of the Peace for the ſaid County of *Middleſex*, or City and Liberty of *Weſtminſter*, as the Caſe ſhall be.

Penalty on Neglect of Conſtables, &c.

Penalty on Watchmen neglecting their Duty.

XVIII. And be it further enacted by the Authority aforeſaid, That if any of the ſaid Watchmen ſhall miſbehave himſelf, or ſhall neglect his Duty, upon Complaint thereof made to the ſaid Veſtries, Truſtees, Directors, or Governors, of the Watch, Governors and Directors of the Poor, at any of their Meetings, or to the Committees to be appointed as herein directed at any of their Meetings, every Watchman ſo miſbehaving or neglecting ſhall, for every ſuch Miſbehaviour or Neglect, forfeit ſuch Sum or Sums of Money as the ſaid Veſtries, Truſtees, Directors, or Governors, of the Watch, Governors and Directors of the Poor, or the Majority of them, or the ſaid Committees, or the Majority of them, at any ſuch Meeting aſſembled, ſhall adjudge and think fit to exact and require, not exceeding ten Shillings, to be retained and deducted out of the Wages then due, or to become due, to ſuch Watchman.

Penalty on Victuallers, or Publick Houſekeepers, harbouring Watchmen; or Conſtables making Default of Watching.

XIX. And be it further enacted by the Authority aforeſaid, That if any Victualler, or Keeper of any Publick-houſe or Cellar, ſhall knowingly harbour or entertain, or permit any Watchman having a Stand, or appointed to patrol, to abide or remain in his or her Houſe or Cellar during any Part of the Hours or Times of watching herein and hereby appointed; or if any Conſtable or Headborough ſhall make Default of watching, and ſhall not watch and abide in the Watch-houſe during all the Hours and Times hereby directed and appointed for keeping Watch, every ſuch Victualler, or Keeper of any Publick-houſe or Cellar, being convicted by his or her own Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes, of knowingly harbouring and entertaining, or permitting any ſuch Watchman ſo to abide or remain; and every ſuch Conſtable or Headborough making ſuch Default of watching, as aforeſaid, being thereof convicted by his own Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes, before any one or more Juſtice or Juſtices of the Peace for the County of *Middleſex*, or City and Liberty of *Weſtminſter*, as the Caſe ſhall be (which Oath ſuch Juſtice or Juſtices is and are hereby authoriſed and impowered to adminiſter), ſhall forfeit and pay the pecuniary Forfeitures herein-after expreſſed and directed; that is to ſay, Every ſuch Victualler, or Keeper of a Publick-houſe or Cellar, for the firſt Offence, ſhall forfeit and pay the Sum of twenty Shillings; and for the ſecond Offence, ſhall forfeit and pay the Sum of forty Shillings; and for the third and every ſubſequent Offence, ſhall forfeit and pay the Sum of five Pounds; and every ſuch Conſtable ſhall forfeit and pay for every ſuch Default of watching, or Abſence from the Watch-houſe, any Sum not exceeding twenty Shillings, nor leſs than five Shillings.

Forfeitures how to be levied and applied.

XX. And it is hereby further enacted, That all and every the pecuniary Forfeiture and Forfeitures, which ſhall be incurred or become payable for any Offence or Offences againſt this Act, or any of the ſaid former Acts, ſhall and may be levied by Warrant under the Hand and Seal, or Hands and Seals, of any Juſtice or Juſtices of the Peace for the ſaid County of *Middleſex*, or the ſaid City and Liberty of *Weſtminſter*, to be directed to any Conſtable or Headborough of the Pariſh, Liberty, Precinct, or Place, wherein each and every ſuch Offence or Offences was or were committed, for which the Forfeiture or Forfeitures was or were incurred; and ſhall, when levied, be paid to the Collector or Collectors of the Rate or Rates to be made by virtue and in purſuance of the ſaid former Acts, and of this Act, and be applied to the ſame Uſes as the Monies to be collected by or upon ſuch Rate and Rates are to be applied, in the Pariſh, Liberty, Precinct, or Place, wherein each and every the Offences aforeſaid ſhall have been committed: And in caſe of no ſufficient Diſtreſs, whereby to levy the Penalties, or any or either of them, inflicted by this Act, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices reſpectively, before whom the Offender or Offenders ſhall be convicted, to commit ſuch Offender or Offenders to the common Gaol, or Houſe of Correction, to hard Labour, for ſuch Time not exceeding three Months, as ſuch Juſtice or Juſtices, in his or their Diſcretion, ſhall think fit.

For want of Diſtreſs Offenders to be committed.

Form of Conviction.

XXI. And be it enacted by the Authority aforeſaid, That the Juſtice or Juſtices before whom any Perſon or Perſons ſhall be convicted, in Manner preſcribed by this Act, ſhall cauſe every ſuch reſpective Conviction to be drawn up in the Form, or to the Effect following; that is to ſay,

To

To wit, } 'BE it remembered, That on this Day in the Year
' of the Reign of *A. B. (appearing, or being duly ſummoned and not ap-*
' *pearing,)* is convicted before of his Majeſty's Juſtices of the Peace for the ſaid
' County of *Middleſex*, or for the City and Liberty of *Weſtminſter*, *(as the Caſe ſhall happen to be)*
' of and do adjudge him, *(her, or them, as the Caſe ſhall be)* to pay and
' forfeit for the ſame the Sum of being the firſt, *(ſecond, or third)* Offence, *(as*
' *the Caſe ſhall be.)*
' Given under Hand and Seal, or Hands and Seals, *(as the Caſe may be)* the Day and
' Year aforeſaid.'

And the ſaid Juſtice or Juſtices, before whom ſuch Conviction ſhall be had, ſhall cauſe the ſame ſo drawn up, in Form aforeſaid, to be fairly written upon Parchment, and tranſmitted to the next General or Quarter Seſſion of the Peace for the County of *Middleſex*, to be filed and kept amongſt the Records of the ſaid General or Quarter Seſſions; and in caſe any Perſon or Perſons who ſhall hereafter be convicted of any or either of the Offences puniſhable by this Act, or any or either of the ſaid former Acts, ſhall conceive him, her, or themſelves, to be aggrieved by ſuch Conviction, that then, and in every ſuch Caſe, it ſhall and may be lawful for ſuch Perſon or Perſons reſpectively, and he, ſhe, or they, ſhall and may appeal to any General or Quarter Seſſion of the Peace to be holden for the ſaid County of *Middleſex*, within three calendar Months next after every ſuch Conviction, giving unto the Juſtice or Juſtices before whom ſuch Conviction ſhall be, ten Days Notice, at the leaſt, of his, her, or their Intention to prefer ſuch Appeal, and on every ſuch Appeal, the Juſtices in ſuch General or Quarter Seſſion, or in any ſubſequent General or Quarter Seſſion for the ſaid County, ſhall and may, and they are hereby authoriſed and impowered to proceed to the Hearing and final Determination of the Matter of the ſaid Appeal, and to make ſuch Order therein, and award ſuch Coſts to be paid by and to either Party, as they in their Diſcretion ſhall think fit; which ſaid Order ſhall be binding and concluſive on all Parties; and ſuch Appeal, or the Subject-matter thereof, or any Order therein, ſhall not be removed by a Writ or Writs of *Certiorari*, or otherwiſe.

Evidence of a ſingle Pariſhioner to be admitted.

XXII. And be it further enacted by the Authority aforeſaid, That in order to the Conviction of any Perſon or Perſons of any Neglect, Refuſal, Miſbehaviour, or Offence, by or for which by Force or Virtue of any of the ſaid former Acts, or this Act, any Forfeiture or Penalty ſhall or may be incurred, the Evidence and Teſtimony of any Pariſhioner or Inhabitant of the Pariſh, Liberty, Precinct, or Place, wherein ſuch Neglect, Refuſal, Miſbehaviour, Offence, or Cauſe of Forfeiture or Penalty aroſe, ſhall be admitted, notwithſtanding ſuch Pariſhioner or Inhabitant ſhall and may be aſſeſſed, and contribute to the Rates to be made purſuant to the ſaid former Acts, or this Act, or other parochial Rates or Taxes whatever; any Law or Cuſtom to the contrary notwithſtanding.

None but a Houſeholder to be admitted a Conſtable in Weſtminſter.

' XXIII. And, for the more effectually preventing the Appointment of improper Perſons to be Deputy ' Conſtables within the City and Liberty of *Weſtminſter*,' be it enacted, That from and after the paſſing of this Act, no Perſon whatever ſhall be appointed a Deputy Conſtable in and for the ſaid City of *Weſtminſter*, or Liberty thereof, who ſhall not, at the Time of ſuch Appointment, be an Houſeholder, and Reſident in the Pariſh, Liberty, Precinct, or Place, for which he ſhall be appointed, and who ſhall not produce a Certificate, or Teſtimonial, in Writing, ſigned by the Churchwarden or Chapelwarden of ſuch Pariſh, Liberty, Precinct, or Place, ſignifying that he hath been approved at ſome Veſtry, or other publick Meeting of the Inhabitants, having a Right to aſſemble in Veſtry in ſuch Pariſh, Liberty, Precinct, or Place, in and for which ſuch Perſon ſhall be ſo appointed a Deputy Conſtable.

Power of the Veſtrymen and Truſtees.

XXIV. And be it further enacted by the Authority aforeſaid, That the Veſtrymen of the ſaid Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*, jointly, as one Veſtry, or any ſeven or more of them, in and for the whole of the ſaid united Pariſhes, and the Truſtees to be elected and choſen as aforeſaid in and for the ſaid Pariſh of *Saint Mary le Strand*, or any five or more of them, and the Truſtees to be elected and choſen as aforeſaid in and for the ſaid Precinct of the *Savoy*, or any three or more of them, in and for the ſaid Pariſhes and Precinct, ſeverally and reſpectively, ſhall and may, and are hereby impowered and required, from Time to Time, to uſe and exerciſe the ſame or like Powers, to make Rules, Orders, and Regulations, to be obſerved by the Conſtables, Headboroughs, Beadles, and Watchmen, and to cauſe Copies or Tranſcripts of all ſuch their Rules, Orders, and Regulations, to be written or printed, and ſigned by the Veſtry Clerk of the ſaid ſeveral Pariſhes and Precinct reſpectively, and delivered to ſuch Perſon and Perſons reſpectively, and to make and ſign Aſſeſſments on ſuch Perſons, and to be allowed in the ſame Manner, and to appoint ſuch Collector and Collectors thereof, and to order Payment of any Monies in the Hands of any Collector or Collectors, and to apply, or direct the Application of Monies, levied, raiſed, or collected, upon or by virtue of any Rate or Rates ſo to be made, and the Surplus Money collected on any Rate or Rates, to carry on and apply, and to carry on the Deficiency of any Rate or Rates; and to cauſe to be kept ſuch Books of Account of the total Sums aſſeſſed, collected, and received, and of all Monies paid and diſburſed for or any way concerning the Nightly Watch and Beadles, and Charges incident thereto, and to do, perform, and execute, all ſuch other Powers, Authorities, and Matters, and Things, about and concerning the Nightly Watch and Beadles, and the aſſeſſing, raiſing, levying, and collecting Monies to defray and diſcharge the neceſſary and reaſonable Charges thereof, within their ſeveral and reſpective Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*, and *Saint Mary le Strand*, and the ſaid Precinct of the *Savoy*, as the Truſtees elected and choſen, and to be elected and choſen, by virtue and in purſuance of the ſaid Statute of the tenth Year of his late Majeſty's Reign, or any ſeven or more of them, are by the ſaid Statute, and this preſent Act, impowered or required to uſe and exerciſe, nominate or appoint, make and ſign, order or direct, do, perform, and execute, in and for the ſaid Liberty of *Saffron Hill*, *Hatton Garden*, and *Ely Rents*, at ſuch Time and Times, and in the ſame or like Manner, and as fully and effectually to all Intents and Purpoſes, as if the ſame Powers and Authorities

rities thereby enacted and given to the ſaid Truſtees elected and choſen, and to be elected and choſen, in and for the laſt-mentioned Liberty, were herein expreſſed, enacted, and given, to the ſaid Veſtrymen for the ſaid united Pariſhes of *Saint Giles in the Fields*, and *Saint George Bloomſbury*, to be by them, or any ſeven or more of them, uſed and exerciſed in their ſaid united Pariſhes, and to the Truſtees, to be elected and choſen as aforeſaid, in and for the ſaid Pariſh of *Saint Mary le Strand*, to be by them, or any five or more of them, and to the Truſtees to be elected and choſen as aforeſaid, in and for the ſaid Precinct of the *Savoy*, to be by them, or any three or more of them, uſed and exerciſed within the ſaid Pariſh of *Saint Mary le Strand* and the ſaid Precinct of the *Savoy* reſpectively.

Directors and Governors of the Watch to meet annually, or oftener;

XXV. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors or Governors of the Watch for the ſaid Pariſh of *Saint Clement Danes*, and the Truſtees to be elected and choſen in and for the ſaid Pariſh of *Saint Mary le Strand*, if they, or the Majority of them, ſhall agree and ſo think fit, to aſſemble and meet together, attended by the Veſtry Clerks of both the ſaid Pariſhes, annually or oftener, in the Veſtry-room of the ſaid Pariſh of *Saint Clement Danes*, by general Summons of the Whole of them, or other Notice, to be agreed upon at the Time or Times in and by the ſaid Statute of the fourth Year of his preſent Majeſty's Reign, appointed for the making general Rules, Orders, and Regulations, for the Government of the Nightly Watch and Beadles within the ſaid Pariſh of *Saint Clement Danes*; and the ſaid Directors, or Governors and Truſtees, or the major Part of them, ſo aſſembled, may and ſhall, if they ſhall ſo think fit, join together, and, as one Body, make and ſet down, in Writing, ſuch and the ſame Rules, Orders, and Regulations, to be obſerved by the Conſtables, and by the Nightly Watch and Beadles of and in both the ſaid Pariſhes of *Saint Clement Danes* and *Saint Mary le Strand*, as well all ſuch Parts thereof as are and lie in the Duchy of *Lancaſter*, in the County of *Middleſex*, as in the Liberty of *Weſtminſter*, during their reſpective Times of watching, as at every ſuch Meeting ſhall be agreed upon by the major Part of ſuch Directors, or Governors, and Truſtees, then and there aſſembled; and to cauſe Copies or Tranſcripts of ſuch Rules, Orders, and Regulations, to be fairly written or printed, and ſigned by both the ſaid Veſtry Clerks, to be delivered to the Conſtables and Beadles of the ſaid Pariſhes.

and to make Rules and Orders.

Truſtees to appoint Collectors; and allow them 6 d. per Pound.

XXVI. And be it further enacted by the Authority aforeſaid, That the ſaid Veſtries, Truſtees, or other Perſons, authoriſed to exerciſe the Powers of any of the ſaid former Acts, or of this Act, or any Number of them, hereby, or by any of the ſaid former Acts, impowered, are hereby authoriſed and required to nominate and appoint a Collector or Collectors of any Rate or Rates, or any Part or Parts of ſuch Rate or Rates; and by or out of the Rates or Aſſeſſments, to be made and collected as aforeſaid, to make ſuch Allowance or Allowances to ſuch Collector or Collectors reſpectively, for his or their Trouble in collecting the ſame, as they ſhall think fit, not exceeding Sixpence in the Pound, of the clear neat Monies collected by ſuch Collector or Collectors.

Collectors to find Security.

XXVII. Provided, and it is hereby enacted and declared, That every ſuch Collector who ſhall accept, or agree to accept, any Allowance for collecting any ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall give Security by Bond, with two ſufficient Sureties, in a ſufficient Penalty, to three or more of the Veſtry, Truſtees, Directors, or Governors, or other Perſons hereby or by the ſaid former Acts authoriſed to execute the Powers of this Act, and of the ſaid former Acts reſpectively, or to ſuch other Perſon or Perſons as ſhall be appointed by them for that Purpoſe, well and faithfully to account for and pay the Monies by them collected, or otherwiſe received, to ſuch Perſon or Perſons as the ſaid Veſtries, Truſtees, or other Perſons, authoriſed as aforeſaid, or a Majority of them, aſſembled at any of their Meetings, ſhall authoriſe and direct to receive the ſame.

Executors of Collectors to deliver up Papers, &c. on pain of forfeiting 50 l.

XXVIII. And be it further enacted, That if any Perſon, appointed to receive or collect any Money by virtue of this Act, or any of the ſaid former Acts, ſhall die, before he ſhall have fully paid and ſatisfied all the Monies by him received by virtue of this Act, or any of the ſaid former Acts; then, and in every ſuch Caſe, the Executors, Adminiſtrators, or other legal Repreſentative or Repreſentatives, of every ſuch Perſon ſo dying as aforeſaid, ſhall, within forty Days after they ſhall be required ſo to do, deliver up to the ſaid Veſtries, Truſtees, or other Perſon authoriſed by them to receive the ſame, all Rates, Aſſeſſments, Books, Papers, and all other Things concerning his ſaid Office, on Pain of forfeiting the Sum of fifty Pounds, over and above what ſhall be in his Hands, on refuſing or neglecting to deliver the ſame within the Time before mentioned; which ſaid Penalty ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Executors, Adminiſtrators, or other legal Repreſentative or Repreſentatives, ſo refuſing and neglecting; and ſhall alſo pay to ſuch Perſon or Perſons as the ſaid Veſtries, Truſtees, or other Perſons, authoriſed as aforeſaid, ſhall appoint to receive the ſame, all ſuch Sums of Money remaining due, which he received by virtue of his ſaid Office at the Time of his Death; and the Receipt or Receipts of the ſaid Veſtries, Truſtees, or other Perſons authoriſed to receive the ſame, ſhall be a good Diſcharge for the ſaid Money.

One Family in a Tenement to be rated with Aſſeſſments.

XXIX. Provided always, and be it enacted, That if any Houſe or Tenement ſhall be occupied in different Apartments, Rooms, or Lodgings, by diſtinct and ſeparate Families, Lodgers, or Inmates, any one or more of ſuch Lodgers or Inmates, or any one of any ſuch Families, or the Landlord or Owner of ſuch Houſe or Tenement, ſhall be charged with the whole Aſſeſſment or Aſſeſſments to be rated and aſſeſſed on the ſaid Houſe or Tenement; and, in caſe of Nonpayment, the Sum ſo to be aſſeſſed ſhall and may be levied and recovered upon, from, or againſt, ſuch Landlord or Owner, or any one or more of the Inhabitants or Occupiers of any Part or Parts of ſuch Houſe or Tenement, in the ſame or like Manner as other Rates or Sums to be aſſeſſed by the Aſſeſſment and Aſſeſſments directed by this Act, or any of the ſaid former Acts, to be made, or herein or in and by the ſaid former Acts appointed to be levied and recovered.

Goods of Lodgers in any

XXX. And be it further enacted by the Authority aforeſaid, That the Goods and Chattels of every Perſon, being in any Houſe let furniſhed, or any ſeparate Apartment, Room, or Lodging, in any Houſe let

et ready furniſhed, or let to ſeveral Families or Tenants within the ſaid Pariſhes, Liberty, Precinct, and Places reſpectively, ſhall be liable to be diſtrained, taken, and ſold, in the Manner herein directed for the Payment of the Aſſeſſment or Aſſeſſments to be made by the Authority of any of the ſaid former Acts, or of this Act; and that each and every Perſon and Perſons who ſhall pay any ſuch Aſſeſſment or Aſſeſſments, whether the ſame ſhall have been charged to or on the Perſon paying the ſame, or to or on any other Tenant or Occupier of any ſeparate Apartment, Room, or Lodging, Part of ſuch Houſe, or on the Landlord or Landlords of ſuch Houſe, or any Perſon upon whoſe Goods or Chattels ſuch Aſſeſſment or Aſſeſſments ſhall be levied in purſuance of any of the ſaid former Acts, or of this Act, ſhall and may deduct the ſame from and out of the Rent due and payable, from Time to Time, to his or her Landlord or Landlords; and every Receipt for the Payment of ſuch Aſſeſſment or Aſſeſſments ſhall be a ſufficient Diſcharge from and againſt ſuch Landlord or Landlords for ſo much Money in Part, or on account of Rent, as ſhall have been ſo paid or levied on his or her Goods and Chattels in purſuance of this Act, or of any of the ſaid former Acts.

Houſe liable to be diſtrained.

XXXI. Provided always, and be it further enacted by the Authority aforeſaid, That every Rate, Tax, or Aſſeſſment, which ſhall be made or impoſed by virtue of this Act, or of any of the ſaid former Acts, on any Perſon or Perſons, for or in reſpect of any Houſe or Tenement in which any Ambaſſador, Reſident, Agent, or publick Miniſter, of any foreign Prince or State, or any Officer or Servant of any Ambaſſador, Reſident, Agent, or Miniſter, of any foreign Prince or State, who now doth or hereafter ſhall inhabit or occupy, ſhall be paid by the Landlord, Leſſee, or Owner of ſuch Houſe or Tenement, who ſhall be ſubject and liable to the Payment thereof, in like Manner as if he, ſhe, or they, had been the Occupier or Occupiers thereof, and actually named and aſſeſſed in ſuch Rate or Aſſeſſment; and ſuch Tax, Rate, or Aſſeſſment, and every other Tax, Rate, or Aſſeſſment, to which any Landlord or Owner of any Houſe or other Tenement is by this Act, or any of the ſaid former Acts, made liable to bear or pay; and alſo every Tax, Rate, or Aſſeſſment, which ſhall be aſſeſſed on any Perſon or Perſons chargeable by any of the ſaid former Acts, or this Act, who after the making ſuch Aſſeſſment, ſhall move out of the Pariſh, Liberty, Precinct, or Place, for which ſuch Rate or Aſſeſſment hath been or ſhall be made, leaving the Sum or Sums ſo aſſeſſed in Arrear and unpaid, ſhall and may be levied by the Collector or Collectors thereof, by Diſtreſs and Sale of the Goods and Chattels of ſuch Landlord, Leſſee, or Owner, or other Perſon or Perſons aſſeſſed as laſt aforeſaid, wherever ſuch Goods or Chattels may be, or can or ſhall be found, in Manner herein-after directed.

Aſſeſſments on Houſes, occupied by Ambaſſadors, &c. to be paid by the Landlords.

XXXII. And it is hereby further enacted and declared by the Authority aforeſaid, That if any Perſon or Perſons who ſhall be charged, rated, or aſſeſſed, or by this Act ſubjected or made liable to the Payment of any Sum or Sums of Money by any ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, to be made in purſuance of this Act, ſhall refuſe or neglect to pay the Sum ſo rated and aſſeſſed upon him, her, or them, as aforeſaid, it ſhall and may be lawful to and for ſuch Collector or Collectors of ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, by Warrant or Warrants under the Hands and Seals of two or more Juſtices of the Peace for the County of *Middleſex*, or City and Liberty of *Weſtminſter*, as the Caſe ſhall be, inhabiting in or near the ſaid ſeveral Pariſhes, Liberty, or Precinct reſpectively, to levy the ſame by Diſtreſs and Sale of the Goods of the Party ſo neglecting or refuſing, rendering to him, her, or them, the Overplus (if any be), the reaſonable Charges of making ſuch Diſtreſs and Sale being firſt deducted.

Goods to be diſtrained, when Perſons refuſe to pay the Sum rated.

'XXXIII. And, for the more effectual getting in and receiving the Monies to be aſſeſſed by virtue of 'this Act, or any of the ſaid former Acts,' be it enacted, That the Goods and Chattels of any Perſon or Perſons aſſeſſed, and refuſing or neglecting to pay as aforeſaid, may, under and by virtue of ſuch Warrant, as aforeſaid, be taken and diſtrained, not only within the Pariſh, Liberty, Precinct, or Place, for which ſuch Aſſeſſment was made, but in any other Place within the ſaid County of *Middleſex*, or City and Liberty of *Weſtminſter*, as the Caſe ſhall be; and if ſufficient Diſtreſs cannot be found within the ſaid County, then on Oath made thereof, and of the ſigning of ſuch Warrant before any Juſtice of the Peace, for any other County, City, Riding, Diviſion, or Liberty, (which Oath ſhall be certified under the Hand of ſuch Juſtice, by Indorſement on the ſaid Warrant) the Goods and Chattels of ſuch Perſon and Perſons as aforeſaid ſhall and may, by ſuch Collector, under and by virtue of ſuch Warrant and Indorſement thereof, as aforeſaid, be taken and diſtrained, in ſuch other County, City, Riding, Diviſion, or Liberty, and ſold for Satisfaction of the Monies ſo refuſed or neglected to be paid as aforeſaid, and all reaſonable Charges of ſuch Diſtreſs and Sale, in the ſame or like Manner, and as fully and effectually, to all Intents and Purpoſes, and with like Application of the Surplus (if any), as if ſuch Goods and Chattels had been found, taken, and diſtrained, within the Pariſh, Liberty, Precinct, or Place, in and for which ſuch Rate or Aſſeſſment was made.

Goods may be diſtrained any where within the County of Middleſex, or City of Weſtminſter.

'XXXIV. And whereas Perſons frequently remove out of Pariſhes and Places without paying the Rates 'aſſeſſed on them, and other Perſons do enter and occupy their Houſes or Tenements, Part of the Year, 'by reaſon of which great Sums are annually loſt to ſuch Pariſhes and Places;' be it therefore enacted, That in caſe any Perſon or Perſons ſhall come into, or occupy any Houſe, Land, Warehouſe, Wharf, Tenement, or Hereditament, out of or from which any other Perſon aſſeſſed ſhall have removed, or which at the Time of making ſuch Rate was empty and unoccupied; that then, every Perſon ſo removing from, and every Perſon ſo coming into or occupying the ſame, ſhall reſpectively be liable to pay, and ſhall pay, ſo much of the ſaid Aſſeſſment as ſhall be in proportion to the Time he, ſhe, or they, ſhall reſpectively inhabit or occupy the Premiſes ſo aſſeſſed, in the ſame or like Manner, and with and under the ſame or like Powers of Diſtreſs, for Recovery thereof, as is or are herein-before given, directed, or contained, in common Caſes of Nonpayment of ſuch Rates or Aſſeſſments; which ſaid Proportion, in caſe of Diſpute, ſhall be aſcertained by any two or more of his Majeſty's Juſtices of the Peace for the County of *Middleſex*, or City and Liberty of *Weſtminſter*, as the Caſe may be.

Perſons moving from,

and thoſe entering into Houſes, to pay proportionable Rates.

XXXV. And

No Perſon by being choſen a Patrol or Watchman to gain a Settlement; and no menial Servant to be choſen Beadle, &c.

XXXV. And be it enacted by the Authority aforeſaid, That no Perſon or Perſons who ſhall be charged in or pay any Rate or Aſſeſſment to be made by virtue or in purſuance of any of the ſaid former Acts, or of this Act, or who ſhall be choſen a Patrol or Watchman, ſhall be deemed or conſtrued thereby to gain any Settlement in the Pariſh, Liberty, Precinct, or Place, in and for which ſuch Rate or Aſſeſſment was made, or in or for which he was choſen Patrol or Watchman; and no Perſon who ſhall be a menial or hired Servant, ſhall be capable of being choſen a Beadle, Patrol, or Watchman, during the Time of his Continuance in ſuch Service.

Perſons appointed to receive the Rates from the Collectors, to pay the Watchmen, as the Directors ſhall appoint,

and ſhall make up a true Account of all Sums received and paid, &c.

XXXVI. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall, in purſuance of this Act, or any of the former Acts, be appointed to receive from the Collector or Collectors of any Rate or Rates, Aſſeſſment or Aſſeſſments, made, or to be made, in purſuance of any of the ſaid former Acts, or of this Act, the Money collected or levied by virtue of ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall, from Time to Time, pay over the Monies ariſing from the ſame to ſuch Watchmen, Beadles, or other Perſons, at ſuch Time and Times, and in ſuch Proportions, as the Veſtrymen, Directors, or Governors of the Watch, Governors and Directors of the Poor, or Truſtees for the ſaid Pariſhes, Liberty, Precinct, and Places reſpectively, or any three, five, ſeven, or more of them, authoriſed to exerciſe and execute the Powers of this Act, and the ſaid former Acts reſpectively, as aforeſaid, ſhall appoint; and ſhall then, upon the ſeveral Days and Times, in and by the ſaid former Acts ſeverally and reſpectively for that Purpoſe limited and appointed, or elſe on ſuch other Day as the ſaid Veſtrymen, Truſtees, Directors, or Governors, ſhall appoint, make, and yield up, to the ſaid Perſons authoriſed and impowered, as aforeſaid, a true and perfect Account of all Sums of Money by them received and paid; and alſo pay and deliver into the Hands of ſuch other Perſon or Perſons, whom ſuch three, five, ſeven, or more Perſons authoriſed reſpectively ſhall appoint to receive the ſame, as aforeſaid, all ſuch Sums of Money as ſhall remain in their or any of their Hands.

Veſtries, &c. to chuſe a Committee annually.

How often Meetings are to be held.

Place of Meeting, and Powers of the Committee.

XXXVII. And be it further enacted by the Authority aforeſaid, That the ſaid Veſtries, Truſtees, Directors, or Governors of the Watch, Governors and Directors of the Poor of each and every of the Pariſhes, Liberty, Precinct, and Places aforeſaid, at their ſeveral and reſpective Meetings for appointing the Number of Watchmen and Beadles, to be employed as aforeſaid, or the major Part of ſuch of them as ſhall be then met and aſſembled, ſhall and may, if they ſhall ſo think fit, nominate and chuſe any Number of them the ſaid Veſtrymen, Truſtees, Directors, or Governors of the Watch, or Governors and Directors of the Poor, as they reſpectively ſhall think fit, not exceeding ten, nor leſs than five, to be a Committee, to have Continuance for one Year from thence next enſuing, and no longer; and that the ſaid Veſtries, Truſtees, Directors, or Governors of the Watch, and Governors and Directors of the Poor, may and ſhall meet four Times in every Year, or oftener, if they ſhall ſee fit; and that the ſaid Committee ſhall meet at the uſual Place of Meeting for tranſacting the publick Buſineſs of each and every the ſaid Pariſhes, Liberty, Precinct, and Places, within the firſt Week in every Month, or oftener, if they ſhall think fit, and as well the ſaid Veſtries, Truſtees, Directors, or Governors of the Watch, and Governors and Directors of the Poor reſpectively, or the Majority of them preſent at every their ſaid Quarterly, or other Meetings, as the ſaid Committees, or the Majority of them, preſent at every their ſaid Monthly, or other Meetings, may and ſhall, and are hereby impowered to ſummon or call before them all and every the Conſtables, Headboroughs, Beadles, Patroles, and other Watchmen, and to examine into their Behaviour reſpecting the Nightly Watch, and reward or cenſure them accordingly; and to hear and redreſs Complaints, and to give all neceſſary and occaſional Directions, and to ſee to the due Payment of the Wages and Allowances to be made and given to ſuch Patroles, and other Watchmen, and to encourage the Attendance of ſupernumerary Watchmen, to the End ſuch Supernumeraries (if thereto required) may go upon Duty as Watchmen inſtead of ſuch of the more conſtant Patroles, or other Watchmen, as by Means of Sickneſs, or for any other Cauſe, ſhall not attend, by making to ſuch ſupernumerary Watchmen, whether they ſhall be ſo employed or not, ſuch pecuniary Allowances as they reſpectively ſhall judge fit and reaſonable for their Attendances.

Acts, Orders, &c. of the Committee to be under the Controul of the Directors, &c.

XXXVIII. Provided nevertheleſs, and it is hereby enacted and declared, That all and every the Acts, Orders, and Directions, of every the ſaid Committees reſpectively, ſhall be ſubject to the Controul, Alteration, or Revocation, of the ſaid Veſtries, Truſtees, Directors, or Governors of the Watch, and Governors and Directors of the Poor reſpectively, at their next or other ſubſequent Meetings, and ſhall continue in Force until ſuch Meetings, and no longer, unleſs approved of and confirmed by the ſaid Veſtries, Truſtees, Directors, or Governors of the Watch, and Governors and Directors of the Poor reſpectively, or the Majority of them preſent at their next Meeting, after the making ſuch Acts, Orders, and Directions.

Supernumerary Watchmen, when on Duty, veſted with the ſame Powers as the other Watchmen, &c.

XXXIX. Provided alſo, and it is hereby further enacted and declared, That every ſuch ſupernumerary Watchman, during all ſuch Times as he ſhall watch, and be employed and go upon Duty, inſtead of any Patrol or other Watchman, ſhall have like Powers and Authority in all Caſes as are given to any Patroles or other Watchmen, and ſhall be ſubject and liable to the ſame Rules, Orders, and Regulations, and to the like Forfeitures for Miſbehaviour and Neglect of Duty, as the Watchmen and Patroles to be appointed by any of the ſaid former Acts, or this Act, are hereby ſubjected and made liable to.

Truſtees and Veſtries to meet and make Rates upon Perſons becoming Occupiers.

XL. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid ſeveral Veſtries, Truſtees, Directors, or Governors of the Watch, Governors and Directors of the Poor reſpectively, or ſo many of them as are, by any of the ſaid former Acts, or this Act, impowered to make Rates, as aforeſaid, to meet together at any intermediate Times in every Year, as Occaſion ſhall require, Notice of ſuch Meetings being given in the Church or Chapel of the ſaid ſeveral Pariſhes, Liberty, Precinct, and Places reſpectively, as before directed, and to make a Rate or Aſſeſſment upon all and every Perſon or Perſons who ſhall become Occupier or Occupiers of any Houſe, Tenement, Shop, Warehouſe, Cellar, or other Building, in every of the ſaid Pariſhes, Liberty, or Precinct reſpectively, after the Rate for

for that Year or Half Year ſhall have been made and aſſeſſed, as aforeſaid; which Rate and Aſſeſſment being allowed and confirmed by two or more Juſtices of the Peace for the County of *Middleſex*, or City and Liberty of *Weſtminſter*, as the Caſe ſhall be, ſhall and may be raiſed, levied, and collected, by ſuch Perſon or Perſons, and in ſuch Manner, as the before-mentioned Rate is directed to be raiſed, levied, and collected, by any of the ſaid former Acts, reſpecting ſuch Pariſh, Liberty, or Place, or by this Act.

No Perſon rated to be liable to the Statute 13 Edw. I.

XLI. Provided always, and it is hereby enacted and declared, That no Perſon or Perſons, who ſhall be rated to and pay any Rate or Rates to be made in purſuance of this Act, ſhall be liable to Watch or Ward by virtue of the Statute commonly called *The Statute of Wincheſter*, made in the thirteenth Year of the Reign of King *Edward* the Firſt, or any other ſubſequent Statute relating thereto, but ſhall be and are diſcharged of and from the ſame.

Perſons aggrieved may appeal to General Seſſions.

XLII. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall find him, her, or themſelves, aggrieved by any Rate or Aſſeſſment to be made by virtue or in purſuance of any of the ſaid former Acts, or of this Act, then, upon Appeal to the next General Quarter Seſſion, or General Seſſion of the Peace, to be held for the ſaid County of *Middleſex*, which ſhall be firſt held after fourteen Days after Notice of ſuch Rate or Demand made of the Sum thereby rated or aſſeſſed, Notice of ſuch Appeal being given to or left for the Collector of ſuch Rate, ſix Days at the leaſt before the firſt Day of ſuch Seſſion, it ſhall and may be lawful for the Juſtices of the Peace, or the greater Number of them then aſſembled, at and in ſuch General Quarter Seſſion, or General Seſſion, to make ſuch Order therein as to them ſhall ſeem meet; which ſaid Order ſhall be final and concluſive to all Parties; and ſuch Appeal, or the Subject-matter thereof, or any Order therein made, ſhall not be removed by Writ of *Certiorari*, or otherwiſe.

Money collected how to be applied.
Collectors refuſing or neglecting to account to be committed.

XLIII. And it is hereby enacted and declared, That all Money whatſoever to be collected or received by virtue of this Act, or any of the ſaid former Acts, ſhall be applied and applicable to the defraying of the Expences of the ſaid Nightly Watch and Beadles, and other Charges incident thereto: And if any Collector or Receiver, to be appointed by virtue or in purſuance of this Act, ſhall refuſe or neglect to give a juſt Account, or to pay the Monies remaining in his Hands to any Perſon or Perſons authoriſed to receive the ſame, it ſhall and may be lawful for any two Juſtices of the Peace for the ſaid County of *Middleſex*, or City and Liberty of *Weſtminſter*, as the Caſe ſhall be, upon Complaint to them made by any one or more of the ſaid Veſtrymen, Truſtees, Directors, or Governors of the Watch, or Governors and Directors of the Poor, to whom the ſaid Collector or Receiver ſhall be accountable by virtue of any of the ſaid former Acts, or of this Act, and Proof thereof made upon Oath by one or more credible Witneſs or Witneſſes (which Oath the ſaid Juſtices are hereby authoriſed and impowered to adminiſter), by Warrant under their Hands and Seals, to commit ſuch Collector or Receiver to the common Gaol, there to remain without Bail or Mainprize until he ſhall have made a true Account, and ſhall alſo have ſatisfied and paid ſuch Sum or Sums of Money, as upon the ſaid Account ſhall appear to be remaining in his Hands.

Diſtreſs not deemed unlawful for want of Form, &c.

XLIV. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of any of the ſaid former Acts, or of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on account of any Default or Want of Form in the Warrant or Warrants of Diſtreſs, or any Proceedings relating thereto, nor be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damage only, by Action on the Caſe.

Proceedings not removeable by Certiorari.

XLV. And be it further enacted by the Authority aforeſaid, That no Rate or Rates, Aſſeſſment or Aſſeſſments, made, or to be made, by virtue of any of the ſaid former Acts, or of this Act, or any Proceeding to be had touching any Order made, or to be made, or any other Matter or Thing done, or to be done, or tranſacted in, or relating to, any Complaint or Appeal, or any Order or Determination thereon, ſhall be quaſhed or vacated for want of Form, or be removed into any of his Majeſty's Courts of Record at *Weſtminſter*, by *Certiorari*, or by any other Writ or Proceſs whatſoever; any Law, Statute, or Uſage, to the contrary notwithſtanding.

Plaintiffs not to recover if Tender of Amends be made.
How Defendants may proceed when no Tender hath been made.

XLVI. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed, or cauſed to be committed, every or any ſuch Irregularity, Treſpaſs, or wrongful Proceeding, before ſuch Action brought: And in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants in any Action, if he, ſhe, or they, ſhall ſo think fit, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he or they ſhall ſee fit, whereupon ſuch Proceedings or Order and Judgment ſhall be made or given in and by ſuch Court as in other Actions where the Defendant is allowed to pay Money into Court.

Limitation of Actions.

XLVII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Thing done in purſuance of any of the ſaid former Acts, or of this preſent Act, that every ſuch Action or Suit ſhall be commenced within three Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the County of *Middleſex*, and not elſewhere; and the Defendant or Defendants, in ſuch Action or Suit, may plead the General Iſſue, and give this Act, and any of the ſaid former Acts, and the ſpecial Matter, in Evidence on any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of any of the ſaid former Acts, or of this preſent Act: And if it ſhall appear ſo to be done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County, City, or Place; that then, and in ſuch Caſe, the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if, upon Demurrer, Judgment

General Iſſue.

Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have, and may recover, treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

Treble Coſts.

Publick Act.

XLVIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XCI.

An Act more effectually to improve and complete the Navigation of the River *Thames*, weſtward of *London Bridge*, within the Liberties of the City of *London*, and to prevent any Veſſel or Barge from being moored in *Taplow Mill-ſtream*, in the County of *Bucks*.

Preamble.

'WHEREAS, by virtue of and under divers Charters, recognized and confirmed by divers Acts of Parliament, the Mayor, and Commonalty, and Citizens, of the City of *London*, have had and exerciſed, and ought, and have accuſtomed themſelves to have and exerciſe, the Office of Bailiff and Conſervator of the Water of *Thames*, to be exerciſed and occupied by the Mayor of the ſame City for the Time being, during the Time of his Mayoralty, or by his ſufficient Deputies, in, upon, and about the Water of *Thames*; (that is to ſay,) from the Bridge of the Town of *Staines*, in the County of *Middleſex*, and towards the Eaſt unto *London Bridge*, and from thence to a certain Place, called *Kendall*, otherwiſe *Yenland*, otherwiſe *Yeenleet*, towards the Sea, and Eaſt, and in *Medway*, and in the Port of the City of *London* aforeſaid; and upon whatſoever Bank, and upon every Shore, and upon every Wharf of the ſame Water of *Thames*, within the Limits and Bounds aforeſaid; and in, upon, and about all and every of them; and alſo for all the Time aforeſaid, have had and taken, and ought, and have accuſtomed themſelves to have and take, to their own proper Uſe, by the Mayor of the ſame City for the Time being, during the Time of his Mayoralty, or his ſufficient Deputies, all Wages, Rewards, Fees, and Profits, belonging to the ſame Office of Bailiff: And whereas, by an Act of Parliament, made and paſſed in the eleventh Year of the Reign of his preſent Majeſty, intituled, *An Act for improving and completing the Navigation of the Rivers* Thames *and* Iſis, *from the City of* London *to the Town of* Cricklade, *in the County of* Wilts, certain powers were granted to the Commiſſioners thereby appointed, for preſerving and improving the Navigation of the ſaid Rivers: And whereas the ſaid Act contains a Clauſe or Proviſo, declaring, That nothing in the ſaid Act contained ſhall extend, or be conſtrued to extend, to take away any Rights, Juriſdiction, Power, or Authority of the Mayor, Commonalty, and Citizens of the City of *London*, or any other Body Politick or Corporate, or other Perſon or Perſons whatſoever, or to enable the Commiſſioners to erect Weirs, Locks, Turnpikes, or Toll-gates, within the Liberties or Juriſdiction of the City of *London*: And whereas the Commiſſioners, in and by the ſaid Act of Parliament appointed, being reſtrained, by the ſaid Clauſe or Proviſo, from exerciſing ſome of the principal Powers and Authorities in the ſaid Act contained, between the ſaid City of *London* and the City-ſtone above *Staines Bridge*, being the firſt Part or Diſtrict of the ſaid Navigation, in and by the ſaid Act deſcribed, have not attempted the Execution of the ſaid Act within the ſaid firſt Diſtrict: And whereas the Improvement of the Navigation of the River *Thames*, weſtward of *London Bridge*, within the Liberties or Juriſdiction of the City of *London*, will be a Work of great publick Utility: And whereas the Mayor, and Commonalty, and Citizens, of the City of *London*, are willing to apply the Sum of ten thouſand Pounds (if neceſſary), out of their own Eſtates, towards carrying the ſaid Work into Execution, without laying any Toll or Duty on Perſons navigating the River *Thames* within the ſaid Liberties or Juriſdiction: And whereas the Powers with which the Mayor, and Commonalty, and Citizens, of the City of *London*, are at preſent veſted are not ſufficient to enable them effectually to improve and complete the ſaid Navigation; and it is apprehended, that the Powers granted by the ſaid Act of Parliament, made and paſſed in the eleventh Year of the Reign of his preſent Majeſty, to the Commiſſioners thereby appointed, will claſh with the Powers which muſt neceſſarily be granted to the Mayor, and Commonalty, and Citizens, of the City of *London*, for improving and completing the Navigation of the River *Thames*, between the City of *London* and the City-ſtone above *Staines Bridge*: And whereas ſome further Regulation is neceſſary for removing certain Inconveniencies in another Part of the Navigation of the ſaid River;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid Act of Parliament, made and paſſed in the eleventh Year of the Reign of his preſent Majeſty, as veſts the Commiſſioners thereby appointed, or in purſuance thereof appointed, or to be appointed, with any Power or Powers, Authority or Authorities, for improving and completing the Navigation of the River *Thames*, between the City of *London* and the City-ſtone above *Staines Bridge* aforeſaid, ſhall be, and the ſame is hereby, repealed; but ſo as not to reſtrain or prejudice ſuch Commiſſioners from, or in the Exerciſe of, any of the Powers or Authorities by the ſame Act granted, ſo far as the ſame relate to the improving and completing the Navigation of the River *Thames* and *Iſis*, from the City-ſtone above *Staines Bridge* to the Town of *Cricklade* aforeſaid.

Act 11 Geo. 3.

Part of the former Act repealed.

Powers given to the Mayor, &c. to improve the Navigation, and to appoint a Committee.

II. And be it further enacted by the Authority aforeſaid, That the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council aſſembled, ſhall have Power and Authority, and they are hereby authoriſed and impowered, to improve and complete the Navigation of the River *Thames*, between the City of *London* and the City-ſtone above *Staines Bridge* aforeſaid; and for that Purpoſe to appoint a Committee, from Time to Time, to manage and tranſact ſuch Matters as they may find neceſſary; which Committee, ſo to be appointed, ſhall have ſuch Powers and Authorities as ſhall, from Time to Time, be delegated or given to them by the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled.

III. Provided

III. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That no Perſon ſhall be eligible or capable of acting as a Member of ſuch Committee, during ſuch Time as he ſhall have, or execute, any Office or Place of Profit, by or under the Authority of this Act, or during ſuch Time as he ſhall have any Share or Intereſt in any Contract or Agreement for effecting any of the Purpoſes of this Act. Proviſo.

IV. And be it further enacted by the Authority aforeſaid, That the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, ſhall have full Power and Authority to make ſuch Orders and Conſtitutions, for the purchaſing of Locks, Ferries, and Lands, for the Uſe of the ſaid Navigation; and to purchaſe and make ſuch Towing-paths, Banks, Roads, Bridges, Ferries, and Ways, for the towing, haling, or drawing of Boats, Barges, and other Veſſels, with Horſes, or otherwiſe, paſſing in, through, or upon the ſaid River *Thames*, between the City of *London* and the City-ſtone above *Staines Bridge* aforeſaid; and to purchaſe or make ſuch Wharfs, Locks, Weirs, Bucks, Winches, Spikes, Dams, Floodgates, and Engines, for the completing and carrying on the ſaid Navigation, as the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council aſſembled, ſhall think neceſſary and convenient for the Purpoſes aforeſaid; and alſo to make Orders and Regulations touching the Sizes and Drafts of all Boats, Barges, and other Veſſels navigating the ſaid River of *Thames*, between the City of *London* and the City-ſtone above *Staines Bridge* aforeſaid; and ſuch only as ſhall be navigated upon the ſaid River of *Thames*, to and from the City of *London*, and the City-ſtone above *Staines Bridge*, and to and from all the intermediate Places, and to ſettle proper Gages on the Sides thereof, and how deep they ſhall load at all Times; and alſo to make and appoint all ſuch other neceſſary Orders, Conſtitutions, Rules, and Regulations, concerning the ſaid Navigation, and alſo concerning ſuch Weirs, Bucks, Winches, Dams, Floodgates, and other Engines, and Towing-paths, lying between the Places aforeſaid; and the Shutting, Penning, Opening, Drawing, Uſe, or Management thereof, for the Benefit and Safety of the ſaid Navigation, and making Satisfaction for the Loſs or Damage any Owner or Owners, or Occupiers, of Mills or Lands, ſhall or may ſuſtain thereby; and concerning all Barges, Boats, or Veſſels, paſſing by, through, or with the Help of the ſame, and Behaviour of all Bargemen, Boatmen, and Watermen, belonging to, or working in, ſuch Barges, Boats, or Veſſels; and to give ſuch Reparation, Satisfaction, and Damages, to the Perſon or Perſons aggrieved thereby, as likewiſe to the Owners or Occupiers of Lands, Meadows, or other Grounds, who ſhall be damaged by the Neglect or Refuſal of the Owners of ſuch Weirs, Bucks, Winches, and Floodgates, in not opening, and keeping open the ſame, until the Water is ſunk below the Water-mark, as to them ſhall ſeem meet. Power to purchaſe Lands, &c. for the Purpoſes of this Act.

V. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, or Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt, Guardians and Committees for Lunaticks and Idiots, Executors, Adminiſtrators, and Guardians whatſoever, not only for or on Behalf of themſelves, their Heirs and Succeſſors; but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſons whatſoever; and to and for all Femes-covert who are or ſhall be ſeiſed in their own Right, and to and for all and every Perſon and Perſons whomſoever, who are or ſhall be ſeiſed or poſſeſſed of, or intereſted in, any Lands, Tenements, or Hereditaments; which, by the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, or the Committee to be by them appointed, as aforeſaid, ſhall be thought neceſſary to be purchaſed for the Purpoſes of this Act, to ſell and convey all or any ſuch Lands, Tenements, Hereditaments, Eſtates, and Intereſts, or any Part thereof, to the ſaid Mayor, and Commonalty, and Citizens; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by ſuch Perſons, as aforeſaid, ſhall be good and valid in Law, to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon and Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſons whomſoever, and all claiming, or to claim, by, from, or under them, any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof, in any-wiſe notwithſtanding: And that all ſuch Perſons ſo conveying, as aforeſaid, are, and ſhall be, indemnified for what they ſhall do, by virtue of, or in purſuance of, this Act, notwithſtanding any Omiſſion or Miſtake of Matter of Form whatſoever: And if it ſhall happen that any Perſon or Perſons, Body or Bodies Politick, Corporate or Collegiate, or other Perſon or Perſons, ſeiſed or poſſeſſed of, or intereſted in, any ſuch Lands, Tenements, or Hereditaments, as aforeſaid, ſhall refuſe to treat or agree for the Sale and Conveyance of their reſpective Eſtates and Intereſts therein, with the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, or with any Perſon or Perſons authoriſed by them, or ſhall not produce and evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim, to the Satisfaction of the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, or to the Perſon or Perſons ſo authoriſed by them; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the Court of Mayor and Aldermen of the ſaid City, to be holden in the outer Chamber of the Guildhall of the ſaid City, according to the Cuſtom of the ſaid City, and the ſaid Court is hereby impowered and authoriſed to iſſue a Warrant or Warrants, Precept or Precepts, directed to the Sheriffs of the City of *London*, or the Sheriff of the County of *Middleſex*, or the Sheriff of the County of *Surrey*, as the Caſe ſhall require, who are, and each of them is hereby authoriſed, directed, and required accordingly to impanel and return a competent Number of ſubſtantial and diſintereſted Perſons, qualified to ſerve on Juries, not leſs than forty-eight, nor more than ſeventy-two, and out of ſuch Perſons, ſo to be impanelled, ſummoned, and returned, a Jury of twelve Perſons ſhall be drawn by ſome Perſon to be by the ſaid Court appointed, in ſuch Manner as Juries for the Trial of Iſſues, joined in his Majeſty's Courts at *Weſtminſter*, by an Act made in the third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; which Perſons ſo to be impanelled, ſummoned, and returned as aforeſaid, are hereby required to come and appear before the ſaid Court of Mayor and Aldermen, Bodies Politick, Truſtees, &c. may convey Lands. Upon Refuſal, to agree to a Sale, or bad Title made, Juries may be ſummoned.

Aldermen, if the Premiſes in Diſpute lie in the ſaid City of *London*, at ſuch Time and Place as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed; and if the Premiſes lie in either of the Counties of *Middleſex* or *Surrey*, to come and appear before the Juſtices of the Peace for the County where the Premiſes lie, at ſome General Quarter Seſſions of the Peace to be holden for the ſame County, or ſome Adjournment thereof; and to attend the ſaid Courts reſpectively, from Day to Day, till diſcharged by the ſaid Courts reſpectively; and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not be at Liberty to challenge the Array: And the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, are hereby authoriſed and impowered, by Precept or Precepts, from Time to Time, as Occaſion ſhall require, to call before them all and every Perſon and Perſons whomſoever who ſhall be thought proper or neceſſary to be examined as a Witneſs or Witneſſes, on their Oath or Oaths, touching and concerning the Premiſes: And the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, if they think fit, ſhall and may likewiſe authoriſe the ſaid Jury to view the Place or Places in queſtion, in ſuch Manner as they ſhall direct; and the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, ſhall have Power to adjourn ſuch Meeting from Day to Day, as Occaſion ſhall require; and to command ſuch Jury, Witneſſes, and Parties, to attend until all ſuch Affairs for which they were ſummoned ſhall be concluded: And the ſaid Jury, upon their Oaths (which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, are hereby impowered and required to adminiſter), ſhall inquire of the Value of ſuch Lands, Tenements, and Hereditaments, and of the reſpective Eſtate and Intereſt of every Perſon ſeiſed or poſſeſſed thereof, or intereſted therein, or of or in any Part thereof, and ſhall aſſeſs and award the Sum or Sums to be paid to every ſuch Perſon or Perſons, for the Purchaſe of ſuch their Eſtates and Intereſts; and the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, ſhall and may give Judgment for ſuch Sum or Sums of Money ſo to be aſſeſſed; which ſaid Verdict or Verdicts, and the ſaid Judgment, Decree, or Determination, thereupon (Notice in Writing being given to the Perſon or Perſons intereſted, or claiming ſo to be, at leaſt fourteen Days before the Time of ſuch Aſſeſſment, declaring the Time and Place of the Meeting of the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, and Jury, by leaving ſuch Notice at the Dwelling-houſe of ſuch Perſon or Perſons, or at his, her, or their uſual Place or Places of Abode, or with ſome Tenant or Occupier of ſome of the ſaid Lands, Tenements, or Hereditaments, intended to be valued and aſſeſſed, in caſe ſuch Party cannot otherwiſe be found out to be ſerved with ſuch Notice), ſhall be binding and concluſive to all Intents and Purpoſes whatſoever, againſt all and every Perſon and Perſons, Bodies Politick and Corporate, claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt, in, to, or out of the ſaid Lands, Tenements, or Hereditaments, and Premiſes, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, as well Infants and Iſſue unborn, Lunaticks, Idiots, and Femes-covert, and Perſons under any other legal Incapacity or Diſability, as all other Ceſtuique Truſts, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, and againſt all other Perſons whomſoever; and the ſaid Verdicts, Judgments, and Decrees, and all other Proceedings of the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, and Juries, ſo to be made, given, and pronounced, as aforeſaid, ſhall be fairly written on Parchment, and ſigned and ſealed by the Mayor for the Time being, or by the Juſtices preſent, or the major Part of them.

Juries may be challenged,

Jury to inquire into the Value of the Lands, &c. in queſtion.

Aſſignments, and Conveyances, to be given to the Mayor, &c.

VI. And it is hereby further enacted and declared, That, upon Payment of ſuch Sum or Sums of Money ſo to be awarded or adjudged, the Perſon or Perſons to whom the ſame ſhall be ſo awarded for the Purchaſe of the ſaid Lands, Tenements, or Hereditaments, or for the Purchaſe of any Eſtate or Intereſt therein, ſhall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Aſſignments, and Aſſurances in the Law, to the ſaid Mayor, and Commonalty, and Citizens, of the ſaid Lands, Tenements, and Hereditaments, or of ſuch Eſtate or Intereſt for which ſuch Sum or Sums of Money ſhall be ſo awarded, and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Aſſignments, and Aſſurances, and ſhall do all Acts, Matters, and Things, neceſſary and requiſite to make a good, clear, and perfect Title to the ſaid Mayor, and Commonalty, and Citizens; and ſuch Conveyances, Aſſignments, and Aſſurances, ſhall contain all ſuch reaſonable and uſeful Covenants as ſhall on the Part of the ſaid Mayor, and Commonalty, and Citizens, be required: And in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid ſhall not be able to evince their Title to the Premiſes, to the Satisfaction of the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, and to make, or procure to be made, good, valid and legal Conveyances thereof, to the ſaid Mayor, and Commonalty, and Citizens; or ſhall refuſe ſo to do, being thereto required; and ſuch Sum or Sums ſo aſſeſſed and awarded as aforeſaid, being produced and tendered to be paid to him, her, or them, on their making ſuch Title, and executing, and procuring to be executed, ſuch Conveyances, Aſſignments, or Aſſurances, as aforeſaid; or in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be ſo awarded as aforeſaid cannot be found in the City or County where the Lands, Tenements, Hereditaments, and Premiſes, for which the ſaid Sums ſhall be ſo aſſeſſed or awarded lie; or in caſe that, by reaſon of Diſputes depending in any Court of Law or Equity, or for Defect of Evidence, it ſhall not appear to the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, what Perſon or Perſons is or are intitled to the Premiſes in queſtion; then, and in every ſuch Caſe, as aforeſaid, it ſhall and may be lawful to and for the ſaid Court of Mayor and Aldermen to order the ſaid Sum or Sums, ſo aſſeſſed and awarded as aforeſaid, as the Value of and Purchaſe-money for the ſaid Lands, Tenements, and Hereditaments, to be paid into the Bank of *England*, for the Uſe of the Parties intereſted in the ſaid Premiſes; to be paid to them, and every of them, according to their reſpective Eſtates and Intereſt therein, at ſuch Time as the ſaid Court of Mayor and Aldermen ſhall order and direct; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums, mentioning and ſpecifying for what Premiſes,

If Perſons cannot evince a clear Title to the Premiſes,

or cannot be found in the County where the Lands, &c. lie,

their Money to be put into the Bank,

Premiſes, and for whoſe Uſe, the ſame is or are received, to ſuch Perſon as ſhall pay any ſuch Sum or Sums into the Bank as aforeſaid.

Verdicts and Decrees of the Court of Aldermen, &c. to be entered among the Records of the ſaid Court,

VII. And be it further enacted by the Authority aforeſaid, That all ſuch Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings, of the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, and Juries, as relate to or concerning any Lands, Tenements, or Hereditaments, ſo to be purchaſed as aforeſaid; and all Receipts which the ſaid Caſhier or Caſhiers of the Bank ſhall give for any Sum or Sums of Money paid into the Bank, in conſequence of any ſuch Verdict and Judgment, ſhall be entered among the Records of the ſaid Court of Mayor and Aldermen, or General Quarter Seſſions of the Peace for the ſaid County of *Middleſex*, or the ſaid County of *Surrey*, as the Caſe ſhall happen to be; and the ſaid Verdicts, Judgments, Sentences, Decrees, and Orders, and other Proceedings, ſhall be deemed and taken to be Records, to all Intents and Purpoſes whatſoever; and the ſame, or true Copies thereof, ſhall be deemed and taken to be good and effectual Evidence and Proof in any Court or Courts of Law or Equity whatſoever; and all Perſons ſhall and may have Recourſe to the ſame *gratis*, and take Copies thereof, paying for every Copy, not exceeding two hundred Words, Sixpence, and ſo proportionably for any greater or leſſer Number of Words; and immediately after ſuch Verdicts, Judgements, Sentences, Decrees, Orders, and other Proceedings of the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, and Juries, and of ſuch Receipt or Receipts of the ſaid Caſhier or Caſhiers, as aforeſaid, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons for whoſe Uſe ſuch Money ſhall be paid in, to, and out of the ſaid Lands, Tenements, Hereditaments, and Premiſes, ſhall veſt in the ſaid Mayor, and Commonalty, and Citizens; and they ſhall be deemed in Law to be in the actual Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having any Eſtate in the Premiſes had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery and Seiſin, Fine and Recovery, or any other legal Conveyance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim, and Demand, of the Perſon or Perſons to whoſe Uſe ſuch Payments were made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, in Reverſion or Remainder, againſt the Iſſue and Iſſues of ſuch Perſon and Perſons, and every Perſon claiming under them, as effectually as a Fine or Recovery would do, if levied or ſuffered by the proper Parties in due Form of Law.

and to be deemed Evidence.

Court of Aldermen may inveſt Sums in the Funds on Government Security.

VIII. Provided always, That it ſhall and may be lawful for the ſaid Court of Mayor and Aldermen, after ſuch Payment into the Bank, and Entry of the Receipt aforeſaid, at the Petition of any Perſon or Perſons in Poſſeſſion of ſuch Lands, Tenements, or Hereditaments, to place out or inveſt, or to cauſe to be placed out or inveſted, ſuch Sum or Sums of Money, or any Part thereof, in ſome of the publick Funds, or on Government Security, at Intereſt, in the Name or Names of any Perſon or Perſons authoriſed and appointed by the ſaid Court of Mayor and Aldermen for that Purpoſe, in Truſt, to transfer and aſſign the ſame to ſuch Perſon or Perſons to whom the Premiſes belong, on their executing proper Conveyances thereof; and, in the mean time, in Truſt, to pay the Intereſt and Dividends ariſing therefrom to ſuch Perſon or Perſons who was or were in Poſſeſſion of the ſaid Premiſes at the Time of the ſaid Payment into the Bank.

Perſons intitled to recover Intereſt by Action of Debt.

IX. Provided always, and it is hereby enacted, That all and every Perſon or Perſons, who would be intitled to recover the meſne Profits of the Premiſes, againſt the Perſon or Perſons in Poſſeſſion, in caſe the ſame had not been ſo conveyed to, or veſted in, the ſaid Mayor, and Commonalty, and Citizens as aforeſaid, ſhall be intitled to recover the Sum or Sums to ariſe from ſuch Intereſts and Dividends, as aforeſaid, by Action of Debt, or otherwiſe, againſt the Perſon or Perſons who ſhall receive the ſame; and the ſaid Court of Mayor and Aldermen are hereby impowered and authoriſed to make ſuch Order, as aforeſaid, on the Bank, for the Payment of ſuch Sum or Sums of Money, or any Part thereof, as ſhall be neceſſary, in order to the ſame being ſo inveſted in publick Securities; and the ſaid Mayor, and Commonalty, and Citizens, ſhall be quieted in the Poſſeſſion of the Lands, Tenements, and Hereditaments, for which ſuch Money ſhall be ſo paid as aforeſaid, and ſhall not be anſwerable or accountable in any Court of Law or Equity for the Money ſo depoſited and placed out as aforeſaid, any otherwiſe than according to the Purport and true Meaning of this Act.

Feme-covert ſeiſed in Fee-ſimple, to have her Purchaſe-money paid to whom ſhe ſhall nominate.

X. And be it further enacted, That in caſe any Feme-covert is or ſhall be ſeiſed in Fee-ſimple, or in Tail General or Special, of any ſuch Lands, Tenements, or Hereditaments, ſo to be purchaſed, as aforeſaid, by the ſaid Mayor, and Commonalty, and Citizens, or of any Intereſt in the ſame, to her ſeparate Uſe, free from the Controul or intermeddling of her Huſband, the Purchaſe-money ariſing from the Sale of ſuch Eſtate, or Intereſt of ſuch Feme-covert, on the Conveyance of ſuch Eſtate or Intereſt to the ſaid Mayor, and Commonalty, and Citizens, ſhall be paid either to the Huſband of ſuch Feme-covert, at her Requeſt, or to ſuch Perſon or Perſons as ſhe ſhall, by Writing under her Hand, nominate to receive the ſame, in Truſt, to be reinveſted in Lands, Tenements, or Hereditaments, to be conveyed and ſettled for ſuch Uſe, Eſtate, and Intereſt, as the ſaid Feme-covert had in the Premiſes ſo purchaſed by the ſaid Mayor, and Commonalty, and Citizens.

Purchaſe-money of Lands to be paid to Perſons whom the Owners appoint.

XI. And be it further enacted by the Authority aforeſaid, That the principal Money ariſing from the Sale of any Lands, Tenements, and Hereditaments, which ſhall be purchaſed for any of the Purpoſes of this Act, of or from any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, or other Truſtees, or from any Feme-covert, ſhall be paid to ſuch Perſons as they ſhall reſpectively nominate to receive the ſame, in Truſt, with all convenient Speed then afterwards to be reinveſted in the Purchaſe of other Lands, Tenements, or Hereditaments, to be conveyed and ſettled to, and upon, and ſubject to the like Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Lands, Tenements, and Hereditaments, which ſhall be purchaſed from them reſpectively by the ſaid Mayor, and Commonalty, and Citizens, as aforeſaid, were reſpectively ſettled, limited, or aſſured, at

the Time of ſuch purchaſing of the ſame, or ſo many thereof as, at the Time of making ſuch Conveyances and Settlements, ſhall be exiſting and capable of taking Effect.

Bargains and Sales to have the Force of Law.

XII. And be it further enacted by the Authority aforeſaid, That the Conveyance of any ſuch Eſtate or Intereſt of any Feme-covert to the ſaid Mayor, and Commonalty, and Citizens, or any Perſon or Perſons in Truſt for them, by Bargain and Sale acknowledged by ſuch Feme-covert, and inrolled in the Court of Huſtings of the ſaid City, according to the Cuſtom of the ſaid City, within ſix Calendar Months after the making thereof, ſhall as effectually and abſolutely convey the Eſtate and Intereſt of ſuch Feme-covert in the Premiſes, as any Fine or Fines, Recovery or Recoveries, would or could do, if levied or ſuffered thereof in due form of Law: And further, that all Bargains and Sales whatſoever, to be made of any ſuch Lands, Tenements, and Hereditaments, as ſhall be purchaſed by the ſaid Mayor, and Commonalty, and Citizens, by virtue of, and for any of the Purpoſes of this Act, ſhall have the Force, Effect, and Operation in Law, to all Intents and Purpoſes, which any Fine or Fines, Recovery or Recoveries whatſoever, would have, if levied or ſuffered by the Bargainer or Bargainers, or any Perſon or Perſons ſeiſed of any Eſtate in the Premiſes, in Truſt for, or to the Uſe of, ſuch Bargainer or Bargainers, in any legal Manner of Form whatſoever.

Perſons intereſted in Lands conveyed, to enter a Memorial of their Right within 5 Years,

in a Book to be prepared by the City Clerk;

or be for ever barred of all ſuch Right.

XIII. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whomſoever, having any Right, Title, Intereſt, Uſe, Property, Claim, or Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder, or Expectancy, in, to, or out of any Lands, Tenements, or Hereditaments, which, by virtue, and for any of the Purpoſes of this Act, ſhall be purchaſed by, and conveyed, or mentioned or intended to be conveyed to the ſaid Mayor, and Commonalty, and Citizens, by any ſuch Bargain and Sale, as aforeſaid, ſhall, within the Space of five Years, to be computed from the Date of the Inrolment of ſuch Bargain and Sale, enter a Memorial of ſuch their Right, Title, Intereſt, Uſe, Property, Claim, and Demand, in a Book to be for that Purpoſe prepared and kept by the Town Clerk of the ſaid City of *London*, or the Clerk of the Peace for the County reſpectively, which Book the ſaid Town Clerk and Clerk of the Peace reſpectively are hereby required to prepare and keep accordingly, and for which Entry they ſhall be intitled to ſuch Fee, and no other, as the Regiſter of the County of *Middleſex* is by Law intitled to for the Regiſtry of a Memorial, containing the ſame Number of Words; and all and every Perſon or Perſons whomſoever, not entering ſuch Right, Claim, and Demand, within ſuch Time, and in ſuch Manner, as aforeſaid, or having ſo entered the ſame, and not proſecuting ſuch their Right, Claim, or Demand with Effect, within the Space of five Years, to be computed from the Time of ſuch Entry, ſhall be for ever barred of all Right, Title, Uſe, Equity, Property, Claim, and Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder, or Expectancy, in, to, upon, or out of the ſaid Premiſes, and every Part thereof; and the ſaid Mayor, and Commonalty, and Citizens, and thoſe claiming by, from, or under them, ſhall be quieted in the Poſſeſſion of all ſuch Lands, Tenements, Hereditaments, and Premiſes, any Law, Statute, Uſage, Matter, or Thing whatſoever, to the contrary notwithſtanding.

Perſons ſo barred may bring Actions of Debt, againſt the Receiver of their Purchaſe-money.

XIV. Provided nevertheleſs, That any Perſon or Perſons barred of any Right, Title, Eſtate, Intereſt, Claim, or Demand whatſoever, in, to, or out of the ſaid Lands, Tenements, and Hereditaments, by virtue of this Act, ſhall be at Liberty to bring any Action or Actions of Debt, for Money had and received to his or their Uſe, againſt any Perſon or Perſons, or the legal Repreſentative of any Perſon or Perſons, who received the Purchaſe-money ariſing from ſuch Sale of the ſaid Lands, Tenements, and Hereditaments, or Premiſes aforeſaid; and that in every ſuch Caſe, the Plaintiff or Plaintiffs, on Proof of ſuch Title as would have enabled them to recover ſuch Lands, Tenements, or Hereditaments, or any Part thereof, or any Eſtate or Intereſt in the ſame, ſhall recover the ſaid Purchaſe-money, or ſo much thereof as ſhall be equivalent to their Intereſt in the ſaid Premiſes, together with ſuch Intereſt as ſhall be equivalent to the meſne Profits of the Premiſes, which they would have been intitled to recover in caſe this Act had not been made.

Expences of Juries how to be defrayed.

XV. And be it further enacted by the Authority aforeſaid, That in all Caſes where any Verdict as aforeſaid ſhall be given for a greater Sum than ſhall have been offered by or on the Behalf of the Mayor, and Commonalty, and Citizens, of the City of *London*, or in caſe no ſuch Offer ſhall have been made before the ſummoning of any ſuch Jury, that then all the Expences of ſummoning ſuch Jury and the Witneſſes, and of taking ſuch Inqueſt, ſhall be paid by the Mayor, and Commonalty, and Citizens, of the City of *London*; but if any ſuch Verdict ſhall be given for no more, or for a leſs Sum than ſhall have been ſo previouſly offered by or on the Behalf of the Mayor, and Commonalty, and Citizens, of the City of *London*, then and in every ſuch Caſe, ſuch Expences ſhall be defrayed by the Owners of, or the Perſons intereſted in, ſuch Locks, Ferries, Lands, Wharfs, Weirs, or other Property in queſtion; and ſuch Expences ſhall be deducted and taken out of the Monies to be aſſeſſed and adjudged, and ſuch Deduction ſhall be deemed and taken as Payment of ſo much thereof.

Towing Paths not to be made without the Conſent of Proprietors.

XVI. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to authorize and impower the ſaid Mayor, and Commonalty, and Citizens, to compel or oblige the Owner or Proprietor of any Garden, Orchard, Yard, Park, Paddock, incloſed Lawn, or planted Avenue to any Houſe, which have been reſpectively uſed as ſuch ſix Calendar Months before the paſſing of this Act (except ſuch where Towing-paths are now uſed), or the Owner or Proprietor of any Meſſuage or Tenement erected or built, or begun to be erected or built, ſix Calendar Months before the paſſing of this Act, to pull down, let, ſell, or convey, ſuch Meſſuage, Tenement, Garden, Orchard, Yard, Park, Paddock, incloſed Lawn, or Avenue, or any Part thereof, to the ſaid Mayor, and Commonalty, and Citizens, or any other Perſon or Perſons; nor ſhall any Thing in this Act contained impower the ſaid Mayor, and Commonalty, and Citizens, to make any new Towing-path, Bank, Cut, Road, Bridge, Wharf, Lock, Weir, Buck, Winch, Spike, Dam, Floodgate, Pound, Turnpike, Toll-gate, or Engine,

over,

over, upon, or through any Garden, Orchard, Yard, Park, Paddock, incloſed Lawn, or planted Avenue to any Houſe, without the Conſent of the Owner or Proprietor thereof.

Fines on Sheriffs, Juries, and Witneſſes, refuſing to comply with this Act,

XVII. And be it further enacted by the Authority aforeſaid, That the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, ſhall have Power, from Time to Time, to impoſe any reaſonable Fine, not exceeding the Sum of ten Pounds, on ſuch Sheriff or Sheriffs, or their Deputy or Deputies, Bailiffs or Agents, reſpectively, making Default in the Premiſes, and on any of the Perſons who ſhall be ſummoned and returned on any ſuch Jury or Juries who ſhall not appear, or who ſhall refuſe to be ſworn on the ſaid Jury or Juries, or being ſo ſworn ſhall not give his or their Verdict; and alſo on any Perſon or Perſons who ſhall be ſummoned to give Evidence touching any the Matters aforeſaid, and ſhall not attend, or ſhall refuſe to be ſworn, or who being ſworn ſhall refuſe to give his, her, or their Evidence; alſo on any other Perſon or Perſons who ſhall, in any other Manner, wilfully neglect his or their Duty in the Premiſes, contrary to the true Intent and Meaning of this Act; and, from Time to Time, to levy ſuch Fine or Fines, by Order of the ſaid Court of Mayor and Aldermen, or Juſtices, as aforeſaid, reſpectively, by Diſtreſs and Sale of the Offender's Goods, together with the reaſonable Charges of every ſuch Diſtreſs and Sale, returning the Overplus (if any) to the Owner; and all ſuch Fines ſhall be applied to the Purpoſes of this Act

may be levied by Diſtreſs and Sale.

Damages how to be aſcertained;

XVIII. Provided always, That in caſe any Place or Places in queſtion, for which a Satisfaction for Damages or Recompence is to be made by virtue of this Act, ſhall lie partly in the City of *London* and partly in the County of *Middleſex*, ſuch Satisfaction or Recompence ſhall be inquired of aſcertained by a Jury of the City of *London*; and in caſe any ſuch Place or Places ſhall lie partly in the County of *Middleſex*, and partly in the County of *Surrey*, the ſame ſhall be inquired of and aſcertained by a Jury or Juſtices of the County of *Middleſex*.

Prices of Carriage, and Rates of Horſes employed in the Navigation,

XIX. And be it further enacted by the Authority aforeſaid, That the Mayor, Aldermen, and Commons, of the City of *London*, in Common Council aſſembled, ſhall have Power and Authority, and they are hereby authoriſed and impowered to aſſeſs and rate the Prices of the Carriage, and the Rates or Fares to be given for the Uſe of any Horſe or Horſes employed on the ſaid Navigation, from the City of *London* to the City Stone above *Staines Bridge* aforeſaid, and back from thence to the ſaid City of *London*; and to and from any Place or Places upon the ſaid River of *Thames*, between the City of *London* and the ſaid City Stone, to any other Place or Places within the Limits aforeſaid, in ſuch Boats, Barges, and other Veſſels; and ſhall give publick Notice in Writing, to be affixed up at the ſeveral Market Places, or Church Doors of ſuch Towns and Pariſhes on the Banks of the ſaid River of *Thames*, within the Limits aforeſaid, as they ſhall think proper; and alſo to be printed and publiſhed in ſome of the publick News-papers, of which publick Notice the ſeveral Owners of Boats, Barges, and other Veſſels, navigating on the ſaid Rivers, as alſo all Perſons who are employed in towing Barges, Boats, or other Veſſels, or who let out Horſes for that Purpoſe, are hereby required to take Notice, as alſo of the Rates and Prices ſo from Time to Time ſet and aſſeſſed, and of all other Rates, Fares, and Prices, which ſhall, at any Time or Times hereafter, at ſuch reſpective Meetings as aforeſaid, be rated and aſſeſſed by virtue of this Act: And if any Owner and Proprietor of any ſuch Barge, Boat, or other Veſſel, ſhall, at any Time after the Expiration of twenty Days next after the publiſhing of ſuch Notice, take for the Water Carriage of any Goods or Merchandiſes above the Rates and Prices ſo ſet as aforeſaid, or if any Perſon employed in the towing of Barges, or other Veſſels, ſhall, after the Expiration of the ſaid Term, take, for the Uſe of any Horſe or Horſes employed on the ſaid Navigation, above the Rates or Fare ſo ſet and aſſeſſed as aforeſaid, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit the Sum of twenty Pounds; which ſaid Forfeiture ſhall and may be recovered in a ſummary Way, by Information or Complaint made to the ſaid Mayor, or to any of the Aldermen of the City of *London*, or to any one of his Majeſty's Juſtices of the Peace for the County of *Middleſex* or *Surrey*; and ſhall go and be applied, one Moiety to the Informer or Informers, and the other Moiety to the Party or Parties aggrieved by any ſuch Offence, and ſhall and may be levied by Diſtreſs and Sale of the Offenders Goods and Chattels, by Warrant under the Hand and Seal of the ſaid Mayor, or any one of the Aldermen or Juſtices of the Peace as aforeſaid.

to be affixed on publick Places on the Banks of the River, &c.

Boatmen or Bargemen taking more than the Rates ſet, to forfeit 20 l.

One Moiety to the Informe and the other to the Party aggrieved.

'XX. And whereas many Treſpaſſes have been committed in the Gardens and Plantations of *Morough O'Bryen*, Eſquire, of *Taplow-Court*, in the County of *Bucks*, by Perſons belonging to Boats, Barges, Veſſels, or Floats, which anchor, moor, faſten, or lie, in *Taplow Mill Stream*;' be it therefore enacted by the Authority aforeſaid, That from and after the paſſing of this Act, it ſhall not be lawful for any Perſon or Perſons whatſoever, upon any Pretence whatſoever, to anchor, moor, or faſten any Boat, Barge, Veſſel, or Float, or to lay with any Boat, Barge, Veſſel, or Float, in any Part of *Taplow Mill Stream*, between the Lock in the ſaid Stream and a Meadow called *Clemaſh Meadow*: And in caſe any Boat, Barge, Veſſel, or Float, ſhall be anchored, moored, or faſtened, or ſhall be laid in any Part of *Taplow Mill Stream* aforeſaid, between the Lock in the ſaid Stream and the ſaid Meadow called *Clemaſh Meadow*, the Maſter or Owner of any ſuch Boat, Barge, Veſſel, or Float, or the Perſon having the Care or Conduct of any ſuch Boat, Barge, Veſſel, or Float, ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds; to be levied and recovered by the ſame Ways and Means, and in ſuch Manner, as any Penalty or Forfeiture inflicted for any Offence againſt the ſaid former Act can or may be levied and recovered, and ſhall be applied, one Moiety to the Informer, and the other Moiety for the Purpoſes of the ſaid Navigation.

No Perſon to moor at Taplow Mill Stream,

on Penalty of 5 l.

Perſons aggrieved, may appeal to the Quarter Seſſions.

XXI. Provided alſo, and be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall think him, her, or themſelves, aggrieved by any Orders or Proceedings of any Juſtice or Juſtices of the Peace, which ſhall be made or had under this Act, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the Juſtices of the Peace, at the next General Quarter Seſſions of the Peace, to be holden for the ſaid City of *London*, or the ſaid County of *Middleſex*, or the ſaid County of *Surrey*, as the Caſe may be: And the Juſtices, at ſuch ſaid General Quarter Seſſions, are hereby required to

to hear and finally determine every ſuch Appeal and Appeals, and ſhall award to the Party or Parties for whom ſuch Appeal ſhall be determined, ſuch Coſts as to them in their Diſcretion ſhall ſeem reaſonable; and ſhall raiſe and levy, by their Order or Warrants, ſuch Coſts as ſhall be awarded by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons who ſhall be ordered to pay the ſame.

Proceedings not to be quaſhed for want of Form.

XXII. And be it further enacted by the Authority aforeſaid, That no Order which ſhall be made by any Juſtice or Juſtices, by virtue of or under this Act, or any other Proceedings to be had, touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

Writings may be without Stamps.

XXIII. Provided alſo, and be it further enacted, That no Contract, Agreement, Aſſignment, Entry, Copy, or Proceeding, by this Act directed or authoriſed to be executed, made, or given, ſhall be charged or chargeable, or ſubject, or liable, to any Duty whatſoever.

Limitation of Actions.

XXIV. And be it enacted by the Authority aforeſaid, That if any Action ſhall be brought, or Suit commenced, againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, or in relation to the Premiſes, or any of them; every ſuch Action, or Suit, ſhall be laid or brought within ſix Calendar Months next after the Fact done, and ſhall be laid or brought in the City of *London*, or the County where the Matter ſhall ariſe, and not elſewhere; and the Defendant or Defendants, in ſuch Action, may

General Iſſue.

plead the General Iſſue, and give this Act, and the Special Matters, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be brought within the Time before limited, or ſhall be brought in any other City, County, or Place, than as aforeſaid; then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her, or their Action or Actions; or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the ſaid Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have for Coſts in other Caſes by Law.

Treble Coſts.

Publick Act.

XXV. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

CAP. XCII.

An Act for regulating and aſcertaining the Weights to be made uſe of in weighing the Gold and Silver Coin of this Kingdom.

Moſt Gracious Sovereign,

Preamble.

'WHEREAS ſome Proviſion is neceſſary for regulating and aſcertaining, according to the eſtabliſhed Standard of your Majeſty's Mint, the Weights to be made uſe of in weighing the Gold and Silver Coin of this Realm, and it is highly expedient, for the Prevention of Frauds, that the Uſe of all other Weights, which are not juſt and true, according to the ſaid Standard, ſhould be diſallowed;' may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the Warden, Maſter, and Comptroller, of his Majeſty's Mint, with the Aſſiſtance of the King's Aſſay Maſter, and they are hereby authoriſed and required, without Delay, to make, or cauſe to be made, one Weight of the Piece of Gold Coin of this Realm commonly called a Guinea, and alſo one Weight of the Piece of Silver Coin of this Realm called a Shilling, according to the eſtabliſhed Standard of his Majeſty's Mint, and alſo other Weights, being Parts and Multiples of the ſaid Guinea Weight and Shilling Weight reſpectively; which Weights, together with their Report of the Truth and Accuracy thereof, they are hereby required to tranſmit to the Clerk of his Majeſty's Council in Waiting, in order to be laid before his Majeſty in Council; and in caſe the ſaid Weights ſhall be approved of and confirmed by his Majeſty in Council, the ſame ſhall be reputed and accepted in Law to be the Standard Weights of the Gold and Silver Coin of this Realm reſpectively, and the ſame ſhall be lodged in the joint Cuſtody of the Warden, Maſter, and Comptroller of his Majeſty's Mint for the Time being.

Warden of the Mint, &c. to make Weights of a Guinea, a Shilling, and Multiples thereof; which they are to tranſmit to the Clerk of Council in Waiting; and the ſame, being confirmed by his Majeſty, are to be reputed Standard Weights.

Duplicates thereof to be made by the ſaid Warden, &c.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Warden, Maſter, and Comptroller of his Majeſty's Mint, with the Aſſiſtance of his Majeſty's Aſſay Maſter, ſhall make, or cauſe to be made, in like Manner, exact Duplicates, or Copies, of the ſaid Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof, as aforeſaid; and if any of the ſaid Duplicates, or Copies, ſhall hereafter, by any Accident, be deſtroyed, loſt, or impaired, the Warden, Maſter, and Comptroller, of his Majeſty's Mint for the Time being, with the Aſſiſtance of the King's Aſſay Maſter, are hereby authoriſed and required, in like Manner, to make, or cauſe to be made, other exact Duplicates, or Copies, of ſuch of the ſaid Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof, as ſhall happen to be deſtroyed, loſt, or impaired; all which Duplicates, or Copies, ſhall be laid before his Majeſty, his Heirs and Succeſſors, in his or their Privy Council, in Manner hereinbefore directed; and in caſe the ſame ſhall be approved of and confirmed by his Majeſty, his Heirs and Succeſſors, in his or their Privy Council, they ſhall then, by the ſaid Maſter, Warden, and Comptroller, be delivered to and lodged in the Cuſtody of an Officer, to be from Time to Time appointed by his Majeſty,

jeſty, his Heirs or Succeſſors, for that Purpoſe, under his or their Sign Manual, during his or their Royal Pleaſure, with a Salary not exceeding the yearly Sum of two hundred and fifty Pounds, to be iſſued and paid by the Warden of his Majeſty's Mint, out of the Monies ariſing by the Coinage Duties.

Warden, &c. to compare the Duplicates yearly.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Warden, Maſter, and Comptroller, of his Majeſty's Mint, and they are hereby authoriſed and required, once, or oftener, in every Year, by Warrant under their Hands, to ſummon and require ſuch Officer, ſo to be appointed by his Majeſty, to appear before them, and produce the ſaid Duplicates, or Copies, of the ſaid Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof, as aforeſaid, and the ſame to examine and compare with the Standard Weights herein-before directed to be lodged in the Cuſtody of the Warden, Maſter, and Comptroller, of his Majeſty's Mint for the Time being.

After Dec. 31, 1774, all the Weights are to be ſtamped;

IV. And be it further enacted by the Authority aforeſaid, That from and after the thirty-firſt Day of *December*, one thouſand ſeven hundred and ſeventy-four, all Weights to be made uſe of for weighing the ſaid Gold and Silver Coin, ſhall be regulated and aſcertained by the Duplicates, or Copies, of the ſaid Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof reſpectively, lodged in the Cuſtody of the Officer before mentioned; and after having been tried and compared therewith, and found to be juſt and true, ſhall, in Teſtimony thereof, be marked by the ſaid Officer with a Stamp or Mark, or Stamps or Marks, to be approved of by the Maſter of his Majeſty's Mint; which Stamps or Marks the ſaid Officer is hereby directed to provide: And, in order that the Impreſſion or Impreſſions made thereby may be known to all his Majeſty's Subjects, the ſaid Officer is hereby alſo directed to publiſh a Deſcription of the ſame, by Advertiſement, in the *London Gazette*, three Times at leaſt before the ſaid thirty-firſt Day of *December*, one thouſand ſeven hundred and ſeventy-four; and the ſaid Officer is hereby required, upon Application made to him, at all ſeaſonable Hours, to ſtamp or mark, in Manner aforeſaid, all Weights to be uſed for weighing the ſaid Gold and Silver Coin, which ſhall be brought to him for that Purpoſe, and which he ſhall find to be juſt and true, according to the ſaid Duplicates, or Copies, of the Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof reſpectively, hereby directed to be lodged in his Cuſtody, without Fee or Reward, and without wilful Delay: And from and after the ſaid thirty-firſt Day of *December*, one thouſand ſeven hundred and ſeventy-four, no other Weights but ſuch as ſhall be juſt and true, according to the Weights with and by which they are hereby directed to be compared and aſcertained, and ſhall be marked in Manner before mentioned, ſhall be reputed or accepted in Law to be true, or of any Effect for determining the Weight of the Gold or Silver Coin of this Realm.

and deſcribed publickly.

No other Weights to be allowed in Law.

Perſons counterfeiting, or ſelling, forged Stamps,

V. And it is hereby further enacted, That if any Perſon or Perſons ſhall forge or counterfeit any Stamp or Mark, to reſemble any Stamp or Mark provided or uſed in purſuance of this Act, or ſhall counterfeit or reſemble the Impreſſion of any ſuch Stamp or Mark, as aforeſaid, on any ſuch Weight or Weights, as aforeſaid; or ſhall utter, vend, or ſell, any ſuch Weight or Weights, with the Impreſſion of ſuch counterfeit Stamp or Mark thereupon, knowing the ſame to be counterfeited; or ſhall wilfully increaſe or diminiſh any ſuch Weight, after it has been ſtamped or marked in Manner before directed; or ſhall make uſe of any ſuch Weight in weighing the Gold and Silver Coin of this Realm, knowing the ſame to have been ſo increaſed or diminiſhed; every ſuch Perſon and Perſons ſhall, for every ſuch Offence, upon Conviction thereof, before any two of his Majeſty's Juſtices of the Peace of the County, Diviſion, or Place, where ſuch Offence ſhall be committed, who are hereby authoriſed and directed to inquire into the ſame, forfeit and pay any Sum not exceeding the Sum of fifty Pounds, at the Diſcretion of the ſaid Juſtices; one Moiety thereof to go to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him that ſhall inform or ſue for the ſame; and, on Default of Payment, it ſhall and may be lawful for ſuch Juſtices of the Peace to commit every ſuch Offender to the common Gaol, or Houſe of Correction, for any Time not exceeding three Months.

ſhall forfeit 50 l. or be committed for 3 Months.

Not to abridge the Letters Patent 12 Jac. I. to the Founders Company.

VI. Provided always, and be it enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to take away or abridge any Rights, Powers, Privileges, or Profits, granted by his late Majeſty King *James* the Firſt, by Letters Patent, in the twelfth Year of his Reign, to the Maſter, Wardens, and Commonalty of the Myſtery of Founders in the City of *London*, and which they may lawfully claim or enjoy, with reſpect to the ſizing and marking of all Manner of Braſs Weights made or wrought within the ſaid City of *London*, or within three Miles compaſs thereof, or which ſhall be ſold, uttered, or kept for Sale within the ſaid City of *London*, or three Miles Compaſs thereof.

After the Weights are ſized and marked, they are to be aſcertained in purſuance hereof.

VII. Provided nevertheleſs, That the Weights herein-before directed to be made uſe of for weighing the Gold and Silver Coin of this Realm, after having been ſized and marked according to the Directions of the ſaid Charter, be carried to be aſcertained and marked in Manner herein-before directed, by the Officer appointed by his Majeſty for that Purpoſe, in purſuance of the Powers given by this Act.

CAP. XCIII.

An Act for rebuilding the Church of the Pariſh of *Lewiſham*, in the County of *Kent*.

CAP. XCIV.

An Act for eſtabliſhing a new Church or Chapel, erecting at *Toxteth Park*, in the Pariſh of *Walton*, near *Liverpool*, in the County Palatine of *Lancaſter*.

CAP.

CAP. XCV.

An Act for rebuilding the Pariſh Church of *Batterſea*, in the County of *Surrey*, and for enlarging the Church-yard of the ſaid Pariſh Church.

CAP. XCVI.

An Act to amend an Act, paſſed in the tenth and eleventh Years of the Reign of King *William* the Third, intituled, *An Act for the making and keeping navigable the Rivers of* Aire *and* Calder, *in the County of* York; and for improving the Navigation of the ſaid River *Aire*, from *Weeland* to the River *Ouze*; and for making a navigable Canal from the ſaid River *Aire*, at or near *Haddleſey*, to the River *Ouze*, at the *Old Brick Garth* at *Ouze Gate End*, within the Townſhip of *Selby*, in the ſaid County; and for other Purpoſes.

THE

STATUTES at Large, &c.

Anno Regni GEORGII III. Decimo Quinto.

'AT the Parliament begun and holden at *Weſtminſter*, the twenty-ninth Day of *November*, *Anno Domini* one thouſand ſeven hundred and ſeventy-four, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

'Being the firſt Seſſion of the fourteenth Parliament of *Great Britain*.

CAP. I.

An Act to allow the Importation of *Indian* Corn and Maize, under certain Reſtrictions.

'WHEREAS by an Act paſſed in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to regulate the Importation and Exportation of Corn*, it was, among other Things, provided, That when the Price of ſeveral Sorts of Grain exceeded certain Prices therein mentioned, that the ſame, and other Grain and Pulſe, ſhould be imported, paying a ſmall Duty: And whereas the Grain, commonly called *Indian Corn* and *Maize*, was in the ſaid Act omitted, although applicable to the ſame Purpoſes with ſome of the other Grains in the ſaid Act enumerated and permitted to be imported, as aforeſaid;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, when Barley is allowed by the ſaid Act to be imported into this Kingdom, upon the Payment of a Duty of Two-pence *per* Quarter, the Importation of *Indian* Corn and Maize be permitted, on the Payment of a Duty of One Penny *per* Quarter, and no more, under the like Proviſions and Regulations, and with the like Appropriation of the Duty on the ſame, as Barley is allowed to be imported by the ſaid Act; any Law, Cuſtom, or Uſage, to the contrary thereof in any wiſe notwithſtanding.

Preamble.

Indian Corn and Maize may be imported, paying 1 d. per Quarter, under the like Regulations as Barley is allowed to be imported by 13 Geo. III.

CAP. II.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-five.

CAP. III.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-five. 3 *s*.

CAP. IV.

An Act for the Regulation of his Majeſty's Marine Forces while on Shore.

CAP. V.

An Act to repeal ſo much of an Act made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to prevent the Exportation to foreign Parts of Utenſils made uſe of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom*, as relates to Wool Cards uſed in the Woollen Manufactures of this Kingdom, intended to be exported to any of his Majeſty's Colonies or Plantations in *America*.

'WHEREAS by a Clauſe in an Act paſſed in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to prevent the Exportation to foreign Parts of Utenſils made uſe of in the Cotton, Linen, Woollen, and Silk Manufactures of this Kingdom*, the collecting of Tools and Implements

Preamble.

Clauſe in Act 14 Geo. III. prohibiting the Ex-

portation of Tools, &c. in the Woollen Manufactory, recited,

'uſed in the Woollen Manufacture, with Intent to export the ſame, is prohibited under certain Penalties 'and Forfeitures: And whereas the Exportation of Wool Cards to his Majeſty's Colonies in *North America* hath been very beneficial for a great Number of Years paſt, both to this Country and the ſaid Co-'lonies, and the Prohibition of the exporting of them having proved extremely prejudicial to great 'Numbers of poor Families in *England*, by the Stoppage of the Trade of making ſuch Wool Cards;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid Clauſe as prohibits the collecting or obtaining of Implements and Tools uſed in the Woollen Manufacture of this Kingdom, for the Purpoſe of exporting the ſame to ſome other Part or Place than *Great Britain* or *Ireland*, ſhall be, and the ſame is hereby repealed, as far as relates to Wool Cards, or Stock Cards, not exceeding in Value four Shillings *per* Pair, and Spinners Cards, not exceeding in Value one Shilling and Sixpence *per* Pair, uſed in the ſaid Woollen Manufacture, intended to be exported to any of his Majeſty's Colonies or Plantations in *America*.

and by this Act repealed, ſo far as relates to the Exportation of Wool Cards, &c. to America.

CAP. VI.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

CAP. VII.

An Act to continue for a further Time an Act made in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act to continue and amend an Act made in the fifth Year of the Reign of his preſent Majeſty*, intituled, *An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from* Ireland, *for a limited Time, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the* Britiſh *Dominions in* America, *for a limited Time; and for extending the Proviſions of the ſaid Acts to Potatoes, and all Kinds of Pulſe.*

Preamble.

Act 5 Geo. III.

Act 8 Geo. III.

and Acts 9, 10, 11, 12, 13, & 14 Geo. III.

'WHEREAS an Act was made in the fifth Year of his preſent Majeſty's Reign (intituled, *An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from* Ireland, *for a limited Time*): And whereas an Act was made in the eighth Year of his preſent Majeſty's Reign, to continue and amend the ſaid firſt-mentioned Act, and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the *Britiſh* Dominions in *America*, for a limited Time: And whereas by ſix Acts, made in the ninth, tenth, eleventh, twelfth, thirteenth, and fourteenth Years of the Reign of his preſent Majeſty, the ſaid laſt-mentioned Act was continued until the firſt Day of *March* one thouſand ſeven hundred and ſeventy-five: And whereas it is expedient that the Importation of the ſaid Goods and Commodities 'ſhould be allowed for a longer Time;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act made in the eighth Year of his preſent Majeſty's Reign, (intituled, *An Act to continue and amend an Act made in the fifth Year of the Reign of his preſent Majeſty, intituled*, 'An Act for 'Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland*, for a limited Time, and for allow-'ing the Importation of Salted Beef, Pork, Bacon, and Butter, from the *Britiſh* Dominions in *America*, 'for a limited Time'), ſhall continue, and be in full Force and Effect, until the thirtieth Day of *March* one thouſand ſeven hundred and ſeventy-ſix.

further continued till March 30, 1776.

'II And whereas the free Importation of Potatoes and Pulſe from *Ireland* may be advantageous,' be it enacted, That during the Continuance of this Act, Potatoes, and all Kinds of Pulſe, may be imported into *Great Britain* from *Ireland* free of Duty.

Potatoes, &c. from Ireland may be imported Duty-free.

CAP. VIII.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-five.

CAP. IX.

An Act to amend an Act made in the ninth Year of the Reign of his preſent Majeſty, for making and maintaining a Navigable Canal from the *Coventry* Canal Navigation to the City of *Oxford*.

"Preamble. Act 9 *Geo.* III. recited. Great Progreſs made in the Canal. Power by former Act to raiſe "Money recited. What Sums have been raiſed. A further Subſcription ſet on Foot. Further Powers "neceſſary. Proprietors may raiſe Money not exceeding 70,000 *l.* on the Credit of the Navigation, and "aſſign the Rates, *&c.* as a Security for ſuch Money. Form of Aſſignment. Perſons to whom Aſſign-"ments have been made equally intitled to the Rates. Memorials of Aſſignments to be entered by the "Clerk. Aſſignments may be transferred. Form of Transfer. Transfers to be notified to the Clerk, "*&c.* Intereſt of the Money borrowed to be paid Half-yearly, in Preference to the Dividends. Clauſe "of Act 9 *Geo.* III. recited, as to Payment of Intereſt. Intereſt at 4 *l. per Cent.* only to be paid Sub-"ſcribers until the Canal is completed. Mines not to be worked within twelve Yards of the Canal or the "Banks. Method of proceeding when Mines, *&c.* extend under the Canal. Method of diſcovering "when

" when Mines are working under the Canal. In caſe of Danger, proper Works, &c. to be made to " ſupport the Canal, &c. at the Owner's Expence. Miners to give Notice of their Intention to work " within twelve Yards of the Canal; and if the Proprietors refuſe Liberty to work, they are to pay for " the Coal that might be got. Diſputes to be ſettled by the Commiſſioners. Company impowered to " take Rates for leſs than a Mile, &c. Satisfaction to be made within three Months for Damage done " in getting Materials, &c. Powers of the Commiſſioners by former Act relating to the Purchaſe of " Lands. Value of Lands and Damages ſuſtained to be ſeparate. Aſcertaining of Damages for Lands to " be cut through, not to occaſion Delays in carrying on the Works. Not to hinder Owners from ap- " plying to Commiſſioners for Satisfaction for Lands, &c. Power for Land Owners to exchange Lands " on the Sides or near the Canal. Company of Proprietors may take in a greater Breadth of Land in " particular Caſes than allowed by the former Act. Weight of the Lading of every Veſſel to be marked, " and alſo the Names of the Owners. Penalty for offending. Clauſe relative to the holding of Meetings " by the former Act repealed. Time and Place where Meetings may be held by this Act. Committees " may adjourn, &c. Proviſions, &c. of former Act (except as excepted), and this Act, to be in Force. " Perſons thinking themſelves aggrieved may appeal to the Quarter-Seſſions. Limitation of Actions. " General Iſſue. Treble Coſts. Public Act."

CAP. X.

An Act to reſtrain the Trade and Commerce of the Provinces of *Maſſachuſet's Bay*, and *New Hampſhire*, and Colonies of *Connecticut*, and *Rhode Iſland*, and *Providence Plantation*, in *North America*, to *Great Britain*, *Ireland*, and the *Britiſh* Iſlands in the *Weſt Indies*, and to prohibit ſuch Provinces and Colonies from carrying on any Fiſhery on the Banks of *Newfoundland*, or other Places therein mentioned, under certain Conditions and Limitations.

Preamble. Clauſe in Act 12 Car. II. recited.

' WHEREAS by an Act made in the twelfth Year of the Reign of King *Charles* the Second, inti- ' tuled, *An Act for the encouraging and increaſing of Shipping and Navigation*; and by ſeveral ſubſe- ' quent Acts of Parliament which are now in Force, it is, amongſt other Things, enacted, That for ' every Ship or Veſſel which ſhall load any Commodities, in thoſe Acts particularly enumerated, at any ' *Britiſh* Plantation, being the Growth, Product, or Manufacture thereof, Bonds ſhall be given, with one ' Surety, to the Value of one thouſand Pounds, if the Ship be of leſs Burthen than one hundred Tons, ' and of the Sum of two thouſand Pounds, if the Ship be of greater Burthen, that the ſame Commodities ' ſhall be brought by ſuch Ship or Veſſel to ſome other *Britiſh* Plantation, or to ſome Port in *Great Bri-* ' *tain:* And whereas, by ſeveral other Acts of Parliament which are now in Force, no Commodities of ' the Growth, Product, or Manufacture of *Europe* (except Salt for the Fiſheries, Wines of the *Madeiras* ' and *Azores* and *Weſtern Iſlands*, and Victual and Linen Cloth from *Ireland*, under the Reſtrictions in ' ſuch Acts particularly mentioned), can be imported into any Plantation, Colony, Territory, or Place, ' belonging to his Majeſty, in *Aſia*, *Africa*, or *America*, but what ſhall be *bona fide*, and without Fraud, ' laden and ſhipped in *Great Britain*, and carried directly from thence: And whereas, during the Con- ' tinuance of the Combinations and Diſorders, which at this Time prevail within the Provinces of *Maſſa-* ' *chuſet's Bay* and *New Hampſhire*, and the Colonies of *Connecticut* and *Rhode Iſland*, to the Obſtruction ' of the Commerce of theſe Kingdoms, and other his Majeſty's Dominions, and in Breach and Violation ' of the Laws of this Realm, it is highly unfit that the Inhabitants of the ſaid Provinces and Colonies ' ſhould enjoy the ſame Privileges of Trade, and the ſame Benefits and Advantages to which his Majeſty's ' faithful and obedient Subjects are intitled;' be it therefore enacted by the King's moſt Excellent Ma- jeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *July* one thouſand ſeven hundred and ſeventy-five, and during the Continuance of this Act, no Goods, Wares, or Merchandiſes, which are particularly enumerated in and by the ſaid Act made in the twelfth Year of King *Charles* the Second, or any other Act, being the Growth, Product, or Manufacture of the Provinces of *Maſſachuſet's Bay*, or *New Hampſhire*, or Colonies of *Connecticut*, *Rhode Iſland*, or *Providence Plantation*, in *North America*, or any or either of them, are to be brought to ſome other *Britiſh* Colony, or to *Great Britain*; or any ſuch enumerated Goods, Wares, or Merchandiſe, which ſhall at any Time or Times have been imported or brought into the ſaid Provinces or Colonies, or any or either of them, ſhall be ſhipped, carried, conveyed, or tranſported, from any of the ſaid Provinces or Colonies reſpec- tively, to any Land, Iſland, Territory, Dominion, Port or Place whatſoever, other than to *Great Britain*, or ſome of the *Britiſh* Iſlands in the *Weſt Indies*, to be laid on Shore there; and that no other Goods, Wares, or Merchandiſes whatſoever, of the Growth, Product, or Manufacture of the Provinces or Co- lonies herein before mentioned, or which ſhall at any Time or Times have been imported or brought into the ſame, ſhall, from and after the ſaid firſt Day of *July*, and during the Continuance of this Act, be ſhipped, carried, conveyed, or tranſported, from any of the ſaid Provinces or Colonies reſpectively, to any other Land, Iſland, Territory, Dominion, Port, or Place whatſoever, except to the Kingdoms of *Great Britain* or *Ireland*, or to ſome of the *Britiſh* Iſlands in the *Weſt Indies*, to be laid on Shore there; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

After July 1, 1775, no Goods, Wares, &c. enumerated in, and by Act 12 Car. II. being of the Growth, Product, &c. of Maſſachuſet's Bay, &c. are to be brought into ſome other Britiſh Colony, or into Great Britain; and no other Goods of the Manufacture of the Provinces mentioned are to be tranſported to any other Place except to Great Britain or Ireland, &c.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *July*, before any Ship or Veſſel ſhall lade, or take on Board any Goods, as aforeſaid, in any or either of the Provinces or Colonies before mentioned, ſufficient Bond, with one Surety, beſides the Maſter of ſuch Ship or Veſſel, ſhall be given to the Collector, or other Principal Officer of the Cuſtoms at the Port or Place

Bonds, with Sureties, to be given, beſides the Shipmaſters, before taking on

Board any Goods of the Growth, &c. of ſaid Provinces.

Place where ſuch Goods are intended to be laden, or taken on Board, in the Penalty of one thouſand Pounds, if the Ship be of leſs Burthen than one hundred Tons, and of the Sum of two thouſand Pounds, if the Ship ſhall be of that or any greater Burthen, with Condition that ſuch enumerated Goods ſhall not be landed, or put on Shore, at or upon any other Land, Iſland, Territory, Dominion, Port, or Place whatſoever, except ſome Port or Place within the Kingdom of *Great Britain*, or ſome of the *Britiſh* Iſlands in the *Weſt Indies*; and that all other Goods, Wares, or Merchandiſes, ſo intended to be laden as aforeſaid, ſhall not be landed or put on Shore at or upon any Land, Iſland, Territory, Dominion, Port, or Place whatſoever, other than and except ſome Port or Place within the Kingdoms of *Great Britain* or *Ireland*, or ſome of the *Britiſh* Iſlands of the *Weſt Indies*; and with further Condition to bring a Certificate in Diſcharge thereof, within eighteen Months from the Date of ſuch Bond, for ſuch of the ſaid Goods as ſhall be entered for or landed in *Great Britain* or *Ireland* reſpectively, and within ſix Months for ſuch of the ſaid Goods as ſhall be entered for or landed in any of the *Britiſh* Iſlands in the *Weſt Indies*; which reſpective Certificates ſhall be under the Hands and Seals of Office of the Collector and Comptroller, or other Principal Officer of the Cuſtoms, reſident at the Port or Place where ſuch Goods ſhall be landed, teſtifying the landing thereof; or ſuch Bond or Bonds ſhall and may be diſcharged by Proof, upon Oath made by credible Perſons that the ſaid Goods were taken by Enemies, or periſhed in the Seas.

Shipmaſters to deliver Certificates of the due landing of Goods, which are to be ſigned by the Collector at the Port where landed.

After Bonds have been delivered, Collector to certify the ſame.

III. And it is hereby further enacted by the Authority aforeſaid, That where any ſuch Bond or Bonds ſhall be given, as aforeſaid, in purſuance of this Act, the Collector, or other Principal Officer of the Cuſtoms, to whom ſuch Bond or Bonds ſhall have been given, ſhall deliver, under his Hand and Seal of Office, without Fee or Reward, to the Maſter of the Ship or Veſſel taking in ſuch Goods, for the Security of her Navigation, a Certificate that ſuch Bond or Bonds hath or have been given, expreſſing therein the Quantity and Species of the Goods, with the Marks and Numbers of the Packages, and the Port or Place for which they were entered; and if any ſuch Goods ſhall be laden on Board any ſuch Ship or Veſſel in any of the Provinces or Colonies in this Act before mentioned, before ſuch Bond or Bonds ſhall be given, or ſhall be found on Board any Ship or Veſſel without the Certificate herein before directed, that ſuch Bond or Bonds hath or have been given, the Goods ſo laden, together with the Ship or Veſſel, with her Guns, Ammunition, Tackle, Apparel, and Furniture, ſhall be forfeited; and if any Goods, ſo laden as aforeſaid, ſhall be landed or diſcharged at any Port or Place, contrary to the Intent and Meaning of this Act, over and above the Penalty of the Bond or Bonds, the Shipper and Owner of ſuch Goods, and the Maſter or Perſon taking Charge of the Veſſel on Board which they were laden, ſhall reſpectively forfeit the full Value of the Goods ſo landed or diſcharged, to be eſtimated according to the higheſt Price or Value which ſuch Sort of Goods bear in the Province or Colony where and at the Time when they were ſhipped and laden; which Ship and Goods may be ſeized and proſecuted, or the Value of ſuch Goods proſecuted for, by any Admiral, Chief Commander, or commiſſioned Officer of his Majeſty's Fleet or Ships of War, or by any Officer of his Majeſty's Cuſtoms, in the Manner herein after directed.

Goods laden on Board before Bond given, or without Certificate, are to be forfeited, with the Ship, &c.

After Sept. 1, 1775, certain Goods prohibited to be brought into the Colonies,

unleſs without Fraud ſhipped from Great Britain,

IV. And it is hereby further enacted by the Authority aforeſaid, That from and after the firſt Day of *September* one thouſand ſeven hundred and ſeventy-five, and during the Continuance of this Act, no Sort of Wines, Salt, or any Goods or Commodities whatſoever (except Horſes, Victual, and Linen Cloth, the Produce and Manufacture of *Ireland*, imported directly from thence), ſhall be imported into any of the ſaid Colonies or Provinces herein before reſpectively mentioned, upon any Pretence whatſoever, unleſs ſuch Goods ſhall be *bona fide* and without Fraud laden and ſhipped in *Great Britain*, and carried directly from thence, upon Forfeiture thereof, and of the Ship or Veſſel on Board which ſuch Goods ſhall be laden; and it ſhall be lawful for any Admiral, Chief Commander, or Commiſſioned Officer, of his Majeſty's Fleet, or Ships of War, or any Officer of his Majeſty's Cuſtoms, to ſeize any Ship or Veſſel arriving at any of the ſaid Provinces or Colonies before mentioned, or which ſhall be diſcovered within two Leagues of any Shore thereof, having ſuch Goods on Board, and the Goods laden thereon (except as before excepted), for which the Maſter, or other Perſon taking Charge of ſuch Ship or Veſſel, ſhall not produce a Cocket or Clearance from the Collector, or proper Officer of his Majeſty's Cuſtoms, certifying that the ſaid Goods were laden on Board the ſaid Ship or Veſſel, in ſome Port of *Great Britain*; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

This Act not to extend to Goods, &c. neceſſary for his Majeſty's Ships of War, or Forts, &c.;

V. Provided always, and it is hereby further enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to prohibit the Exportation or carrying out from any of the Provinces or Colonies before mentioned, or the Importation into the ſame, of any Goods or Commodities whatſoever for the victualling or providing any of his Majeſty's Ships of War, or other Ships or Veſſels in his Majeſty's Service, or for his Majeſty's Forces, Forts, or Garriſons, any Thing herein contained to the contrary notwithſtanding.

nor hinder the lawful Importation of Goods from the Britiſh Weſt India Iſlands into the ſaid Colonies.

VI. And provided alſo, That nothing herein contained ſhall extend, or be conſtrued to extend, to hinder or reſtrain the lawful Importation into any or either of the ſaid Provinces or Colonies herein before mentioned, from any of the *Britiſh* Iſlands in the *Weſt Indies*, of any ſuch Goods or Commodities, being the Growth or Produce thereof, as may now by Law be imported from thence into the ſaid Provinces or Colonies, or any or either of them.

After July 20, 1775, all Britiſh Veſſels not fitted out from Great Britain, &c. fiſhing on the Banks of Newfoundland, &c. to be forfeited, with their Tackle, &c.

VII. And it is hereby further enacted by the Authority aforeſaid, That if any Ship or Veſſel, being the Property of the Subjects of *Great Britain*, not belonging to and fitted out from *Great Britain* or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, *Sark*, *Alderney*, or *Man*, ſhall be found, after the twentieth Day of *July* one thouſand ſeven hundred and ſeventy-five, carrying on any Fiſhery, of what Nature or Kind ſoever, on the Banks of *Newfoundland*, the Coaſt of *Labrador*, or within the River or Gulph of *Saint Lawrence*, or upon the Coaſt of *Cape Breton*, or *Nova Scotia*, or any other Part of the Coaſt of *North America*, or having on Board Materials for carrying on any ſuch Fiſhery, every ſuch Ship or Veſſel, with her Guns, Ammunition, Tackle, Apparel, and Furniture, together with the Fiſh, if any ſhall be found on Board, ſhall be forfeited, unleſs the Maſter, or other Perſon, having the Charge of ſuch Ship or Veſſel, do produce

duce to the Commander of any of his Majeſty's Ships of War, ſtationed for the Protection and Superintendence of the *Britiſh* Fiſheries in *America*, a Certificate, under the Hand and Seal of the Governor, or Commander in Chief, of any of the Colonies or Plantations of *Quebec*, *Newfoundland*, *Saint John*, *Nova Scotia*, *New York*, *New Jerſey*, *Pennſylvania*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, *Georgia*, *Eaſt Florida*, *Weſt Florida*, *Bahamas*, and *Bermudas*, ſetting forth, that ſuch Ship or Veſſel, expreſſing her Name, and the Name of her Maſter, and deſcribing her Built and Burthen, hath fitted and cleared out, from ſome one of the ſaid Colonies or Plantations, in order to proceed upon the ſaid Fiſhery, and that ſhe actually and *bona fide* belongs to and is the whole and entire Property of his Majeſty's Subjects, Inhabitants of the ſaid Colony or Plantation; which Certificates ſuch Governors, or Commanders in Chief reſpectively, are hereby authoriſed and required to grant.

unleſs the Maſters, &c produce proper Certificates, &c.

'VIII. And to the End that the foregoing Prohibitions, Reſtrictions, and Regulations, may be more 'effectually carried into Execution,' it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all or any of the Commanders of his Majeſty's Ships or Veſſels of War, ſtationed and appointed for the Regulation and Protection of the *Britiſh* Fiſhery upon the Coaſts of *North America*, or to and for the Commanders of any other of his Majeſty's Ships or Veſſels employed at Sea, and they and every of them are hereby required and enjoined to examine, ſearch, and viſit all Ships and Veſſels ſuſpected to be carrying on the ſaid Fiſheries; and to ſeize, arreſt, and proſecute, in Manner herein after directed, all and every ſuch Ships and Veſſels as ſhall be found to be carrying on the ſaid Fiſheries, not belonging to and fitted out from *Great Britain* or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark*, or *Man*, which ſhall not have on Board the Certificate herein before required.

Commanders of his Majeſty's Ships impowered to ſearch all Ships carrying on the ſaid Fiſheries, and to ſeize, &c. ſuch as ſhall not have the Certificate before required.

IX. Provided always, and be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to impower any Officer of his Majeſty's Ships of War, or of his Majeſty's Cuſtoms, to ſeize any Ship or Veſſel which ſhall be fitted and cleared out from any of the ſaid Colonies and Provinces before the firſt Day of *June* one thouſand ſeven hundred and ſeventy-five, for the Whale Fiſhery only, and which ſhall be found carrying on ſuch Fiſhery within the Limits aforeſaid, between the ſaid firſt Day of *June* and the firſt Day of *November* one thouſand ſeven hundred and ſeventy-five, and not carrying on, nor having on Board any Materials for carrying on, any other Fiſhery.

This Act not to extend to Ships cleared out from the ſaid Colonies before June 1, for the Whale Fiſhery only;

X. And be it further enacted by the Authority aforeſaid, That nothing in this Act contained, reſpecting the Fiſheries carried on by his Majeſty's Subjects in *North America*, ſhall affect, or be conſtrued to affect, any Ship or Veſſel, her Guns, Ammunition, Tackle, Apparel, Furniture, or Fiſh, on Board, being the Property of any of the Inhabitants of the Iſland of *Nantucket*, employed in the Whale Fiſhery only, if it ſhall appear by the Papers on Board, that ſuch Ship or Veſſel was fitted and cleared out from thence before the firſt Day of *June* one thouſand ſeven hundred and ſeventy-five, or if the Maſter, or other Perſon having the Charge of any ſuch Ship or Veſſel as aforeſaid, ſhall produce a Certificate, under the Hand and Seal of the Governor or Commander in Chief of the Province of the *Maſſachuſet's Bay*, ſetting forth, that ſuch Ship or Veſſel (expreſſing her Name, and the Name of her Maſter, and deſcribing her Built and Burthen) is the whole and entire Property of his Majeſty's Subjects of the ſaid Iſland of *Nantucket*, and was the Property of one or more of them on or before the twenty-fifth Day of *March*, in the Year one thouſand ſeven hundred and ſeventy-five, and that ſhe was cleared out with Materials on Board in order to proceed upon the Whale Fiſhery only; any Thing in this Act to the contrary thereof in any wiſe notwithſtanding.

nor to affect Ships belonging to the Iſland of Nantucket, cleared out for the Whale Fiſhery, having a proper Certificate.

XI. Provided alſo, and be it enacted by the Authority aforeſaid, That nothing in this Act contained, reſpecting the Fiſheries carried on by his Majeſty's Subjects in *North America*, ſhall extend, or be conſtrued to extend, to any Ship or Veſſel, being the Property of any of the Inhabitants of the Townſhips of *Marſhfield* and *Scituate*, in the Province of *Maſſachuſet's Bay*, employed in or carrying on the Mackarel, Shad, and Alewife Fiſheries only, if the Maſter, or other Perſon having the Charge of any ſuch Ship or Veſſel, as aforeſaid, ſhall produce a Certificate, under the Hand and Seal of the Governor, or Commander in Chief, of the Province of the *Maſſachuſet's Bay*, ſetting forth, that ſuch Ship or Veſſel (expreſſing her Name, and the Name of her Maſter, and deſcribing her Built and Burthen) is the whole and entire Property of his Majeſty's Subjects of the ſaid Townſhips of *Marſhfield* and *Scituate*, and was the Property of one or more of them, on or before the twenty-fifth Day of *March*, in the Year one thouſand ſeven hundred and ſeventy-five, which Certificate or Certificates ſuch Governor or Commander in Chief is hereby authoriſed and required to grant.

Nor any fitted out by the Townſhips of Marſhfield and Scituate.

XII. Provided always, and be it enacted, That the River which emptieth itſelf into *Paſſamacadie* or *Paſſamaquadi Bay*, on the Weſtern Side, and is commonly called and known by the Name of *Saint Croix River*, be held and deemed, for all the Purpoſes in this Act contained, to be the Boundary between the Provinces of *Maſſachuſet's Bay* and *Nova Scotia*.

The River running into Paſſamaquadi Bay deemed the Boundary between Maſſachuſet's Bay and Nova Scotia.

'XIII. And whereas it is the Intent and Meaning of this Act, that the ſeveral Prohibitions and Re-'ſtraints herein impoſed upon the Trade and Commerce, and Fiſheries, of the ſaid Provinces and Colo-'nies ſhould be diſcontinued and ceaſe, ſo ſoon as the Trade and Commerce of his Majeſty's Subjects may 'be carried on without Interruption;' be it therefore enacted by the Authority aforeſaid, That whenever it ſhall be made appear to the Satisfaction of his Majeſty's Governor or Commander in Chief, and the Majority of the Council, in the Provinces of *New Hampſhire* and *Maſſachuſet's Bay* reſpectively, that Peace and Obedience to the Laws ſhall be ſo far reſtored within the ſaid Provinces, or either of them, that the Trade and Commerce of his Majeſty's Subjects may be carried on without Interruption within the ſame; and that Goods, Wares, and Merchandiſe, have been freely imported into the ſaid Provinces, or either of them, from *Great Britain*, and expoſed to Sale, without any Let, Hindrance, or Moleſtation, from or by reaſon of any unlawful Combinations to prevent or obſtruct the ſame; and that Goods, Wares, and Merchandiſe, have in like Manner been exported from the ſaid Provinces, or either of them reſpectively, to *Great*

Whenever it ſhall appear to the Governor of New Hampſhire, &c. that Peace is ſo far reſtored in any Province, that Trade may be carried on, he is to notify the ſame by Proclamation;

Great Britain, for and during the Term of one Calendar Month preceding; that then, and in ſuch Caſe, it ſhall and may be lawful for the Governor or Commander in Chief, with the Advice of the Council of ſuch Provinces reſpectively, by Proclamation, under the Seal of ſuch reſpective Province, to notify the ſame to the ſeveral Officers of the Cuſtoms, and all others; and after ſuch Proclamation, this Act with reſpect to ſuch Province, within which ſuch Proclamation or Proclamations have been iſſued, as aforeſaid, ſhall be diſcontinued and ceaſe (except as herein after provided); and all Officers of his Majeſty's Cuſtoms, and all other Perſons having Charge of the Execution of this Act, having received due Notice of ſuch Proclamation, are hereby directed and required to yield and pay Obedience to ſuch Proclamation, and to proceed in the Diſcharge of their reſpective Duties, in admitting to Entry, clearing, and diſcharging, all Ships and Veſſels, and all Goods, Wares, and Merchandiſes, into and out of ſuch reſpective Province; and to permit and ſuffer any Ships or Veſſels to carry on the Fiſheries within the Limits herein before mentioned, in like Manner as if this Act had never been made; any Thing herein contained to the contrary notwithſtanding.

and all Officers of the Cuſtoms, &c. are required to pay due Obedience thereto.

XIV. And be it further enacted, That the Governor or Commander in Chief, with the Advice of the Council of the Province of *Maſſachuſet's Bay*, ſhall and may, and he is hereby authoriſed and impowered, upon Application for and on Behalf of the Colonies of *Connecticut* and *Rhode Iſland*, and *Providence Plantation*, or either of them, by the Governor or Commander in Chief of the ſaid Colonies reſpectively, to iſſue the like public Notice or Notices by Proclamation within the ſaid Colonies, or either of them, if it ſhall be proved to the ſaid Governor or Commander in Chief, and Council of *Maſſachuſet's Bay*, by the Teſtimony of the Officers of his Majeſty's Cuſtoms in each of the ſaid Colonies reſpectively, and the ſaid Governor or Commander in Chief, and Council, ſhall be ſatisfied of the Truth thereof, that the lawful Trade between the ſaid Colonies of *Connecticut* and *Rhode Iſland*, and *Providence Plantation*, and *Great Britain*, is and hath been carried on in Manner herein before mentioned within the ſaid Colonies, or either of them, for the Space of one Calendar Month preceding the Date of ſuch Application; and from and after ſuch Proclamation, this Act ſhall, with reſpect to ſuch Colonies, or either of them, be diſcontinued and ceaſe (except as herein after provided); and all Officers of the Cuſtoms in the ſaid Colonies, and all others, are hereby required to pay Obedience to ſuch public Notice of the ſaid Governor or Commander in Chief as aforeſaid, and to proceed in the Diſcharge of their reſpective Duties in admitting to Entry, clearing, and diſcharging, all Ships and Veſſels, and all Goods, Wares, and Merchandiſe, into and out of ſuch Colony or Colonies, in like Manner as if this Act had never been made; any Thing herein contained to the contrary notwithſtanding.

If Application be made on Behalf of the Colonies of Connecticut and Rhode Iſland, &c. and it be proved to the Governor in Chief, &c. that lawful Trade hath been carried on, he is to iſſue the like Proclamation.

XV. Provided nevertheleſs, and it is hereby further enacted and declared by the Authority aforeſaid, That ſuch Proclamation or Proclamations ſhall not extend, or be conſtrued to extend, to diſcharge or ſuſpend any Proceedings upon any Seizure which ſhall have been made, or any Proſecution which ſhall have been commenced for any Penalty or Forfeiture inflicted by this Act before the iſſuing of ſuch Proclamation or Proclamations.

Proclamation not to diſcharge Proceedings upon any Seizure made before iſſuing thereof.

XVI. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall give or grant any falſe Certificate, Cocket, or Clearance, for any of the Purpoſes required or directed by this Act, ſuch Perſon or Perſons ſhall forfeit the Sum of five hundred Pounds, and be rendered incapable of ſerving his Majeſty, his Heirs and Succeſſors, in any Office whatſoever; and if any Perſon or Perſons ſhall counterfeit, eraſe, alter, or falſify, any Certificate, Cocket, or Clearance, required or directed by this Act, or ſhall knowingly or willingly make uſe of any falſe Certificate, Cocket, or Clearance, or of any Certificate, Cocket, or Clearance, ſo counterfeited, eraſed, altered, or falſified, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of five hundred Pounds, and ſuch Certificate, Cocket, or Clearance, ſhall be invalid and of no Effect.

Perſons giving falſe Certificates, or counterfeiting, &c. the ſame, to forfeit 500 l.

XVII. And be it further enacted by the Authority aforeſaid, That the ſeveral Forfeitures and Penalties inflicted by this Act, ſhall and may be proſecuted, ſued for, and recovered, and be divided, paid, and applied, in like Manner as other Penalties and Forfeitures inflicted by any Act or Acts of Parliament, relating to the Trade or Revenues of the *Britiſh* Colonies or Plantations in *America*, are directed to be proſecuted, ſued for, or recovered, divided, paid, and applied, by two ſeveral Acts of Parliament, the one paſſed in the fourth Year of his preſent Majeſty, intituled, *An Act for granting certain Duties in the* Britiſh *Colonies and Plantations in* America; *for continuing, amending, and making perpetual, an Act paſſed in the ſixth Year of the Reign of his late Majeſty King* George *the Second, intituled,* 'An Act for the better 'ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in *America*;' *for applying the Produce of ſuch Duties, and of the Duties to ariſe by virtue of the ſaid Act, towards defraying the Expences of defending, protecting, and ſecuring, the ſaid Colonies and Plantations; for explaining an Act made in the twenty-fifth Year of the Reign of King* Charles *the Second, intituled,* 'An Act for the Encouragement of the *Greenland* and 'Eaſtland Trades, and for the better ſecuring the Plantation Trade;' *and for altering and diſallowing ſeveral Drawbacks on Exports from this Kingdom, and more effectually preventing the clandeſtine Conveyance of Goods to and from the ſaid Colonies and Plantations, and improving and ſecuring the Trade between the ſame and* Great Britain; and the other paſſed in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act for the more eaſy and effectual Recovery of the Penalties and Forfeitures inflicted by the Acts of Parliament relating to the Trade or Revenues of the* Britiſh *Colonies and Plantations in* America.

How Penalties and Forfeitures may be proſecuted and applied,

XVIII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act of Parliament, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give the ſaid Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance of and by the Authority of this Act; and if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after

Perſons ſued for any Thing done in purſuance of this Act, may plead the General Iſſue,

after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall recover treble Coſts, and have the like Remedy for the ſame, as Defendants have in other Caſes by Law. and recover treble Coſts.

CAP. XI.

An Act to amend an Act, made in the eleventh Year of his preſent Majeſty's Reign, *For improving and completing the Navigation of the Rivers* Thames *and* Iſis, *from the City of* London *to the Town of* Cricklade, *in the County of* Wilts.

Preamble.

'WHEREAS by an Act paſſed in the twenty-fourth Year of the Reign of his late Majeſty (intituled, *An Act for the better carrying on and regulating the Navigation of the Rivers* Thames *and* Iſis, *from the City of* London *Weſtward, to the Town of* Cricklade, *in the County of* Wilts), the Commiſſioners thereby appointed were, amongſt other Things, impowered to make Orders and Regulations touching the Sizes and Draughts of Water of all Boats, Barges, and other Veſſels, navigating the ſaid Rivers, and to ſettle proper Gauges on the Sides thereof, and how deep they ſhould load at all Times, and in different Seaſons of the Year, ſo as no Boat, Barge, or other Veſſel, navigating the ſaid Rivers, ſhould draw more than four Feet of Water at any Seaſon of the Year: And whereas by another Act, paſſed in the eleventh Year of his preſent Majeſty, for improving and completing the ſaid Navigation, the Commiſſioners thereby appointed were alſo (amongſt other Things) impowered to make Orders and Regulations touching the Sizes and Draughts of all Boats, Barges, and other Veſſels, navigating the ſaid Rivers, and to ſettle proper Gauges on the Sides thereof, and how deep they ſhould load at all Times, ſo as no Boat, Barge, or other Veſſel whatſoever, navigating the ſaid River, ſhould draw more than three Feet of Water, which Depth ſhould be aſcertained by a ſtraight white Line one Inch broad, extending from Head to Stern, on each Side of every Barge, Boat, or Veſſel; and every Perſon offending therein, by navigating his Boat, Barge, or Veſſel, drawing more than three Feet of Water, or not having the ſaid white Line on each Side thereof, is thereby made liable to a Penalty or Forfeiture, not more than twenty Pounds, nor leſs than five Pounds, to be levied and recovered in Manner therein mentioned: And whereas the ſaid Reſtrictions, touching the Depth of Water to be drawn by Boats, Barges, and other Veſſels, navigated upon the ſaid Rivers, have been found to be very prejudicial to the Bargemaſters, and other Perſons employed in the ſaid Navigation, and tend to enhance the Price of Carriage of the Goods, Wares, and Merchandiſes navigated thereon: And whereas the white Lines before mentioned are frequently worn out or rubbed off by unavoidable Accidents, whereby innocent Perſons become liable to the ſaid Penalty, and the Depth of Water would be better aſcertained by Pieces of Tin, Lead, or other Metal, to be affixed in different Places on each Side of ſuch Boats, Barges, and other Veſſels;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons whatſoever ſhall, from and after the paſſing of this Act, be ſubject or liable to any Penalty or Forfeiture mentioned in the ſaid Act of the eleventh Year of his preſent Majeſty, or any other Penalty or Forfeiture whatſoever, in reſpect of the Depth of Water to be drawn by any Boat, Barge, or other Veſſel, navigated on the ſaid Rivers, in any Diſtrict beyond the Flux of the Tide, unleſs ſuch Boat, Barge, or other Veſſel, ſhall draw more than three Feet of Water, between the firſt Day of *May* and the firſt Day of *November* in any Year, or more than three Feet and eight Inches between the firſt Day of *November* in any Year and the firſt Day of *May* in the ſucceeding Year; or unleſs ſuch Perſon or Perſons ſhall wilfully diſobey any Order which ſhall, from Time to Time, in Scarcity of Water, be made by the Commiſſioners, or any ſeven or more of them, at any General Meeting to be held in purſuance of the ſaid Act of the eleventh Year of his preſent Majeſty, for limiting occaſionally the Draught of Water between the firſt Day of *November* in any Year and the firſt Day of *May* in the ſucceeding Year, fourteen Days Notice of ſuch Order being firſt printed in the *Reading* and *Oxford Journals*; any Thing in the ſaid two Acts of Parliament contained, or any Order or Regulation made by the Commiſſioners, in purſuance of the ſaid Acts, or either of them, to the contrary thereof in any wiſe notwithſtanding.

Clauſe in Act 24 Geo. II.

and Act 11 Geo. III. recited.

The ſaid Clauſes now found prejudicial.

Regulations under this Act to be obſe concerning the Depth of Water allowed to be drawn.

II. And, for the better aſcertaining ſuch Depth of Water to be drawn by Boats, Barges, and other Veſſels navigated upon the ſaid Rivers, be it further enacted by the Authority aforeſaid, That inſtead of the white Line directed by the ſaid Act of the eleventh Year of his preſent Majeſty to be had and uſed for the aſcertaining thereof, the ſame ſhall, from and after the paſſing of this Act, be aſcertained, as well by Frames, Gauges, or Regulators, to be fixed in every Diſtrict, at ſuch Places as ſhall be directed by ſeven or more Commiſſioners at any General Meeting, or by three or more Commiſſioners at any Diſtrict Meeting, to be held in purſuance of the ſaid Act of the eleventh Year of his preſent Majeſty, as by three Pieces of Tin, Lead, or other Metal, to be nailed or faſtened at proper and convenient Diſtances on each Side of every Boat, Barge, or other Veſſel, navigated on the ſaid Rivers, each of which Pieces of Tin, Lead, or other Metal, ſhall be and contain eight Inches in Length, and ſhall be placed perpendicularly, ſo as for the Bottom Parts thereof to denote the Depth of three Feet, and the Tops thereof to denote the Depth of three Feet and eight Inches, hereby allowed to be drawn by ſuch Boats, Barges, and other Veſſels, during the different Periods of Time herein before mentioned: And if any Perſon or Perſons ſhall navigate his or their Boat, Barge, or other Veſſel, not having the ſaid Pieces of Tin, Lead, or other Metal, of the Dimenſions aforeſaid, nailed or faſtened thereon, according to the Directions herein before mentioned, every ſuch Perſon and Perſons ſo offending ſhall be ſubject and liable to the ſame Penalty and Forfeiture which he or they would have been ſubject or liable to for not having the white Line on each Side of ſuch Boat, Barge, or other Veſſel, if this Act had not been made; to be recovered and levied in the

In what Manner the Depth of Water is to be aſcertained.

Penalty for neglecting the Marks preſcribed in this Act, the ſame as for neglecting the white Lines, 11 Geo. III.

the ſame Manner as the ſaid Penalty or Forfeiture is, by the ſaid Act of the eleventh Year of his preſent Majeſty, directed to be levied and recovered.

Perſons who have navigated Boats, &c. and incurred Penalties reſpecting white Lines, &c. indemnified from ſuch Penalties;

except Penalties already paid.

III. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons who hath or have navigated, or cauſed to be navigated, any Boat, Barge, or other Veſſel, drawing more than three Feet of Water, or not having the ſaid white Line on each Side thereof, before the paſſing of this Act, ſhall be ſubject or liable to any Penalty or Forfeiture in reſpect thereof, under or by virtue of the ſaid Act of the eleventh Year of his preſent Majeſty, or otherwiſe howſoever; but that all and every ſuch Perſon and Perſons ſhall be, and they are hereby indemnified from all and every Penalty and Penalties, Forfeiture and Forfeitures, by them, or any of them, incurred, by reaſon of ſuch Draught of Water having exceeded the Depth of three Feet appointed by the ſaid Act, or by reaſon of his or their not having the ſaid white Line on each Side of ſuch Boat, Barge, or other Veſſel; except Penalties and Forfeitures already paid.

How the riſing of the Water to the Injury of Lands is to be prevented.

'IV. And whereas by the ſaid Act of the eleventh Year of his preſent Majeſty's Reign, the Com-'miſſioners are impowered to fix a Mark or Marks at each Lock or Weir, below or above which Mark 'or Marks no Owner or Occupier of any Lock or Weir ſhall knowing or deſignedly let the Water fall 'or riſe, unleſs authoriſed ſo to do, in Manner directed by the ſaid Act: And whereas, ſince the paſſing 'of the ſaid Act, great Damages have been ſuſtained by the Owners and Proprietors of Lands and 'Grounds, occaſioned by the Owners and Occupiers of the ſeveral Locks, Weirs, Bucks, and Flood-'gates, or their Agents and Servants, neglecting to draw and keep open the ſame when the Water is 'riſen to the Gauge and Level fixed and appointed by and under the Authority of the ſaid Act;' be it therefore further enacted by the Authority aforeſaid, That when and ſo often as the Water ſhall be raiſed to and be level with the High-water Marks, which ſhall, from Time to Time, be ſet and appointed by the Commiſſioners in purſuance of the ſaid Act of Parliament, the Tenants or Occupiers for the Time being of the ſeveral old Locks, Weirs, Bucks, Dams, and Flood-gates, in and upon the ſaid Rivers, or either of them, or the Perſon or Perſons who for the Time being ſhall be intruſted with the Opening and Shutting of the ſame, ſhall thereupon, with all convenient Speed, open ſuch old Locks, Weirs, Bucks, Dams, and Flood-gates, and keep open the ſame, till the Water is ſunk below the High-water Marks ſo ſet and appointed: And in caſe ſuch Tenant or Occupier, or Perſon intruſted with the Opening and Shutting of ſuch old Locks, Weirs, Bucks, Dams, or Flood-gates, ſhall neglect or refuſe to open or keep open the ſame, as aforeſaid, and ſhall be thereof convicted upon the Oath of one or more credible Witneſs or Witneſſes, before one or more of his Majeſty's Juſtices of the Peace for either of the Counties in which ſuch old Lock, Weir, Buck, Dam, or Flood-gate, ſhall happen to be, or before any two of the Commiſſioners appointed, or to be appointed, in or by virtue of the ſaid Act of the eleventh Year of his preſent Majeſty (ſuch Commiſſioners having firſt duly qualified themſelves under the ſaid Act), every ſuch Perſon and Perſons ſo neglecting or refuſing, and being thereof convicted, as aforeſaid, ſhall forfeit the Sum of ten Pounds; to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices of the Peace, or of ſuch two Commiſſioners, as aforeſaid, and to be applied and diſpoſed of for the Uſe of the ſaid Navigation.

Penalty 10l. on Neglect of Regulations preſcribed.

Lock Owners ſhall not act as Commiſſioners for ſetting Water Marks.

V. And, for the preventing any Fraud or Abuſe in ſetting the ſaid Water Marks, be it further enacted by the Authority aforeſaid, That no Owner or Proprietor, Tenant or Occupier of any old Lock, Weir, Buck, Dam, or Flood-gate, upon either of the ſaid Rivers, ſhall act as a Commiſſioner under the ſaid Acts of Parliament, or either of them, for the Purpoſe of ſetting or appointing the ſaid Water Marks, or any or either of them, under the like Penalty or Forfeiture which he or they would have been ſubject or liable to for acting under any Diſqualification contained in the ſaid Act of the eleventh Year of his preſent Majeſty's Reign; and to be recovered, levied, and applied, in the ſame Manner as ſuch Penalty or Forfeiture under the ſaid laſt-mentioned Act is thereby directed to be recovered, levied, and applied, and not otherwiſe.

Perſons thinking themſelves aggrieved may appeal to the Quarter Seſſions.

VI. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved, by reaſon of any Penalty or Forfeiture being levied in purſuance of this Act, he, ſhe, or they, ſhall have, and be intitled to, the ſame Benefit of Appeal to the Juſtices of Peace, aſſembled at any Quarter Seſſions, as is allowed in and by the ſaid Act of the eleventh Year of his preſent Majeſty, in any Caſe where Penalties and Forfeitures are thereby inflicted.

Publick Act.

VII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XII.

An Act to enable the Commiſſioners, acting by virtue of an Act, made in the twenty-ſeventh Year of the Reign of his Majeſty King *George* the Second, for draining and preſerving the North Level, Part of the Great Level of the Fens, called *Bedford Level*, and divers Lands adjoining thereto, in the Manor of *Crowland*, to charge further Taxes upon the ſaid North Level, and the ſaid adjoining Lands.

Preamble.

Clauſe in Act 15 Car. II. recited.

'WHEREAS by an Act, made in the fifteenth Year of the Reign of King *Charles* the Second, '(intituled, *An Act for draining the Great Level of the Fens, called* Bedford Level), it was (amongſt 'other Things) enacted, That *William* Earl of *Bedford*, and the Adventurers and Participants of *Francis* 'Earl of *Bedford* and the ſaid Earl *William*, or either of them, their Heirs and Aſſigns, in ſuch Manner 'as in the ſaid Act is contained, ſhould be a Body Politick and Corporate, in Deed and in Name, and 'have

'have Succeſſion for ever, by the Name of *The Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens*, with Power to lay Taxes upon ninety-five thouſand Acres of Land, allotted as a Recompence for draining the ſaid Great Level, for the Support, Maintenance, and Preſervation, of the ſaid Great Level, and Works made, and to be made, in ſuch Manner as in the ſaid Act is ſtated and ſet forth: And whereas by another Act, made in the twenty-ſeventh Year of the Reign of King *George* the Second, (intituled, *An Act for diſcharging the Corporation of the Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, commonly called* Bedford Level, *from a Debt due to the Duke of* Bedford *and Earl of* Lincoln; *and for enabling the Proprietors of Lands in the North Level, Part of the ſaid Great Level, to raiſe Money to diſcharge the Proportion of the ſaid North Level in the Debts of the ſaid Corporation; and for aſcertaining and appropriating the Taxes to be laid on the ſaid North Level; and for the more effectual draining and preſerving the ſaid North Level, and divers Lands adjoining thereto, in the Manor of* Crowland), ſtating (amongſt other Facts), That, at a Court of the ſaid Corporation, held the tenth of *March* one thouſand ſix hundred and ninety-ſeven, the ſaid Corporation declared, that the ſeveral Parts of the ſaid Great Level ſhould be diſtinguiſhed by the ſeveral Names of the *North Level*, *Middle Level*, and *South Level*, reſpectively, it was (amongſt other Things) enacted, That all the Money that ſhould ariſe or be produced by the Taxes on ſuch Part of the ſaid ninety-five thouſand Acres as lay within the ſaid North Level, and all other the Rents and Revenues ariſing and payable to the ſaid Corporation, by, from, or out of the ſaid North Level, or any Part thereof, ſhould from thenceforth be applied and diſpoſed of by the ſaid Governor, Bailiffs, and Commonalty, and their Succeſſors, in and about the ſeveral Banks and Works in the ſaid Act after mentioned; and, in the firſt place, to raiſe, make good, and keep in Repair, the North Bank of *Moreton's Leame*, Eaſt Bank of *Cordyke* from *Moreton's Leame* to the *Folly Bank*, the *Folly Bank* from *Cordyke* to the River *Welland*, the Bank reaching from the *Folly Bank* to *Peakirk* Town, and the South Bank of the River *Welland* to the Weſt Dam at the End of *Crowland* Town, until the ſaid Banks ſhould be made of ſuch an Height and Strength as the ſaid Governor, Bailiffs, and Commonalty, or their Succeſſors, ſhould judge ſufficient to defend the ſaid North Level and *South Holland* againſt the Land Floods: And whereas it was, by the ſaid Act of the twenty-ſeventh of King *George* the Second, further enacted, That the Lands and Grounds in the ſaid North Level, and the Lands called *Portſand* otherwiſe *Great Porſand*, lying within the Manor of *Crowland* in *South Holland*, in the County of *Lincoln*, containing together about forty-eight thouſand Acres, intended to be drained under the Power and Authority of that Act, ſhould be divided into five Diſtricts or Diviſions, in Manner therein mentioned, and Commiſſioners were thereby nominated and appointed for the ſaid ſeveral Diſtricts; and the Commiſſioners for all the ſaid five Diſtricts were directed to meet together on the firſt *Monday* in *July* in every Year, and were thereby impowered to aſſeſs and charge the Owners and Occupiers of the Lands and Grounds within the ſaid Diſtricts (except as therein excepted) with equal and proportionable yearly Rates and Taxes, ſo that the ſaid Rates and Taxes for the firſt four Years ſhould be after the yearly Rate of one Shilling for every Acre of the ſaid Lands and Grounds; and ſo that, after the Expiration of the ſaid Term of four Years, the ſaid Rates and Taxes ſhould not exceed in any one Year Sixpence for every Acre of the ſaid Lands and Grounds: And it was thereby further enacted, That the Taxes and Sums of Money ſo to be aſſeſſed and rated, and all Money to be borrowed on the Credit thereof, ſhould be applied by the Commiſſioners for putting that Act in Execution, for and towards the general Works of draining and preſerving all the ſaid five Diſtricts, and particularly in cleanſing out, widening, and deepening, the ancient Branch of the River *Nene* otherwiſe *Old South-Eau*, and in ſcouring out the Reſervoir and Sands at and near the Outfall from *Shire Drain* to Sea, and other Works, different from thoſe to which the Taxes ariſing from ſuch Part of the ſaid ninety-five thouſand Acres as lay within the ſaid North Level and the Rents and Revenues of the ſaid North Level, were directed to be applied by the ſaid Act of the twenty-ſeventh of King *George* the Second: And whereas by an Act, made in the eleventh Year of the Reign of his preſent Majeſty King *George* the Third, (intituled, *An Act to enable the Corporation of the Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, called* Bedford Level, *to compleat and maintain the principal Banks and Works neceſſary to the well draining and preſerving the North Level, Part of the ſaid Great Level; and for laying Taxes upon the Lands within the ſaid North Level, and divers Lands adjoining thereto, in the Manor of* Crowland), it was enacted, That all the Lands and Grounds within the ſaid North Level, and the ſaid Lands called *Portſand*, compriſed in the ſaid Act of the twenty-ſeventh Year of King *George* the Second (except as therein excepted), ſhould be, and the ſame were thereby rated, charged, and aſſeſſed, in Manner following; (that is to ſay,) All the ſaid Lands and Grounds within the ſaid North Level (except as therein excepted), with a Tax of Sixpence for every Acre, and the ſaid Lands called *Portſand* with Threepence for every Acre; and that ſuch Taxes ſhould be paid to the Governor, Bailiffs, and Commonalty, of the Great Level of the Fens, or their Receiver: And it was thereby further enacted, That the ſaid Taxes, and all Money to be borrowed thereon, ſhould, together with the Money ariſing by the Tax fixed upon ſuch Part of the ſaid ninety-five thouſand Acres as lie within the ſaid North Level, and all other the Rents and Revenues ariſing and payable to the ſaid Corporation from the ſaid North Level (but without Prejudice to the Payment of a Debt of five thouſand Pounds, borrowed by the ſaid Corporation, upon Bond), be applied, by the ſaid Governor, Bailiffs, and Commonalty, and their Succeſſors, in and towards the Charges of the ſeveral Banks and Works of the ſaid North Level to which the Taxes on ſuch Part of the ſaid ninety-five thouſand Acres as lie in the ſaid North Level, and the Rents and Revenues of the ſaid Corporation in the ſaid North Level, were, by the ſaid Act of the twenty-ſeventh Year of King *George* the Second, directed to be applied: And it was thereby alſo enacted, That it ſhould be lawful for the Commiſſioners for the five ſeveral Diſtricts, nominated and appointed under the ſaid Act of the twenty-ſeventh of King *George* the Second, to elect eighteen of the

Clauſe in Act 27 Geo. II.

and in Act 11 Geo. III. recited.

'ſaid Commiſſioners to be a Committee to ſuperintend and direct the Repairs to be made in the ſaid Banks 'and Works; and that it ſhould be lawful for the ſaid Committee, aſſembled as by the ſaid Act is di-'rected, or the major Part of them, to direct ſuch Works to be done by the Officers of the ſaid Corpo-'ration as they ſhould ſee neceſſary; and that the Charges and Expences of ſuch Works ſhould be paid 'by the ſaid Corporation out of the Taxes, Rents, and Revenues, aforeſaid, and out of the Money to 'be raiſed thereon: And it was thereby further enacted, That it ſhould be lawful for the Governor, 'Bailiffs, and Conſervators, of the ſaid Corporation, with the Conſent of the Deviſees in Truſt under the 'Will of *John* late Duke of *Bedford*, or the Survivors or Survivor of them, or the Executors, Admini-'ſtrators, or Aſſigns, of ſuch Survivor, until one of the Grandſons of the ſaid late Duke of *Bedford*, the 'Sons of the late Right Honourable *Francis Ruſſel*, commonly called *Marquis of Taviſtock*, ſhould attain 'the Age of twenty-one Years, and then of the Duke of *Bedford*, his Heirs or Aſſigns, Lord or Lords, 'Owner or Owners, of the Manor of *Thorney*; and of Sir *Sampſon Gideon* Baronet, his Heirs or Aſſigns, 'Owner or Owners of *High* and *Low Burrough Fen*; and of *Charles Orby Hunter* Eſquire, his Heirs or 'Aſſigns, Lord or Lords, Lady or Ladies, of the Manor of *Crowland*, or of the Owners for the Time 'being, of any two of the ſaid Manors and Lands, to borrow Money upon Bonds, under the Seal of the 'ſaid Corporation, in ſuch Manner as by the ſaid Act is directed; and that the Rents, Taxes, and 'Revenues, of the ſaid North Level (but without Prejudice to the Bond Creditors for the ſaid Sum of 'five thouſand Pounds), and the ſaid Taxes charged and aſſeſſed by the ſaid Act of the eleventh Year of 'his preſent Majeſty, ſhould be a Security for the Money ſo borrowed: And whereas the ſaid Taxes of 'one Shilling by the Acre for the firſt four Years, and of Sixpence by the Acre for every Year after-'wards, wherewith the ſaid Commiſſioners for the ſaid ſeveral five Diſtricts of the ſaid North Level were 'enabled, by the Act of the twenty-ſeventh Year of King *George* the Second, to charge the Owners and 'Occupiers of the Lands and Grounds within the ſaid ſeveral Diſtricts, have proved ineffectual to main-'tain and ſupport the Works to which the ſame were directed by the ſaid Act to be applied; and a con-'ſiderable Debt hath been incurred by the ſaid Commiſſioners upon account of the ſaid Works; and it 'will be for the Benefit of the Owners and Proprietors of the ſaid Lands and Grounds within the ſaid 'ſeveral Diſtricts to provide a further Fund for the Maintenance and Support of the ſaid Works: And 'whereas the ſaid Banks of *Moreton's Leame*, *Cordyke*, and the *Folly Drain*, to which the Taxes upon ſuch 'Part of the ſaid ninety-five thouſand Acres as lie within the ſaid North Level, and the Rents and Reve-'nues of the ſaid Corporation ariſing from the ſaid North Level, and the Taxes charged upon the ſaid 'five Diſtricts by the ſaid Acts of the eleventh Year of his preſent Majeſty, are directed to be applied, 'have, by frequent Floods, been much endamaged, and, notwithſtanding great Sums have been expended 'therein, are ſtill liable to Breaches in Caſes of great Land Floods, and the ſaid Funds provided for the 'Repairs thereof are greatly in Debt; and it will be greatly for the Benefit of the Owners and Proprietors 'of the Lands within the ſaid North Level to provide a further Fund for the immediate Repair of ſuch 'Banks in Caſes of Breaches, or Danger of Breaches therein: But as ſuch Purpoſes cannot be attained, 'nor the Lands and Grounds intended to be drained by the ſaid Acts effectually preſerved, without the 'Aid of Parliament;' may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for and notwithſtanding the ſaid herein before mentioned Acts, or any of them, or any Clauſes in them or any of them contained, it ſhall be lawful for the ſaid Commiſſioners, nominated or appointed, elected or choſen, for the five Diſtricts of the ſaid North Level, by virtue of the ſaid Act of the twenty-ſeventh Year of King *George* the Second, at their General Annual Meeting on the firſt *Monday* in *July* after the paſſing of this Act, to aſſeſs, rate, tax, and charge, the Owner or Owners, Occupier or Occupiers, of all and ſingular the Lands and Grounds, ſituate and being within the ſaid ſeveral Diſtricts or Diviſions, or any of them (except *Great Burrough Fen Common* otherwiſe *Peterborough Great Fen Common*, the Common now commonly called *The Four hundred Acre Common in Alderlands*, *Little Burrough Fen Common* otherwiſe *Peterborough Little Fen Common* otherwiſe *Flagg Fen Common*, and that Part of *Sutton Common* which lies South of *Old South Eau*, and alſo except all the Lands called *Hurts Grounds*, in the Pariſh of *Standground*, and alſo all the Lands in *Oxney* and *Tanholt Farms*, *Chappel Cloſe*, *Borough Hill Cloſes*, *Padhams*, *Peakirk Long Meadows*, *Peakirk Little Meadows*, and the Cloſes adjoining thereto, *Newark*, *Edgerley*, and the Cloſes adjoining thereto towards the Weſt, and *North Billingſwood*, and the Cloſes adjoining thereto, in the Pariſh of *Paſton*, the Lands called *The Inhams*, lying South on the *Folly Bank*, and the Cloſes at the South End of the *Inhams* called *Puttock Cloſes*, and alſo except all the High Lands in *Eyebury* and *Newark*, and all the High Lands in the Pariſhes of *Peterborough*, *Werrington*, *Glinton*, *Peakirk*, *Eye*, *Standground*, and *Whittleſey*, or any of them, and the Lands called *Portſand* otherwiſe *Great Porſand*, in the Manor of *Crowland*), for the Term of three Years, by and with equal and proportionable yearly Rates, Taxes, or Sums of Money, at the Diſcretion of the ſaid Commiſſioners, or the major Part of them that ſhall be preſent at ſuch yearly General Meeting, ſo that the ſaid Rates or Taxes do not exceed in any one Year two Shillings for each Acre of the Lands and Grounds compriſed within the five Diſtricts (except as is before excepted), and ſo as that no Part of the ſaid Lands and Grounds be at any Time charged by virtue of this Act with any greater Rate or Tax than the reſt of the ſaid Lands ſhall be charged with; and alſo to aſſeſs, rate, tax, and charge, the Owner or Owners, Occupier or Occupiers, of the ſaid Lands called *Portſand* otherwiſe *Great Porſand*, for the ſame Term of three Years, by and with equal and proportionable yearly Rates and Taxes, ſo that the ſaid Rates and Taxes do not exceed in any one Year one Shilling for every Acre of the ſaid Lands, and ſo as that the ſaid Lands called *Portſand* otherwiſe *Great Porſand* be not at any Time charged by virtue of this Act with more than Half the Rate or Tax by the Acre that the other Lands in the ſaid five Diſtricts ſhall be ſo charged with; which ſaid Rates, Taxes, and Sums of Money, ſo to be taxed and aſſeſſed as aforeſaid, ſhall be paid by the reſpective Owners or Occupiers

Commiſſioners appointed by Act of 27 Geo. II. at their General Meeting impowered to lay further yearly Taxes.

Lands excepted.

Occupiers of the ſaid Lands and Grounds, on the firſt Day of *Auguſt*, and the firſt Day of *February*, in each of the ſaid Years, by equal Half-yearly Payments, to ſuch Perſon or Perſons as the ſaid Commiſſioners, or the major Part of them, at any General Meeting, ſhall, from Time to Time, appoint to be their Receiver or Receivers; the firſt Half-yearly Payment to be made on the firſt Day of *Auguſt* which ſhall next happen after ſuch Rates or Taxes ſhall be made.

How the Sums raiſed are to be applied.

II. And it is hereby further enacted and declared, That the ſaid Taxes, and Sums of Money, ſo to be aſſeſſed, rated, raiſed, and paid, as aforeſaid, ſhall, from Time to Time, be applied and diſpoſed of by the ſaid Commiſſioners, or the major Part of them who ſhall be preſent at any General Meeting, in the firſt place, in paying and defraying the Charges of this Act; and then in paying and diſcharging the Debts contracted upon account of the Works of the ſaid North Level and *Portſand*, and in widening and rebuilding *Clow's-Croſs Sluice*, erecting a Pair of Pointing Doors at *Storers Barr*, in ſcouring out the Reſervoir and Shire Drain, and in doing other Works to which the ſaid Taxes of one Shilling and of Sixpence were directed by the ſaid Act of the twenty-ſeventh Year of King *George* the Second, or any other Act, to be applied.

Commiſſioners for the five diſtricts, with Conſent of Deviſees of the Duke of Bedford, Sir Sampſon Gideon, and Mr. Hunter, &c. impowered to lay a farther Tax for one Year.

III. And be it further enacted by the Authority aforeſaid, That it ſhall alſo be lawful for the Commiſſioners for the ſaid five Diſtricts, at one Annual General Meeting, to be held on the firſt *Monday* in *July*, within three Years, to be computed from the firſt Day of *June* one thouſand ſeven hundred and ſeventy-five, with the Conſent of the Deviſees in Truſt under the Will of *John* late Duke of *Bedford*, Lord or Lords, Owner or Owners, of the Manor of *Thorney*, or the Survivors or Survivor of them, or the Executors, Adminiſtrators, or Aſſigns of ſuch Survivor, and of Sir *Sampſon Gideon*, his Heirs or Aſſigns, Owner or Owners of *High* and *Low Burrough Fen*, and of *Charles Orby Hunter* Eſquire, his Heirs or Aſſigns, Lord or Lords, Lady or Ladies, of the Manor of *Crowland*, or of the Owners of any two of the ſaid Manors and Lands, to aſſeſs, rate, tax, and charge, the Owner or Owners, Occupier or Occupiers, of all and ſingular the Lands and Grounds ſituate and being within the ſaid ſeveral Diſtricts, or any of them (except as before is excepted), with further equal and proportionable Rates or Taxes for one Year, at the Diſcretion of the ſaid Commiſſioners, or the major Part of them that ſhall be preſent at ſuch yearly General Meeting, ſo that the ſaid Rates or Taxes do not exceed one Shilling for each Acre of the Lands and Grounds compriſed within the ſaid five Diſtricts (except as is before excepted), and ſo as that no Part of the ſaid Lands and Grounds be charged with a greater Rate or Tax than the reſt of the ſaid Lands ſhall be charged with; and alſo to aſſeſs, rate, tax, and charge, the Owner or Owners, Occupier or Occupiers, of the ſaid Lands called *Portſand* otherwiſe *Great Porſand*, with further equal and proportionable Rates or Taxes for one Year, not exceeding Sixpence for each Acre of the ſaid Lands and Grounds, and ſo as that the ſaid Lands called *Portſand* otherwiſe *Great Porſand* be not charged with more than Half the Rate or Tax by the Acre which the other Lands in the ſaid five Diſtricts ſhall be charged with; which ſaid laſt-mentioned Rates, Taxes, and Sums of Money, ſo to be paid by the ſaid reſpective Owner or Owners of the ſaid Lands in the ſaid five Diſtricts, ſhall be paid to the ſaid Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, or to their Receiver appointed by virtue of the ſaid Act of the eleventh Year of his preſent Majeſty, by the reſpective Owners or Occupiers of the ſaid Lands and Grounds, on the twenty-ninth Day of *September*, and the twenty-fifth Day of *March*, which ſhall happen next after the ſame ſhall be rated and aſſeſſed therewith, by equal Half-yearly Payments.

How the ſaid Tax for one Year is to be applied.

IV. And it is hereby further enacted and declared by the Authority aforeſaid, That the ſaid Rates, Taxes, and Sums of Money, directed to be paid to the ſaid Governor, Bailiffs, and Commonalty, or their Receiver, ſhall be applied in repairing the North Bank of *Moreton's Leame*, the Eaſt Bank of *Cordyke* from *Moreton's Leame* to the *Folly Bank*, the *Folly Bank* from *Cordyke* to the River *Welland*, and the Bank reaching from the *Folly Bank* to *Peakirk* Town, in Caſes of Damage or Decay in, or Breaches of, the ſaid Banks, and in ſcouring out *Moreton's Leame*, and embanking the Waſh Lands adjoining to the ſame, by the ſaid Governor, Bailiffs, and Commonalty, in ſuch Manner as the Committee of the Commiſſioners of the ſaid five Diſtricts, directed by the ſaid Act of the eleventh Year of his preſent Majeſty, elected to ſuperintend and direct the Repairs and Amendments of the ſaid Banks, ſhall direct the ſame to be applied, under the Powers given to the ſaid Committee by the ſaid Act.

Lands and Grounds rated to be taken according to the Quantity aſcertained by Act 27 Geo. II.

V. And it is hereby further enacted, That the Quantities of the Lands and Grounds to be rated, charged, taxed, and aſſeſſed, by virtue of this Act, ſhall be taken according to the reſpective Quantities thereof aſcertained in purſuance of the ſaid Act of the twenty-ſeventh of King *George* the Second; and that the reſpective Owners or Occupiers of the ſaid Lands and Grounds ſhall pay the Taxes to be rated and aſſeſſed by virtue of this Act, according to the ſame Number of Acres, Roods, and Perches, as they are now rated and taxed at under the ſaid Act of the twenty-ſeventh of King *George* the Second.

Tenants to pay Taxes;

VI. And, to the End that the ſeveral Taxes, to be charged and aſſeſſed by virtue of this Act, may be the more eaſily collected, be it further enacted by the Authority aforeſaid, That all and every the Occupiers of the Lands and Grounds, to be taxed, charged, rated, or aſſeſſed, by virtue of this Act, ſhall be, and they are hereby required and made liable to pay the ſaid Taxes, ſo to be charged and aſſeſſed upon the Lands and Grounds in their reſpective Occupations; and in caſe of ſuch Payment by any Tenant or Tenants, who ſhall hold the Lands and Grounds by him, her, or them, occupied at a Rack Rent or Rack Rents, ſuch Tenant or Tenants ſhall be at Liberty, and he, ſhe, and they, is and are hereby impowered to deduct and retain, out of his, her, or their Rent or Rents, all ſuch Sum and Sums of Money, as he, ſhe, or they, ſhall reſpectively pay for ſuch Taxes as aforeſaid; and the ſeveral and reſpective Landlords or Owners of ſuch Lands and Grounds are hereby required to allow ſuch Deductions or Payments, upon the Receipt of the Reſidue of their Rents, ſuch Tenant or Tenants producing proper Receipts for the Payment of ſuch Taxes; and all and every Tenant or Tenants ſo holding at Rack Rent, and paying ſuch Taxes, ſhall be acquitted and diſcharged from and againſt his, her, or their Landlord or

and if they hold the Lands at Rack Rents, may deduct the ſame from their Rents.

Landlords to allow ſuch Deductions.

Landlords, of and from ſo much Money as the Tax or Taxes, by him, her, or them ſo paid as aforeſaid ſhall amount unto, in as full and ample a Manner as if the ſame had been actually paid to his, her, or their Landlord or Landlords.

Certain Leſſees not intitled to deduct the Taxes.

VII. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That no Leſſee or Tenant for any Life or Lives, or Years determinable on the dropping of any Life or Lives, charged and aſſeſſed with the ſaid Taxes, who ſhall hold his, her, or their Lands ſo to be taxed, charged, or aſſeſſed, by virtue of or under any Leaſe from any Biſhop or Collegiate Church or College, or any Eccleſiaſtical Corporation, Sole or Aggregate, or the Truſtees for the Charity of *Peterborough*, or under any other beneficial Leaſe whatſoever, ſhall be intitled to deduct the Taxes to be charged and aſſeſſed by virtue of this Act out of the Rent reſerved or payable by any ſuch Leaſe to his, her, or their Landlord or Landlords; but the ſaid Taxes ſhall be paid and borne by the ſaid Leſſee or Leſſees ſo holding ſuch Lands and Grounds under any ſuch Leaſe or Leaſes, any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

If any Perſons neglect or refuſe to pay the Taxes,

VIII. And it is further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall neglect to pay the Taxes, to be charged and aſſeſſed upon the Lands or Grounds in his, her, or their Poſſeſſion or Occupation, by virtue of this Act, or any of ſuch Taxes, or any Part thereof, within twenty-one Days next after the ſame ſhall become due or payable reſpectively, unto the Receiver or Receivers appointed, from Time to Time, by the Commiſſioners of the ſaid five Diſtricts, in purſuance of the ſaid Act of the twenty-ſeventh Year of King *George* the Second, or by the ſaid Governor, Bailiffs, and Commonalty, by virtue of the ſaid Act of the eleventh Year of his preſent Majeſty, reſpectively, at the uſual Place or Places of Reſidence of ſuch Receiver or Receivers reſpectively within the ſaid North Level, it

Receivers may enter upon their Lands, and levy the ſame by Diſtreſs;

ſhall and may be lawful to and for ſuch Receiver or Receivers reſpectively, or any Perſon or Perſons, by virtue of any Warrant or Precept, under the Hand and Seal of ſuch Receiver or Receivers reſpectively, to enter into or upon the Lands and Grounds ſo to be charged and aſſeſſed by virtue of this Act, in Poſſeſſion of ſuch Perſon or Perſons as ſhall make Default in Payment, as aforeſaid, or into any Part thereof, and into all or any of the Meſſuages, Buildings, or Erections thereupon ſtanding, or thereunto belonging, with their Appurtenances, and to levy and raiſe all and every Sum and Sums of Money by him, her, or them payable for ſuch Taxes by Diſtreſs of the Goods and Chattels which ſhall be found upon the Premiſes ſo charged with ſuch Taxes in Arrear, as aforeſaid, or in any Meſſuage or Building thereupon

and if not found on their Lands, may diſtrain their Goods in any other Place in Great Britain.

ſtanding, or thereto belonging; and in caſe ſufficient Diſtreſs cannot be found on ſuch Premiſes, then to levy and raiſe all Arrears of the ſaid Taxes reſpectively by Diſtreſs of the Goods and Chattels of the Perſon or Perſons ſo making Default in Payment, as aforeſaid, which ſhall be found in any other Place within the Kingdom of *Great Britain*; and the Goods and Chattels ſo diſtrained to impound on the Premiſes, or take, lead, drive, carry away, and keep for the Space of five Days, at the Coſts and Charges of the Owner or Owners thereof, leaving at ſuch Meſſuage, Grounds, or Premiſes, Notice in Writing of the Cauſe of ſuch Diſtreſs: And if the Owner or Owners of the Goods and Chattels ſo diſtrained ſhall not pay

Goods diſtrained may be ſold for Payment of Taxes.

all and every ſuch Sum and Sums of Money due and in Arrear for ſuch Taxes reſpectively, as aforeſaid, and all Charges attending ſuch Diſtreſs, or replevy the Goods and Chattels ſo diſtrained, with ſufficient Sureties to be given to the Sheriff of the County where the Diſtreſs ſhall be ſo made, or High Bailiff of the *Iſle of Ely*, according to the Laws now in being for Diſtreſſes in caſe of Nonpayment of Rent, within five Days next after ſuch Diſtreſs ſhall be made, and Notice thereof given as aforeſaid, the Perſon or Perſons ſo diſtraining ſhall and may, with the Sheriff or Under Sheriff of the County, High Bailiff of the *Iſle of Ely*, or his Deputy by him appointed and acting for him, or Conſtable or Headborough of the Pariſh or Place where ſuch Diſtreſs ſhall be made (who are hereby required to aſſiſt therein), cauſe the Goods and Chattels ſo diſtrained to be appraiſed by two or more indifferent Perſons, to be ſworn by ſuch Sheriff, Under Sheriff, High Bailiff, or his Deputy, Conſtable, or Headborough, (who are hereby impowered to adminiſter ſuch Oath), to appraiſe the ſame according to the beſt of their Judgments; and after ſuch Appraiſement, it ſhall and may be lawful to and for ſuch Perſon and Perſons making ſuch Diſtreſs, the Goods and Chattels ſo diſtrained to ſell, for the beſt Price that can be gotten for the ſame, for and towards Satisfaction of the Monies for which ſuch Diſtreſs ſhall be ſo made, and the Charges of taking, keeping, appraiſing, and ſelling the Goods and Chattels ſo diſtrained, leaving the Overplus (if any) in the Hands of ſuch Sheriff, Under Sheriff, High Bailiff, or his Deputy, Conſtable, or Headborough, for the Owner's Uſe.

Lands untenanted to remain a Security for Payment.

IX. Provided always, and it is hereby further enacted and declared, That in caſe any of the ſaid Lands or Grounds ſhall at any Time be untenanted or unoccupied, ſo that no ſufficient Diſtreſs can be found for levying the ſaid Taxes in Arrear, as aforeſaid, then the Lands and Grounds chargeable therewith ſhall always remain a Security for the Payment thereof; and all Goods and Chattels, which ſhall at any Time thereafter be found thereon, ſhall and may be diſtrained, impounded, kept, appraiſed, and ſold, in Manner aforeſaid, until all Arrears of the ſaid Taxes, and the Charges of ſuch Diſtreſs, ſhall be fully paid and ſatisfied.

'X. And whereas there are certain Low Lands or Grounds in *Eye-Edgerley*, *Whittles-meer*, *Eyebury*, '*Oxney*, *Tanholt*, and the Thirds of *Flag Fen*, within the Limits of the ſecond Diſtrict of the ſaid North 'Level, which cannot be conveniently drained by the Engines now erected for draining the ſaid ſecond 'Diſtrict;' be it therefore enacted by the Authority aforeſaid, That in caſe the ſaid Lands ſhall not be

In caſe certain Lands be not ſufficiently drained within two Years, Owners, &c. may erect a Mill or Engine, &c.

ſufficiently drained within the Space of two Years from the paſſing of this Act, by means of the Works to be done in purſuance hereof, it ſhall and may be lawful to and for the Owners of the ſaid Lands, by and with the Conſent of Sir *Sampſon Gideon* Baronet, his Heirs or Aſſigns, Owner or Owners of the Thirds of *Flag Fen*, *Oxney*, and *Eyebury*, and of three Land Owners of the ſaid Lands, being Owners of fifteen Acres each, at their own Expence, to erect, build, ſupport, and maintain, one Mill or Engine, to be placed between *Oxney Load* and the South Corner of the Thirds of *Flag Fen*, and to make ſuch

Drains,

Drains, Banks, and Tunnels, within and upon the ſaid Lands, and upon a Slip of Ground called *Allerton Gull*, lying between the Thirds of *Flag Fen* aforeſaid and the Thirds of *Oxney*, as ſhall be neceſſary for conveying the Waters from the ſaid Lands through the Drain called *Oxney Load* (which laſt-mentioned Drain ſhall be ſcoured, cleanſed, widened, and deepened, by the Direction and at the Expence of the Commiſſioners of the ſecond Diſtrict of the ſaid North Level), or otherwiſe, into the Drain called *Muſcott* otherwiſe *Catwater*; and to work, uſe, and employ, the ſaid Mill or Engine, ſo to be erected, for conveying the ſaid Waters by ſuch Drains, ſo to be cleanſed, ſcoured, widened, deepened, or made, as aforeſaid, into the ſaid Drain called *Muſcott* otherwiſe *Catwater*, except at ſuch Times as herein after are mentioned; any Clauſe or Reſtriction in the ſaid Act of the twenty-ſeventh Year of his late Majeſty King *George* the Second, or in any other Act contained to the contrary thereof in any wiſe notwithſtanding.

At what Time ſuch Engine ſo erected may not be worked.

XI. Provided always nevertheleſs, and be it further enacted and declared by the Authority aforeſaid, That the ſaid Mill or Engine ſo to be erected ſhall not be uſed, worked, or employed, at any Time or Times when the Water in the Counter Drain at *Northeau Grævel Bridge* ſhall be ſo high as to be above a Gauge or Mark, to be fixed or ſet at or near the ſaid Bridge, by the Direction of the Committee of the Commiſſioners for the ſaid North Level and *Portſand* for that Purpoſe.

Commiſſioners may ſtop ſuch Engine when the Water riſes above a certain Gauge.

XII. And be it further enacted, That in caſe the ſaid Mill or Engine ſhall be worked, uſed, or employed, at any Time or Times when the Water in the ſaid Counter Drain ſhall be above ſuch Gauge or Mark as aforeſaid, it ſhall and may be lawful to and for the ſaid Committee of the Commiſſioners of the North Level and *Portſand*, or any two or more of them, upon Proof thereof, on the Oaths of two or more credible Witneſſes (which Oaths any two or more of the ſaid Committee are hereby impowered to adminiſter), by Warrant under their Hands, to order and cauſe the going and working of the ſaid Mill or Engine to be ſtopped or diſcontinued till the Water in the ſaid Counter Drain ſhall be ſo abated as to be below the ſaid Gauge or Mark ſo to be fixed as aforeſaid.

Limitation of Actions.

XIII. Provided, and it is hereby further enacted and declared by the Authority aforeſaid, That if any Action, Suit, Information, or other Proceeding, ſhall at any Time or Times be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done, or to be done, in purſuance of this Act, or in Execution of any of the Powers and Authorities hereby given, every ſuch Action, Suit, Information, or other Proceeding, ſhall be commenced within twelve Calendar Months next after the Fact committed, and not afterwards; and ſhall be laid or brought in the Counties of *Cambridge*, *Huntingdon*, *Lincoln*, and *Northampton*, or one of them, or in the *Iſle of Ely*, and not elſewhere; and the Defendant or Defendants in ſuch Action may plead the General Iſſue, or if in Replevin, may juſtify and avow by virtue of this Act, as Perſons acting under and by the Authority of Commiſſioners of Sewers are enabled to do, and give this Act and the ſpecial Matter in Evidence, without ſpecially pleading the ſame (other than as aforeſaid), at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action, Suit, Information, or other Proceeding, ſhall be brought after the Time ſo limited for bringing the ſame, or ſhall be brought in any other County, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; and in ſuch Caſe, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or forbear Proſecution of, or diſcontinue, his, her, or their Action or Actions, Suit or Suits, or if Judgment ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe; then, and in every or any of the ſaid Caſes, the Defendant or Defendants, Avowant or Avowants, ſhall recover double Coſts, for which he, ſhe, or they, ſhall have the like Remedy, as where Coſts are awarded by Law.

General Iſſue.

Double Coſts.

Saving Clauſe for the Conſervators of Bedford Level.

XIV. Saving and reſerving nevertheleſs unto the ſaid Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the Great Level of the Fens, commonly called *Bedford Level*, and their Succeſſors, and to all and every other Perſon and Perſons, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, all ſuch lawful Rights, Powers, Juriſdictions, and Authorities, now veſted in and enjoyed by them reſpectively, as are not hereby taken away, repealed, or altered.

Publick Act.

XV. And be it further enacted and declared, That this Act ſhall be deemed and allowed, in all Courts within this Kingdom, and upon all Occaſions whatſoever, to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Courts, Judges, and other Perſons, without ſpecially pleading the ſame.

CAP. XIII.

An Act for the better Relief and Employment of the Poor within the Hundreds of *Eaſt* and *Weſt Flegg*, in the County of *Norfolk*.

CAP.

CAP. XIV.

An Act to explain and amend an Act, made in the fourteenth Year of his preſent Majeſty, intituled, *An Act to amend an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King* George *the Second*, intituled, *An Act for the more effectual preventing of Frauds and Abuſes committed by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing unlawful Combinations of Journeymen Dyers and Journeymen Hot Preſſers, and of all Perſons employed in the ſaid ſeveral Manufactures; and for the better Payment of their Wages.*

Preamble. Act 14 Geo. III.

'WHEREAS by an Act, made in the fourteenth Year of the Reign of his preſent Majeſty (intituled, *An Act to amend an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King* George the *Second*, intituled, "An Act for the more effectual preventing of Frauds and Abuſes "committed by Perſons employed in the Manufacture of Hats, and in the Woollen, Linen, Fuſtian, "Cotton, Iron, Leather, Fur, Hemp, Flax, Mohair, and Silk Manufactures; and for preventing un- "lawful Combinations of Journeymen Dyers and Journeymen Hot Preſſers, and of all Perſons employed "in the ſaid ſeveral Manufactures; and for the better Payment of their Wages);" certain Penalties 'therein mentioned are inflicted on Perſons convicted of reeling falſe or ſhort Yarn, but no Proviſion is 'made for Recovery of the ſaid Penalties, or of the Coſts and Charges attending ſuch Proſecutions, by 'means whereof the good Purpoſes intended by the ſaid Act are rendered ineffectual;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, the ſeveral pecuniary Penalties inflicted by the ſaid Act upon Perſons who ſhall be convicted of reeling falſe or ſhort Yarn, together with the Coſts and Charges attending ſuch Proſecutions, ſhall (in caſe the ſame are not paid according to the Order of the Juſtice or Juſtices before whom ſuch Perſon or Perſons ſhall be ſo convicted) be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of the Juſtice or Juſtices before whom ſuch Offender or Offenders ſhall be ſo convicted, together with the Coſts and Charges of making ſuch Diſtreſs and Sale; and if no Goods and Chattels belonging to ſuch Offender or Offenders can be found ſufficient to anſwer the ſaid Penalties, together with the Coſts and Charges of ſuch Diſtreſs and Sale, then ſuch Juſtice or Juſtices ſhall and may cauſe ſuch Offender or Offenders to be committed to the common Gaol, or Houſe of Correction, of the County, Riding, Diviſion, City, Liberty, Town, or Place, where ſuch Offence ſhall be committed, there to remain without Bail or Mainprize for the Space of one Calendar Month, unleſs ſuch Penalties and Forfeitures, and the reaſonable Charges of ſuch Diſtreſs and Sale, ſhall be ſooner paid and ſatisfied.

After paſſing this Act, the ſeveral Penalties inflicted by Act 14 Geo. III. on Perſons reeling ſhort Yarn, &c. to be levied by Diſtreſs of the Offenders Goods; and if no Goods ſufficient can be found, they are to be committed for one Month.

If Perſons think themſelves aggrieved, they may appeal to the Seſſions;

II. Provided nevertheleſs, and be it further enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any Thing done in purſuance of this Act, it ſhall and may be lawful for ſuch Perſon or Perſons to appeal to the Juſtices of the Peace, at the next General or Quarter Seſſions of the Peace to be holden for the County, Riding, City, or Place, where the Cauſe of Complaint ſhall ariſe; and the Juſtices, in their ſaid General or Quarter Seſſions, are hereby required to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order therein as to them ſhall ſeem reaſonable, and according to the true Intent and Meaning of this Act; which Determination of the ſaid Juſtices in Seſſions, on every and any ſuch Appeal, ſhall be and are hereby declared to be final and concluſive.

and the Determination of the Juſtices to be final.

CAP. XV.

An Act to amend and render more effectual in his Majeſty's Dominions in *America* an Act, paſſed in the preſent Seſſion of Parliament, intituled, *An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters*, and for extending the Proviſions of the ſaid Act to his Majeſty's Marine Forces in *America*.

Preamble.

'WHEREAS in and by an Act, made in this preſent Seſſion of Parliament, intituled, *An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters*, ſeveral 'Regulations are made and enacted for the better Government of the Army and their obſerving ſtrict 'Diſcipline, and for providing Quarters for the Army and Carriages on Marches and other neceſſary 'Occaſions, and inflicting Penalties on Offenders againſt the ſame Act, and for many other good Pur- 'poſes therein mentioned; but the ſame may not be ſufficient for the Forces that may be employed in his 'Majeſty's Dominions in *America:* And whereas, during the Continuance of the ſaid Act, there may be 'Occaſion for marching and quartering of Regiments and Companies of his Majeſty's Forces in ſeveral 'Parts of his Majeſty's Dominions in *America:* And whereas the Publick Houſes and Barracks in his 'Majeſty's Dominions in *America* may not be ſufficient to ſupply Quarters for ſuch Forces: And whereas 'it is expedient and neceſſary that Carriages and other Conveniencies upon the March of Troops in his 'Majeſty's Dominions in *America* ſhould be ſupplied for that Purpoſe;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons,

mons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for and during the Continuance of this Act, and no longer, it ſhall and may be lawful to and for the Conſtables, Tithingmen, Magiſtrates, and other Civil Officers of Villages, Towns, Townſhips, Cities, Diſtricts, and other Places, within his Majeſty's Dominions in *America*, and in Default or Abſence, for any one Juſtice of the Peace inhabiting in or near any ſuch Village, Townſhip, City, Diſtrict, or Place, and for no others, and ſuch Conſtables, Tithingmen, Magiſtrates, and other Civil Officers aforeſaid, are hereby required to quarter and billet the Officers and Soldiers in his Majeſty's Service in the Barracks provided by the Colonies; and if there ſhall not be ſufficient Room in the ſaid Barracks for the Officers and Soldiers, then, and in ſuch Caſe only, to quarter and billet the Reſidue of ſuch Officers and Soldiers (for whom there ſhall not be Room in ſuch Barracks) in Inns, Livery Stables, Alehouſes, Victualling-houſes, and the Houſes of Sellers of Wine by Retail to be drank in their own Houſes or Places thereunto belonging, and all Houſes of Perſons ſelling of Rum, Brandy, Strong Waters, Cyder, or Metheglin, by Retail, to be drank in Houſes; and in caſe there ſhall not be ſufficient Room for the Officers and Soldiers in ſuch Barracks, Inns, Victualling and other Publick Alehouſes, that in ſuch and in no other Caſe, and upon no other Account, it ſhall and may be lawful for the Governor and Council of each reſpective Province in his Majeſty's Dominions in *America*, to authoriſe and appoint, and they are hereby directed and impowered to authoriſe and appoint, ſuch proper Perſon or Perſons as they ſhall think fit, to take, hire, and make fit, and in Default of the ſaid Governor and Council appointing and authoriſing ſuch Perſon or Perſons, or in Default of ſuch Perſon or Perſons ſo appointed neglecting or refuſing to do their Duty, in that Caſe it ſhall and may be lawful for any two or more of his Majeſty's Juſtices of the Peace, in or near the ſaid Villages, Towns, Townſhips, Cities, Diſtricts, and other Places, and they are hereby required to take, hire, and make fit for the Reception of his Majeſty's Forces, ſuch and ſo many uninhabited Houſes, Outhouſes, Barns, or other Buildings, as ſhall be neceſſary to quarter therein the Reſidue of ſuch Officers and Soldiers for whom there ſhould not be Room in ſuch Barracks and Publick Houſes, as aforeſaid, and to put and quarter the Reſidue of ſuch Officers and Soldiers therein.

Conſtables, &c. to quarter Officers and Men in Barracks provided for them;

and if not ſufficient Room therein, to billet the Reſidue in Inns, Alehouſes, &c.;

and if theſe be alſo inſufficient, then in hired uninhabited Houſes, &c. to be provided by the Governor, &c. for the Purpoſe.

II. And it is hereby declared and enacted, That there ſhall be no more Billets at any Time ordered than there are effective Soldiers preſent to be quartered therein: And in order that this Service may be effectually provided for, the Commander in Chief in *America*, or other Officer, under whoſe Orders any Regiment or Company ſhall march, ſhall, from Time to Time, give, or cauſe to be given, as early Notice as conveniently may be, in Writing, ſigned by ſuch Commander or Officer, of their March, ſpecifying their Numbers and Time of marching as near as may be, to the reſpective Governors of each Province through which they are to march, in order that proper Perſons may be appointed and authoriſed, in purſuance of this Act, to take up and hire, if it ſhall be neceſſary, uninhabited Houſes, Outhouſes, Barns, or other Buildings, for the Reception of ſuch Soldiers as the Barracks and Publick Houſes ſhall not be ſufficient to contain or receive.

No more Billets to be ordered than there are effective Men. Commander in Chief to give early Notice to the reſpective Governors of the marching of Troops, and their Numbers, that the Perſons appointed may provide Quarters accordingly.

'III. And whereas Doubts have been entertained, whether Troops can be quartered otherwiſe than in 'Barracks, in caſe Barracks have been provided ſufficient for the quartering of all the Officers and Soldiers 'within any Town, Townſhip, City, Diſtrict, or Place, within his Majeſty's Dominions in *North* '*America*: And whereas it may frequently happen, from the Situation of ſuch Barracks, that if Troops 'ſhould be quartered therein, they would not be ſtationed where their Preſence may be neceſſary and 'required;' be it therefore enacted by the Authority aforeſaid, That, in ſuch Caſes, it ſhall and may be lawful for the Perſons hereby authoriſed to quarter Troops as aforeſaid in any of the Provinces within his Majeſty's Dominions in *North America*, and they are hereby reſpectively authoriſed, impowered, and directed, on the Requiſition of the Officer who for the Time being has the Command of his Majeſty's Forces in *North America*, to cauſe any Officers or Soldiers in his Majeſty's Service to be quartered and billetted in ſuch Manner as is by this Act directed where no Barracks are provided by the Colonies.

Where the Situation of Barracks are inconvenient, other Quarters ſhall be provided.

IV. And be it further enacted by the Authority aforeſaid, That if it ſhall happen at any Time that any Officers or Soldiers in his Majeſty's Service ſhall remain within any of the ſaid Colonies without Quarters for the Space of twenty-four Hours after ſuch Quarters ſhall have been demanded, it ſhall and may be lawful for the Governor of the Province to order and direct ſuch and ſo many uninhabited Houſes, Outhouſes, Barns, or other Buildings, as he ſhall think neceſſary to be taken (making a reaſonable Allowance for the ſame), and made fit for the Reception of ſuch Officers and Soldiers, and to put and quarter ſuch Officers and Soldiers therein, for ſuch Time as he ſhall think proper.

If Soldiers remain 24 Hours without Quarters, Governor to order uninhabited Houſes, &c. to be fitted up for their Reception.

V. And be it further enacted by the Authority aforeſaid, That if any Military Officer ſhall take upon himſelf to quarter Soldiers in any of his Majeſty's Dominions in *America*, otherwiſe than is limited and allowed by this Act; or ſhall uſe or offer any Menace or Compulſion to or upon any Juſtice of the Peace, Conſtable, Tithingman, Magiſtrate, or other Civil Officer before mentioned, in his Majeſty's Dominions in *America*, tending to deter and diſcourage any of them from performing any Part of the Duty hereby required, or appointed; ſuch Military Officer, for every ſuch Offence, being thereof convicted before any two or more of his Majeſty's Juſtices of the Peace living within or near ſuch Villages, Towns, Townſhips, Cities, Diſtricts, or other Places, by the Oaths of two or more credible Witneſſes, ſhall be deemed and taken to be *ipſo facto* caſhiered, and ſhall be utterly diſabled to have or hold any Military Employment in his Majeſty's Service, upon a Certificate thereof being tranſmitted to the Commander in Chief in *America*; unleſs the ſaid Conviction ſhall be reverſed upon an Appeal brought within ſix Months in the proper Court for hearing Appeals againſt convicting by Juſtices of the Peace: And in caſe any Perſon ſhall find himſelf aggrieved in that ſuch Conſtable, Tithingman, Magiſtrate, or other Civil Officer, ſhall have quartered or billetted in or upon his Houſe a greater Number of Soldiers than he ought to bear in proportion to his Neighbours, and ſhall complain thereof to one or more Juſtice or Juſtices of the Peace of the Village, Town, Townſhip, City, Diſtrict, or other Place, where ſuch Soldiers are quartered; ſuch Juſtice or Juſtices has or have hereby Power to relieve ſuch Perſon, by ordering ſuch and ſo many of

Military Officers taking upon themſelves to quarter Soldiers, or uſing any Menace to Civil Officers to deter them from their Duty, to be caſhiered; unleſs the Conviction be reverſed upon an Appeal.

Perſons aggrieved by being quartered on, may complain to the Juſtices, and be relieved.

of the Soldiers to be removed and quartered upon ſuch other Perſon or Perſons as they ſhall ſee Cauſe and ſuch other Perſon or Perſons ſhall be obliged to receive ſuch Soldiers accordingly.

No Juſtice having any Military Office to be concerned in billetting Soldiers, except where there ſhall be no other Juſtice.

VI. Provided alſo, and be it further enacted, That no Juſtice or Juſtices of the Peace, having or executing any Military Office or Commiſſion in his Majeſty's regular Forces in *America*, may, during the Continuance of this Act, directly or indirectly, act or be concerned in the quartering, billetting, or appointing any Quarters for any Soldier or Soldiers, according to the Diſpoſition made for quartering of any Soldier or Soldiers by virtue of this Act (except where there ſhall be no other Juſtice or Juſtices of the Peace), but that all Warrants, Acts, Matters, or Things, executed or appointed by ſuch Juſtice or Juſtices of the Peace for or concerning the ſame, ſhall be void, any Thing in this Act contained to the contrary notwithſtanding.

Officers and Soldiers quartered in Inns or Alehouſes are to be furniſhed with Proviſions at certain Rates.

VII. Provided nevertheleſs, and it is hereby enacted, That the Officers and Soldiers ſo quartered and billetted as aforeſaid (except ſuch as ſhall be quartered in the Barracks and hired uninhabited Houſes, or other Buildings as aforeſaid), ſhall be received, and furniſhed with Diet, Small Beer, Cyder, or Rum mixed with Water, by the Owners of the Inns, Livery Stables, Alehouſes, Victualling-houſes, and other Houſes in which they are allowed to be quartered and billetted by this Act, paying and allowing for the ſame the ſeveral Rates herein after mentioned, to be payable out of the Subſiſtence-money, for Diet and Small Beer, Cyder, or Rum mixed with Water.

What Innholders, &c. may allow Men quartered on them inſtead of Meat.

VIII. Provided always, That in caſe any Innholder, or other Perſon, on whom any Non-commiſſion Officers or private Men ſhall be quartered, by virtue of this Act, in any of his Majeſty's Dominions in *America* (except on a March, or employed in recruiting, and likewiſe except the Recruits by them raiſed for the Space of ſeven Days at moſt, for ſuch Non-commiſſion Officers and Soldiers who are recruiting, and Recruits by them raiſed), ſhall be deſirous to furniſh ſuch Non-commiſſion Officers or Soldiers with Candles, Vinegar, and Salt, and with Small Beer, or Cyder, not exceeding five Pints, or Half a Pint of Rum mixed with a Quart of Water, for each Man *per Diem, gratis*; and allow to ſuch Non-commiſſion Officers or Soldiers the Uſe of Fire, and the neceſſary Utenſils for dreſſing and eating their Meat, and ſhall give Notice of ſuch his Deſire to the Commanding Officer, and ſhall furniſh and allow the ſame accordingly; then, and in every ſuch Caſe, the Non-commiſſion Officers and Soldiers ſo quartered ſhall provide their own Victuals; and the Officer to whom it belongs to receive, or that actually does receive, the Pay and Subſiſtence of ſuch Non-commiſſion Officers and Soldiers, ſhall pay the ſeveral Sums herein after mentioned, to be payable out of the Subſiſtence-money, for Diet and Small Beer, to the Non-commiſſion Officers and Soldiers aforeſaid, and not to the Innholder or other Perſon on whom ſuch Non-commiſſion Officers and Soldiers are quartered, any Thing herein contained to the contrary notwithſtanding.

What Officers and Soldiers quartered in Barracks, or in hired uninhabited Houſes, are to be furniſhed with at the Provincial Expence.

'IX. And whereas there are ſeveral Barracks in ſeveral Places in his Majeſty's ſaid Dominions in *America*, or ſome of them, provided by the Colonies, for the lodging and covering of Soldiers, in lieu of Quarters, for the Eaſe and Convenience as well of the Inhabitants of and in ſuch Colonies as of the Soldiers,' it is hereby further enacted, That all ſuch Officers and Soldiers ſo put and placed in ſuch Barracks, or in hired uninhabited Houſes, Outhouſes, Barns, or other Buildings, ſhall, from Time to Time, be furniſhed and ſupplied there by the Perſons to be authoriſed or appointed for that Purpoſe by the Governor and Council of each reſpective Province; or upon Neglect or Refuſal of ſuch Governor and Council in any Province, then by two or more Juſtices of the Peace reſiding in or near ſuch Place, with Fire, Candles, Vinegar, and Salt, Bedding, Utenſils for dreſſing their Victuals, and Small Beer or Cyder not exceeding five Pints, or Half a Pint of Rum mixed with a Quart of Water, to each Man, without paying any Thing for the ſame.

How the Expences incurred thereby are to be reimburſed.

'X. And, that the ſeveral Perſons who ſhall ſo take, hire, and fit up, as aforeſaid, ſuch uninhabited Houſes, Outhouſes, Barns, or other Buildings, for the Reception of the Officers and Soldiers, and who ſhall ſo furniſh the ſame, and alſo the ſaid Barracks, with Fire, Candles, Vinegar, and Salt, Bedding, Utenſils for dreſſing Victuals, and Small Beer, Cyder, or Rum, as aforeſaid, may be reimburſed and paid all ſuch Charges and Expences they ſhall be put to therein,' be it enacted by the Authority aforeſaid, That the reſpective Provinces ſhall pay unto ſuch Perſon or Perſons all ſuch Sum or Sums of Money ſo by them paid, laid out, or expended, for the taking, hiring, and fitting up ſuch uninhabited Houſes, Outhouſes, Barns, or other Buildings, and for furniſhing the Officers and Soldiers therein, and in the Barracks, with Fire, Candles, Vinegar, and Salt, Bedding, Utenſils for dreſſing Victuals, and Small Beer, Cyder, or Rum, as aforeſaid; and ſuch Sum or Sums are hereby required to be raiſed in ſuch Manner as the publick Charges for the Provinces reſpectively are raiſed.

Penalty on taking Money to excuſe any Perſon from being quartered on.

XI. Provided always, and be it enacted by the Authority aforeſaid, That if any Officer within his Majeſty's ſaid Dominions in *America* ſhall take, or cauſe to be taken, or knowingly ſuffer to be taken, any Money of any Perſon for excuſing the quartering of Officers or Soldiers, or any of them, in any Houſe allowed by this Act, every ſuch Officer ſhall be caſhiered, and be incapable of ſerving in any Military Employment whatſoever.

Commanding Officers may exchange Men in their Quarters.

'XII. And whereas ſome Doubts may ariſe, whether Commanding Officers of any Regiment or Company within his Majeſty's ſaid Dominions in *America* may exchange any Men quartered in any Village, Town, Townſhip, City, Diſtrict, or Place, in his Majeſty's ſaid Dominions in *America*, with another Man quartered in the ſame Place, for the Benefit of the Service,' be it declared and enacted by the Authority aforeſaid, That ſuch Exchange as above mentioned may be made by ſuch Commanding Officers reſpectively, provided the Number of Men do not exceed the Number at that Time billetted on ſuch Houſe or Houſes; and the Conſtables, Tithingmen, Magiſtrates, and other Chief Officers of the Villages, Towns, Townſhips, Cities, Diſtricts, or other Places where any Regiment or Company ſhall be quartered, are hereby required to billet ſuch Men ſo exchanged accordingly.

XIII. And

XIII. And be it further enacted by the Authority aforeſaid, That if any Conſtable, Tithingman, Magiſtrate, or other Chief Officer or Perſon whatſoever, who by virtue or colour of this Act ſhall quarter or billet, or be employed in quartering or billetting, any Officers or Soldiers within his Majeſty's ſaid Dominions in *America*, ſhall neglect or refuſe for the Space of two Hours to quarter or billet ſuch Officers or Soldiers when thereunto required, in ſuch Manner as is by this Act directed, provided ſufficient Notice be given before the Arrival of ſuch Forces; or ſhall receive, demand, contract, or agree, for any Sum or Sums of Money, or any Reward whatſoever, for or on account of excuſing, or in order to excuſe, any Perſon or Perſons whatſoever from quartering, or receiving into his, her, or their Houſe or Houſes any ſuch Officer or Soldier; or in caſe any Victualler, or any other Perſon within his Majeſty's Dominions in *America*, liable by this Act to have any Officer or Soldier billetted or quartered on him or her, ſhall refuſe to receive or victual any ſuch Officer or Soldier ſo quartered or billetted upon him or her, as aforeſaid; or in caſe any Perſon or Perſons ſhall refuſe to furniſh or allow, according to the Directions of this Act, the ſeveral Things herein before directed to be furniſhed or allowed to Officers and Soldiers ſo quartered or billetted on him or her, or in the Barracks, and hired uninhabited Houſes, Outhouſes, Barns, or other Buildings, as aforeſaid, at the Rate herein after mentioned, and ſhall be thereof convicted before one of the Magiſtrates of any one of the Supreme Chief or Principal Common Law Courts of the Colony where ſuch Offence ſhall be committed, either by his own Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes (which Oath ſuch Magiſtrate of ſuch Court is hereby impowered to adminiſter); every ſuch Conſtable, Tithingman, Magiſtrate, or other Chief Officer or Perſon ſo offending, ſhall forfeit, for every ſuch Offence, the Sum of five Pounds Sterling, or any Sum or Sums of Money not exceeding five Pounds nor leſs than forty Shillings, as the Magiſtrate before whom the Matter ſhall be heard ſhall in his Diſcretion think fit; to be levied by Diſtreſs and Sale of the Goods of the Perſon offending, by Warrant under the Hand and Seal of ſuch Magiſtrate before whom ſuch Offender ſhall be convicted, to be directed to a Conſtable, or other Officer, within the Village, Town, Townſhip, City, Diſtrict, or other Place, where the Offender ſhall dwell; and ſhall direct the ſaid Sum of five Pounds, or ſuch other Sum as ſhall be ordered to be levied in purſuance of this Act, as aforeſaid, when levied, to be paid into the Treaſury of the Province or Colony where the Offence ſhall be committed, to be applied towards the general Charges of the ſaid Province or Colony.

Penalty on Conſtables, &c. delaying to quarter or billet Officers or Soldiers, after due Notice;

or receiving Money to excuſe quartering;

and on Perſons refuſing to receive the Officers and Soldiers billetted on them, or to furniſh them with Neceſſaries, as this Act directs;

is any Sum not exceeding 5l. nor leſs than 40s.

to be paid into the Treaſury of the Colony where the Offence is committed.

'XIV. And, that the Quarters both of Officers and Soldiers in his Majeſty's ſaid Dominions in *America* 'may hereafter be duly paid and ſatisfied,' be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *March*, in the Year one thouſand ſeven hundred and ſeventy-five, every Officer to whom it belongs to receive, or that does actually receive, the Pay or Subſiſtence-money, either for a whole Regiment, or particular Companies, or otherwiſe, ſhall immediately, upon each Receipt of every particular Sum, which ſhall from Time to Time be paid, returned, or come to his or their Hands, on account of Pay or Subſiſtence, give publick Notice thereof to all Perſons keeping Inns, or other Places where Officers or Soldiers are quartered by virtue of this Act, and ſhall alſo appoint the ſaid Innkeepers and others to repair to their Quarters at ſuch Times as they ſhall appoint, for the Diſtribution and Payment of the ſaid Pay and Subſiſtence-money to the ſaid Officers or Soldiers, which ſhall be within four Days at fartheſt after Receipt of the ſame, as aforeſaid; and the ſaid Innkeepers and others ſhall then and there acquaint ſuch Officer or Officers with the Accounts or Debts (if any ſhall be) between them and the Officers and Soldiers ſo quartered in their reſpective Houſes; which Account the ſaid Officer or Officers are hereby required to accept of, and immediately pay the ſame, before any Part of the ſaid Pay or Subſiſtence be diſtributed either to the Officers or Soldiers; provided the Accounts exceed not for a Commiſſion Officer of Foot, being under the Degree of a Captain, for ſuch Officer's Diet and Small Beer, *per Diem*, one Shilling; and if ſuch Officer ſhall have a Horſe or Horſes, for each Horſe or Horſes, for their Hay and Straw, *per Diem*, Sixpence; nor for one Foot Soldier's Diet and Small Beer, Cyder, or Rum mixed as aforeſaid, *per Diem*, Four-pence: And if any Officer or Officers, as aforeſaid, ſhall not give Notice, as aforeſaid, and not immediately, upon producing ſuch Account ſtated, ſatisfy, content, and pay the ſame, upon Complaint, and Oath made thereof by any two Witneſſes, before two of his Majeſty's Juſtices for the Village, Town, Townſhip, City, Diſtrict, or other Place, where ſuch Quarters were (which Oath ſuch Juſtices are hereby authoriſed and required to adminiſter), the Paymaſter or Paymaſters of his Majeſty's Guards and Garriſons, upon Certificate of the ſaid Juſtices before whom ſuch Oath was made of the Sum due upon ſuch Accounts, and the Perſons to whom the ſame is owing are hereby required and authoriſed to pay and ſatisfy the ſaid Sums out of the Arrears due to the ſaid Officer or Officers, upon Penalty that ſuch Paymaſter or Paymaſters ſhall forfeit their reſpective Place or Places of Paymaſter, and be diſcharged from holding the ſame for the future: And in caſe there ſhall be no Arrears due to the ſaid Officer or Officers, then the ſaid Paymaſter or Paymaſters are hereby authoriſed and required to deduct the Sums he or they ſhall pay, purſuant to the Certificates of the ſaid Juſtices, out of the next Pay or Subſiſtence-money of the Regiment to which ſuch Officer or Officers ſhall belong; and ſuch Officer or Officers ſhall, for every ſuch Offence, or for neglecting to give Notice of the Receipt of ſuch Pay or Subſiſtence-money, as aforeſaid, be deemed and taken, and is hereby declared, to be *ipſo facto* caſhiered.

Officers to give Notice to Innkeepers, &c. of Subſiſtence-money in their Hands;

and their Accounts to be paid off according to the Rates of Subſiſtence here eſtabliſhed.

Officers not giving ſuch Notice,

the Accounts to be diſcharged out of their Arrears of Pay.

If no Arrears are due, then out of the Subſiſtence-money of the Regiment, and the Officers to be caſhiered.

XV. And where it ſhall happen that the Pay or Subſiſtence-money due to any Officer or Soldier within his Majeſty's ſaid Dominions in *America*, ſhall, by Occaſion of any Accident, not be paid to ſuch Officer or Soldier, or ſuch Officer or Soldier ſhall neglect to pay the ſame, ſo that Quarters cannot be or are not paid as this Act directs; and where any Forces ſhall be upon their March in his Majeſty's ſaid Dominions in *America*, ſo that no Subſiſtence can be remitted to them to make Payment as this Act directs, or they ſhall neglect to pay the ſame; in every ſuch Caſe, it is hereby further enacted, That every ſuch Officer ſhall, before his or their Departure out of his or their Quarters, where ſuch Regiment, Troop, or Company, ſhall remain for any Time whatſoever, make up the Accounts with every Perſon with whom ſuch

On Nonpayment of Quarters, for want of Money, the Officer to make up the Accounts, and give Certificates for the Sums due.

ſuch Regiment or Company ſhall have quartered, and ſign a Certificate thereof, and give the ſaid Certificate, ſo by him ſigned, to the Party to whom ſuch Money is due, with the Name of ſuch Regiment or Company to which he or they ſhall belong, to the End the ſaid Certificate may be forthwith tranſmitted to the Paymaſter of his Majeſty's Guards and Garriſons, who is hereby required immediately to make Payment thereof to the Perſon or Perſons to whom ſuch Money ſhall be due, to the End the ſame may be applied to ſuch Regiment or Company reſpectively, under Pain as before in this Act directed for Non-payment of Quarters.

Juſtices may demand an Account of quartering of the Officers and Soldiers, in order to prevent and remedy Abuſes in quartering.

'XVI. And, for the better preventing Abuſes in quartering or billetting the Soldiers in his Majeſty's 'Dominions in *America* in purſuance of this Act,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any one or more Juſtices of the Peace, or other Officer, within their reſpective Villages, Towns, Townſhips, Cities, Diſtricts, or other Places, in his Majeſty's ſaid Dominions in *America*, by Warrant or Order under his or their Hand and Seal, or Hands and Seals, at any Time or Times during the Continuance of this Act, to require and command any Conſtable, Tithingman, Magiſtrate, or other Chief Officer, who ſhall quarter or billet any Soldiers in purſuance of this Act, to give an Account in Writing unto the ſaid Juſtice or Juſtices, or other Officer requiring the ſame, of the Number of Officers and Soldiers who ſhall be quartered or billetted by them, and alſo the Names of the Houſekeepers or Perſons upon whom, and the Barracks and hired uninhabited Houſes, or other Buildings, as aforeſaid, in which and where every ſuch Officer or Soldier ſhall be quartered or billetted, together with an Account of the Street or Place where every ſuch Houſekeeper or Perſon dwells, and where every ſuch Barrack or hired uninhabited Houſe or Building is or are, and of the Signs (if any) which belong to their Houſes, to the End that it may appear to the ſaid Juſtice or Juſtices, or other Officer, where ſuch Officers or Soldiers are quartered or billetted, and that he or they may thereby be the better enabled to prevent or puniſh all Abuſes in the quartering or billetting them.

Juſtices, in purſuance of Orders received, are to iſſue Orders to Conſtables to provide Carriages for the Troops on their March.

XVII. And be it further enacted by the Authority aforeſaid, That, for the better and more regular Proviſion of Carriages for his Majeſty's Forces in their Marches, or for their Arms, Clothes, or Accoutrements, in his Majeſty's ſaid Dominions in *America*, all Juſtices of the Peace within their ſeveral Villages, Towns, Townſhips, Cities, Diſtricts, and Places, being duly required thereunto by an Order from his Majeſty, or the General of his Forces, or of the General commanding, or the Commanding Officer there, ſhall, as often as ſuch Order is brought and ſhewn unto one or more of them by the Quarter-maſter, Adjutant, or other Officer of the Regiment, Detachment, or Company, ſo ordered to march, iſſue out his or their Warrants to the Conſtables, Tithingmen, Magiſtrates, or other Officers of the Villages, Towns, Townſhips, Cities, Diſtricts, and other Places, from, through, near, or to which ſuch Regiment, Detachment, or Company, ſhall be ordered to march, requiring them to make ſuch Proviſion for Carriages, with able Men to drive the ſame, as ſhall be mentioned in the ſaid Warrant, allowing them reaſonable Time to do the ſame, that the neighbouring Parts may not always bear the Burthen; and in caſe ſufficient Carriages cannot be provided within any ſuch Village, Town, Townſhip, City, Diſtrict, or other Place, then the next Juſtice or Juſtices of the Peace of the Village, Town, Townſhip, City, Diſtrict, or other Place, ſhall, upon ſuch Order as aforeſaid being brought or ſhewn to one or more of them, by any of the Officers as aforeſaid, iſſue his or their Warrants to the Conſtables, Tithingmen, Magiſtrates, or other Officers of ſuch next Village, Town, Townſhip, City, Diſtrict, or other Place, for the Purpoſes aforeſaid, to make up ſuch Deficiency; and ſuch Conſtable, Tithingman, Magiſtrate, or other Officer, ſhall order or appoint ſuch Perſon or Perſons, having Carriages within their reſpective Villages, Towns, Townſhips, Cities, Diſtricts, or other Places, as they ſhall think proper, to provide and furniſh ſuch Carriages and Men according to the Warrant aforeſaid; who are hereby required to provide and furniſh the ſame accordingly.

Rates for Carriages.

XVIII. And be it further enacted, That the Pay or Hire for a *New York* Waggon, carrying twelve hundred Pounds Groſs Weight, ſhall be Seven-pence Sterling for each Mile, and for every other Carriage in that and every other Colony in his Majeſty's ſaid Dominions in *America*, in the ſame Proportion; and at or after the ſame Rate or Price for what Weight every ſuch other Carriage ſhall carry; and that the firſt Day's Pay or Hire for every ſuch Carriage ſhall be paid down by ſuch Officer to ſuch Conſtable, Tithingman, Magiſtrate, or other Civil Officer, who ſhall get or procure ſuch Carriages for the Uſe of the Owner or Owners thereof; and the Pay or Hire for every ſuch Carriage after the firſt Day, ſhall be paid every Day, from Day to Day, by ſuch Officer as aforeſaid, into the Hands of the Driver or Drivers of ſuch Carriages reſpectively, until ſuch Carriages ſhall be diſcharged from ſuch Service, for the Uſe of the Owner and Owners thereof.

Carriages not obliged to carry above 12 Cwt.

XIX. Provided always, and be it further enacted, That no ſuch Waggon, Cart, or Carriage, impreſt by Authority of this Act, ſhall be obliged or liable, by virtue of this Act, to carry above twelve hundred Weight, any Thing herein contained to the contrary notwithſtanding.

nor to travel above one Day's March, unleſs other Carriages cannot be procured.

XX. Provided alſo, That no ſuch Waggon, Cart, or Carriage, ſhall be obliged to travel more than one Day's March, if within that Time they ſhall arrive at any other Place where other Carriages may be procured; but in caſe other ſufficient Carriages cannot be procured, then ſuch Carriages ſhall be obliged to continue in the Service till they ſhall arrive at ſuch Village, Town, Townſhip, City, Diſtrict, or other Place, where proper and ſufficient Carriages for the Service of the Forces may be procured.

Penalty on Conſtables, &c. neglecting to provide Carriages.

XXI. And be it further enacted by the Authority aforeſaid, That if any Conſtable, Tithingman, Magiſtrate, or other Civil Officer, within his Majeſty's Dominions in *America*, ſhall wilfully neglect or refuſe to execute ſuch Warrants of the Juſtices of the Peace as ſhall be directed to them for providing Carriages, as aforeſaid; or if any Perſon or Perſons appointed by ſuch Conſtable, Tithingman, Magiſtrate, or other Civil Officer, to provide or furniſh any Carriage and Man, ſhall refuſe or neglect to provide the ſame, or any other Perſon or Perſons whatſoever ſhall wilfully do any Act or Thing whereby the Execution of the ſaid Warrants may be delayed, hindered, or fruſtrated; every ſuch Conſtable, Tithingman, Magiſtrate, Civil

Civil Officer, or other Perſon ſo offending, ſhall, for every ſuch Offence, forfeit any Sum not exceeding forty Shillings Sterling, nor leſs than twenty Shillings, to be paid into the Treaſury of the Province where any ſuch Offence ſhall be committed; to be applied towards the aforeſaid contingent Charges of the Province: And all and every ſuch Offence and Offences, and all and every other Offence and Offences in this Act mentioned, and not otherwiſe provided, ſhall and may be inquired of, heard, and fully determined, by two of his Majeſty's Juſtices of the Peace, dwelling in or near the Village, Town, Townſhip, City, Diſtrict, or Place, where ſuch Offence ſhall be committed, who have hereby Power to cauſe the ſaid Penalty to be levied by Diſtreſs and Sale of the Offenders Goods and Chattels, rendering the Overplus, if any, to the Owner.

'XXII. And whereas the Allowance hereby provided for the Payment of the Carriages that may be 'neceſſary in the Marching of Troops may not be a ſufficient Compenſation for the ſame, and to ſatisfy 'the Conſtables, Tithingmen, Magiſtrates, and other Civil Officers, their Charges and Expences 'therein;' for Remedy whereof, be it further enacted by the Authority aforeſaid, That the Conſtables, Tithingmen, Magiſtrates, and Civil Officers procuring ſuch Carriages, ſhall pay a reaſonable Expence or Price for every Carriage ſo procured; and that every ſuch Conſtable, Tithingman, Magiſtrate, Civil Officer, or other Perſon, ſhall be repaid what he or they ſhall ſo expend, together with his or their own Charges and Expences attending the ſame, by the Province or Colony where the ſame ſhall ariſe.

Colony to repay the extra Expences of Carriages.

XXIII. Provided always, and be it further enacted by the Authority aforeſaid, That where it ſhall be neceſſary to take Waggons or other Carriages for long Marches, beyond the Settlements, an Appraiſement ſhall be made of the Value of ſuch Horſes and Carriages, at the Time of the taking them up to be employed in ſuch Marches beyond the Settlements, by two indifferent Perſons, one to be choſen by the Commanding Officer of ſuch Forces, and the other by the Owner of ſuch Cattle or Carriages, a Certificate of which Appraiſement ſhall be given to the Owner or Owners of ſuch Cattle or Carriages reſpectively: And in caſe any of the Cattle or Carriages, ſo taken up for ſuch Service, ſhall, in the Execution thereof, be loſt or deſtroyed; that then, and in every ſuch Caſe, upon producing the ſaid Certificate, and proper Vouchers, upon Oath, of ſuch Loſs or Deſtruction, to the Paymaſter General of his Majeſty's Guards and Garriſons, the ſaid Paymaſter ſhall, and he is hereby required to pay to the reſpective Owners of ſuch Cattle or Carriages the Sums ſpecified in ſuch Certificates and Vouchers to be the Value of ſuch Cattle or Carriages ſo loſt or deſtroyed.

Where Carriages ſhall be neceſſarily provided for long Marches beyond the Settlements, the Horſes and Carriages to be fairly appraiſed; and if loſt or deſtroyed, to be paid for according to Certificate.

'XXIV. And whereas ſeveral Soldiers, being duly inliſted in his Majeſty's Service, do often deſert 'ſuch Service;' for Remedy whereof, be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Conſtable, Tithingman, Magiſtrate, or other Civil Officer, of the Village, Town, Townſhip, City, Diſtrict, or Place, within the ſaid Dominions in *America*, where any Perſon who may be reaſonably ſuſpected to be ſuch Deſerter ſhall be found, to apprehend, or cauſe him to be apprehended; and to cauſe ſuch Perſon to be brought before any Juſtice of the Peace, or other Chief Magiſtrate, living in or near ſuch Village, Town, Townſhip, City, Diſtrict, or Place, who hath hereby Power to examine ſuch ſuſpected Perſon; and if by his Confeſſion, or the Teſtimony of one or more Witneſs or Witneſſes upon Oath, or the Knowledge of ſuch Juſtice of the Peace, or other Magiſtrate, it ſhall appear or be found that ſuch ſuſpected Perſon is a liſted Soldier, and ought to be with the Regiment or Company to which he belongs, ſuch Juſtice of the Peace, or other Magiſtrate, ſhall forthwith cauſe him to be conveyed to the Gaol of the Village, Town, Townſhip, City, Diſtrict, County, or Place, where he ſhall be found, or to the Houſe of Correction, or other publick Priſon, in ſuch Village, Town, Townſhip, City, Diſtrict, County, or Place, where ſuch Deſerter ſhall be apprehended, and tranſmit an Account thereof to the Commander in Chief of his Majeſty's Forces in the ſaid Dominions in *America*, or to the Commanding Officer of the Forces poſted neareſt to ſuch Juſtice or Juſtices, or other Magiſtrate or Magiſtrates for the Time being, to the End that ſuch Perſon may be proceeded againſt according to Law: And the Gaoler or Keeper of ſuch Gaol, Houſe of Correction, or Priſon, ſhall receive the full Subſiſtence of ſuch Deſerter or Deſerters, during the Time that he or they ſhall continue in his Cuſtody, for the Maintenance of ſuch Deſerter or Deſerters, but ſhall not be intitled to any Fee or Reward on account of the Impriſonment of ſuch Deſerter or Deſerters, any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

Deſerters may be apprehended, and committed.

Gaoler to receive their Subſiſtence-money for Maintenance, but no Fee for their Impriſonment.

XXV. Provided always, That if any Perſon ſhall harbour, conceal, or aſſiſt, any Deſerter from his Majeſty's Service, within his Majeſty's ſaid Dominions in *America*, knowing him to be ſuch, the Perſon ſo offending ſhall forfeit, for every ſuch Offence, the Sum of five Pounds; or if any Perſon ſhall knowingly detain, buy, or exchange, or otherwiſe receive, any Arms, Clothes, Caps, or other Furniture, belonging to the King, from any Soldier or Deſerter, or any other Perſon, upon any Account or Pretence whatſoever, within his Majeſty's Dominions in *America*, or cauſe the Colour of ſuch Clothes to be changed; the Perſon ſo offending ſhall forfeit, for every ſuch Offence, the Sum of five Pounds; and upon Conviction upon the Oath of one or more credible Witneſs or Witneſſes, before any of his Majeſty's Juſtices of the Peace, the ſaid reſpective Penalties of five Pounds, and five Pounds, ſhall be levied by Warrant under the Hands of the ſaid Juſtice or Juſtices of the Peace, by Diſtreſs and Sale of the Goods and Chattels of the Offenders, one Moiety of the ſaid firſt-mentioned Penalty of five Pounds to be paid to the Informer by whoſe Means ſuch Deſerter ſhall be apprehended, and one Moiety of the ſaid laſt-mentioned Penalty of five Pounds to be paid to the Informer, and the Reſidue of the ſaid reſpective Penalties to be paid to the Officer to whom any ſuch Deſerter or Soldier did belong: And in caſe any ſuch Offenders, who ſhall be convicted as aforeſaid of harbouring or aſſiſting any ſuch Deſerter or Deſerters, or having knowingly received any Arms, Clothes, Caps, or other Furniture, belonging to the King; or having cauſed the Colour of ſuch Clothes to be changed, contrary to the Intent of this Act, ſhall not have ſufficient Goods and Chattels whereon Diſtreſs may be made to the Value of the Penalties recovered againſt him for ſuch Offence, or ſhall not pay ſuch Penalties within four Days after ſuch Conviction; then, and

Penalty on Perſons harbouring Deſerters, or buying Soldiers Arms or Clothes, &c.

in ſuch Caſe, ſuch Juſtice of the Peace ſhall and may, by Warrant under his Hand and Seal, commit ſuch Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of three Months, or cauſe ſuch Offender to be publickly whipt, at the Diſcretion of ſuch Juſtice.

Perſons perſuading Soldiers to deſert, to forfeit 40 l.

'XXVI. And whereas evil-diſpoſed Perſons frequently endeavour to delude his Majeſty's good Subjects 'who have engaged themſelves as Soldiers in the Service of his Majeſty and their Country, and to prevail 'with them to deſert the ſame;' for Remedy whereof, and for the more effectual and exemplary Puniſhment of Offenders in that Behalf, within his Majeſty's Colonies and Plantations in *America*, be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever (other than ſuch as are or ſhall be inliſted as Soldiers, againſt whom ſufficient Remedy is already provided by Law), ſhall, by Words, or other Means whatſoever, directly or indirectly, perſuade or procure any Soldier or Soldiers in the Service of his Majeſty, his Heirs or Succeſſors, within any of the ſaid Colonies or Plantations, to deſert or leave ſuch Service, or ſhall go about and endeavour, in Manner aforeſaid, to perſuade, prevail, or procure, ſuch Soldier or Soldiers to deſert or leave ſuch Service as aforeſaid, and being thereof lawfully convicted, ſhall, for every ſuch Offence, forfeit to his Majeſty, his Heirs and Succeſſors, or any other Perſon or Perſons who ſhall ſue for the ſame, the Sum of forty Pounds; to be recovered by Bill, Plaint, or Information, in any of his Majeſty's Courts of Record within the Province or Place where the Offence ſhall be committed, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed; and if it ſhall happen that ſuch Offender, ſo convicted as aforeſaid, ſhall not have Goods or Chattels, Lands or Tenements, to the Amount or Value of the ſaid Sum of forty Pounds, to pay and ſatisfy the ſaid Penalty, or that from the Circumſtances or Heinouſneſs of the Crime it ſhall be thought proper and convenient, the Court before which the ſaid Conviction ſhall be made as aforeſaid ſhall award the ſaid Offender to Priſon, there to remain for any Time not exceeding ſix Months, without Bail or Mainprize, and alſo to ſtand in the Pillory for the Space of one Hour, in ſome Market Town next adjoining to the Place where the Offence was committed, in open Market there, or in the Market Town itſelf where the Fact was committed.

or ſuffer ſix Months Impriſonment, at the Diſcretion of the Court.

When Actions may be commenced.

XXVII. Provided always, That no ſuch Action ſhall be brought, or Proſecution carried on, by virtue of this Act, unleſs the ſame be commenced within ſix Months after the Offence committed.

Penalty 20 l. if any Officer break open a Houſe to ſearch for Deſerters without Warrant.

XXVIII. And be it further enacted, That no Commiſſion Officer ſhall break open any Houſe within his Majeſty's Dominions in *America*, to ſearch for Deſerters, without Warrant from a Juſtice of the Peace, and in the Day-time; and that every Commiſſion Officer who ſhall in the Night, or without Warrant from one or more of his Majeſty's Juſtices of the Peace (which ſaid Warrants the ſaid Juſtice or Juſtices are hereby impowered to grant), forcibly enter into, or break open, the Dwelling-houſe or Outhouſes of any Perſon whatſoever, under Pretence of ſearching for Deſerters, ſhall, upon due Proof thereof, forfeit the Sum of twenty Pounds.

Perſons not being Soldiers committing any Offences in any Fort or Garriſon, &c. not within the Juriſdiction of any Civil Government,

'XXIX. And whereas ſeveral Crimes and Offences have been and may be committed by ſeveral Perſons 'not being Soldiers, at ſeveral Forts or Garriſons, and ſeveral other Places within his Majeſty's Dominions in *America*, which are not within the Limits or Juriſdiction of any Civil Government there hitherto 'eſtabliſhed, and which Crimes and Offences are not properly cognizable or triable and puniſhable by a 'Court-martial, but by the Civil Magiſtrate, by Means whereof ſeveral great Crimes and Offences may 'go unpuniſhed, to the great Scandal of Government;' for Remedy whereof, be it enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *March*, in the Year one thouſand ſeven hundred and ſeventy-five, and for ſo long afterwards as this Act ſhall continue in Force, if any Perſon or Perſons, not being a Soldier or Soldiers, do or ſhall commit any Crime or Crimes, or Offence or Offences, in any of the ſaid Forts, Garriſons, or Places, within his Majeſty's Dominions in *America*, which are not within the Limits or Juriſdiction of any Civil Government hitherto eſtabliſhed, it ſhall and may be lawful for any Perſon or Perſons to apprehend ſuch Offender or Offenders, and to carry him, her, or them, before the Commanding Officer for the Time being of his Majeſty's Forces there; and ſuch Offender being charged upon Oath, in Writing, before the ſaid Commanding Officer, and which Oath the ſaid Commanding Officer is hereby impowered to adminiſter, that then, and in every ſuch Caſe, the ſaid Commanding Officer ſhall receive and take into his Cuſtody, and ſafely keep every ſuch Offender, and ſhall convey and deliver, or cauſe to be conveyed and delivered, with all convenient Speed, every ſuch Offender to the Civil Magiſtrate of the next adjoining Province, together with the Cauſe of his or her Detainer, to be committed and dealt with by ſuch Civil Magiſtrates or Magiſtrate according to Law; and every ſuch Civil Magiſtrate is hereby commanded and required to commit every ſuch Offender, that he or ſhe may be dealt with according to Law; and in every ſuch Caſe, it ſhall and may be lawful to proſecute and try every ſuch Offender in the Court of ſuch Province or Colony where Crimes and Offences of the like Nature are uſually tried, and where the ſame would be properly tried, in caſe ſuch Crime or Offence had been committed within the Juriſdiction of ſuch Court; and ſuch Crime ſhall and may be alledged to be committed within the Juriſdiction of ſuch Court; and ſuch Court ſhall and may proceed therein to Trial, Judgment, and Execution, in the ſame Manner as if ſuch Crime or Offence had been really committed within the Juriſdiction of ſuch Court, any Law, Uſage, Cuſtom, Matter, or Thing whatſoever, to the contrary notwithſtanding.

may be apprehended;

and being charged on Oath with the Offence, may be committed to ſafe Cuſtody till delivered over to the Civil Magiſtrate.

Suits in what Courts to be proſecuted.

XXX. And be it further enacted by the Authority aforeſaid, That every Bill, Plaint, Action, or Suit, againſt any Perſon or Perſons, for any Act, Matter, or Thing, to be acted or done in purſuance of this Act, or the ſaid other in Part recited Act, in any of his Majeſty's Dominions in *America*, ſhall be brought and proſecuted in and before ſome principal Court of Record in the Colony where ſuch Matter or Thing ſhall be done or committed; and in caſe the ſame ſhall not be done or committed within the Juriſdiction of any ſuch Court, then in the Court of the Colony next to the Place where the ſame ſhall be done and committed, and in no other Court whatſoever.

How the Troops are to pay in paſſing Ferries.

XXXI. And be it further enacted by the Authority aforeſaid, That where any Troops or Parties upon Command have Occaſion in their March, in any of his Majeſty's Dominions in *America*, to paſs regular Ferries,

Ferries, it ſhall and may be lawful for the Commanding Officer either to paſs over with his Party as Paſſengers, or to hire the Ferry-boat entire to himſelf and his Party, debarring others for that Time in his Option; and in caſe he ſhall chuſe to take Paſſage for himſelf and Party as Paſſengers, he ſhall only pay for himſelf, and for each Perſon, Officer or Soldier, under his Command, Half of the ordinary Rate payable by ſingle Perſons at any ſuch Ferry; and in caſe he ſhall hire the Ferry-boat for himſelf and Party, he ſhall pay Half of the ordinary Rate for ſuch Boat or Boats; and in ſuch Places where there are no regular Ferries, but that all Paſſengers hire Boats at the Rate they can agree for, Officers with or without Parties are to agree for Boats at the Rates that other Perſons do in the like Caſes.

Pecuniary Penalties to be paid at the Rate of 4s. 8d. Sterling the Spaniſh milled Dollar.

XXXII. And be it further enacted by the Authority aforeſaid, That all Sum and Sums of Money mentioned in this Act, and all Penalties and Forfeitures whatſoever to be incurred or forfeited for any Offence, Cauſe, Matter, or Thing whatſoever, to be done, committed, or omitted to be done, in his Majeſty's Colonies and Dominions in *America*, contrary to the true Intent and Meaning of this Act, ſhall be, and ſhall be paid and forfeited in lawful Money of the Colony or Place where the ſame ſhall be forfeited or become due, at the Rate of four Shillings and Eight-pence Sterling Money for a *Spaniſh* milled Dollar, and not otherwiſe.

This Act not to extend to any Province, while any Law of ſuch Province for providing Quarters, &c. ſhall be in Force.

XXXIII. Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act contained, touching the quartering his Majeſty's Forces, and the ſupplying them in their Quarters, and the furniſhing Carriages on their Marches, and on other neceſſary Occaſions, ſhall extend, or be conſtrued to extend, to any Province, Colony, or Plantation, during ſuch Time as any Law of ſuch Province, Colony, or Plantation, which ſhall have received the Confirmation of his Majeſty in Council, ſhall be in Force for providing Quarters for his Majeſty's Officers and Soldiers, and for furniſhing them in their Quarters, and for providing Carriages for them on Marches, or on any other neceſſary Occaſion, within ſuch Province, Colony, or Plantation.

Civil Magiſtrates, &c. may, by mutual Agreement, provide Quarters, &c.

XXXIV. Provided always, and be it enacted, That whenever any Troops ſhall march through, or be ſtationed in, any Place in *North America*, it ſhall and may be lawful for the Civil Magiſtrates, Select-men, or other Perſon or Perſons (appointed by Act of Parliament, or by any Law of ſuch Province, Colony, or Plantation, as aforeſaid, to quarter and make Proviſion for Troops), as likewiſe for the Officer commanding the Troops ſo marching or ſtationed, as aforeſaid, by mutual Agreement, ſigned by the reſpective Parties, to provide Quarters for the ſaid Troops, in any Manner moſt convenient to them and to the Country, any Act or Thing to the contrary notwithſtanding, ſo as that no Expence be brought on the Crown by ſuch Agreement.

Limitation of Actions.

General Iſſue.

XXXV. And be it further enacted by the Authority aforeſaid, That if any Action, Bill, Plaint, or Suit, ſhall be brought or commenced againſt any Perſon or Perſons for any Act, Matter, or Thing, done or acted in purſuance of this Act, that it ſhall and may be lawful to and for all and every Perſon or Perſons ſo ſued to plead thereto the General Iſſue, that he or they are not guilty, and to give the ſpecial Matter in Evidence to the Jury who ſhall try the Cauſe; and if the Verdict therein ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs therein ſhall become nonſuit, or ſuffer a Diſcontinuance, or by any other Means Judgment therein ſhall be given for the Defendant or Defendants therein; that in every ſuch Caſe the Juſtice or Juſtices, or other Judge or Judges of the Court in which ſuch Action ſhall be brought, ſhall, by Force and Virtue of this Act, allow unto ſuch Defendant or Defendants his or their Treble Coſts, which he or they ſhall have ſuſtained or be put to by reaſon of the Defence of ſuch Suit, for which Coſts ſuch Defendant and Defendants ſhall have the like Remedy as in other Caſes where Coſts are by the Law given to Defendants.

Treble Coſts.

This Act to extend to Marine Forces while on Shore in America.

'XXXVI. And whereas, during the Continuance of this Act, there may be Occaſion for the marching and quartering of ſome of his Majeſty's Marine Forces in ſome Parts of his Majeſty's Dominions in *America*;' be it therefore further enacted by the Authority aforeſaid, That this Act, and all and ſingular the Clauſes and Proviſions herein mentioned and contained, as well relating to the quartering and billetting of his Majeſty's Land Forces in his Dominions in *America*, and providing them with Carriages on their Marches, as alſo relating to all and every other Proviſion, Regulation, Penalty, Puniſhment, Matter, and Thing, herein provided, enacted, and made, with reſpect to the ſaid Land Forces, ſhall be deemed, conſtrued, and taken to extend, and the ſame, and all and every Part and Parts thereof, and of this Act, are, in all Reſpects, and to all Intents and Purpoſes whatſoever, hereby extended to his Majeſty's Marine Forces while on Shore, in any of his Majeſty's Dominions in *America*, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Marine Forces had herein been particularly mentioned in Conjunction with his Majeſty's other Forces.

This Act to be in Force from March 24, 1775, to March 24, 1777.

XXXVII. And be it further enacted by the Authority aforeſaid, That this Act, and every Thing herein contained, ſhall continue and be in Force in all his Majeſty's Dominions in *America*, from the twenty-fourth Day of *March*, in the Year one thouſand ſeven hundred and ſeventy-five, until the twenty-fourth Day of *March*, in the Year of our Lord one thouſand ſeven hundred and ſeventy-ſeven.

CAP. XVI.

An Act to enable Sir *Nigel Greſley* Baronet, and *Nigel Bowyer Greſley* Eſquire, his Son, to make and maintain a navigable Cut or Canal from certain Coal Mines in *Apedale* to *Newcaſtle under Lyme*, in the County of *Stafford*.

Preamble.

'WHEREAS Sir *Nigel Greſley* Baronet, and *Niger Bowyer Greſley*, Eſquire, Son and Heir-apparent of the ſaid Sir *Nigel Greſley*, are Proprietors of ſeveral conſiderable Mines, Rows, and Veins of Coal, ſituate within the Manor of *Apedale*, in the County of *Stafford*: And whereas the making a navigable Cut or Canal from the ſaid Coal Mines to *Newcaſtle under Lyme*, in the ſaid County, will be of particular

'particular Advantage to the Inhabitants of the ſaid Town and Parts adjacent, and of publick Utility: 'And whereas the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley* are the Proprietors of a conſiderable Part 'of the Lands through which the ſaid Cut or Canal is propoſed to be made, and are willing and deſirous, 'at their own Expence, to make and maintain ſuch Cut or Canal;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled,

Sir Nigel Greſley Baronet, and Nigel Bowyer Greſley Eſquire, impowered to make a Cut or Canal;

and by the Authority of the ſame, That it ſhall and may be lawful to and for the ſaid Sir *Nigel Greſley*, and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, and they are hereby authoriſed and impowered, from and after the paſſing of this Act, at their own Coſts and Charges, to make, maintain, and ſupport, a navigable Cut or Canal, for Boats, Barges, and other Veſſels, from the ſaid Coal Mines of them the ſaid Sir *Nigel Greſley*, and *Nigel Bowyer Greſley*, ſituate in *Apedale* aforeſaid, by *Cheſterton* and *Holditch*, to *Newcaſtle under Lyme* aforeſaid, and to ſupply the ſaid Cut or Canal whilſt the ſame ſhall be making, and when made, with Water from the ſaid Coal Mines, and from ſuch Springs as ſhall be found in making the ſame, and alſo from ſuch Brooks, Streams, and Watercourſes, as ſhall or may communicate with the ſaid Cut or Canal, or be found within the Diſtance of one thouſand Yards of any Part thereof; and for

and to enter upon Lands of other Perſons, and dig and remove Earth, &c.

that Purpoſe the ſaid Sir *Nigel Greſley*, and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, and their Agents, Servants, Workmen and Labourers, are hereby authoriſed and impowered, in, upon, and through the Lands and Grounds of or belonging to the King's Majeſty, his Heirs or Succeſſors, or of any other Perſon or Perſons, Bodies Politick, Corporate, or Collegiate whatſoever (not being at this Time Ground whereon a Dwelling-houſe or Outhouſe ſtands, or a Garden, Yard, Park, Paddock, planted Walk or Avenue to a Houſe, Lawn incloſed or adjoining to a Manſion-houſe), to enter, and to dig, cut, trench, ſough, and remove Earth, Stone, Rubbiſh, Trees, Roots of Trees, Beds of Gravel or Sand, and all other Matters and Things which may be dug or got in the making thereof, or which may hinder, prevent, or obſtruct the making, uſing, completing, and repairing the ſaid Cut or Canal, and Towing-paths on the Sides thereof, and for making, uſing, maintaining, and repairing of ſuch Trenches, Paſſages, Gutters, and Watercourſes reſpectively, as ſhall be neceſſary and proper to convey ſuch Water as aforeſaid to and from the ſaid Cut or Canal; and for the raiſing, ſtrengthening, and ſupporting, the Banks of ſuch Cut or Canal, and Towing-paths, and ſuch Trenches, Paſſages, Gutters, and Watercourſes reſpectively; and for the making of Weirs and convenient Places for diſcharging the Water from the ſaid Cut or Canal, and for the making of ſuch Back Drains, Gutters, or Trenches, as ſhall be neceſſary or proper to prevent any Damage to the Lands or Grounds adjoining or lying near the ſaid Cut or Canal, by the ouzing or flowing of Water from or out of the ſame; and for the making, maintaining, enlarging, opening, or altering, any Roads, Ways, Paſſages, Trenches, Sluices, or other Conveniencies, to or from the ſaid Cut or Canal;

and alſo to erect Bridges, Tunnels, Aqueducts, &c.

and alſo to make, build, or ſet up, in or upon the ſaid Cut or Canal, or the Lands adjoining or near the ſame, ſuch and ſo many Bridges, Tunnels, Aqueducts, Sluices, Locks, Weirs, Pens for Water, Stanks, Reſervoirs, Drains, Wharfs, Quays, Landing-places, Weigh-beams, Cranes, and other Works, Ways, Roads, and Conveniencies, as and where they the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, ſhall think requiſite and convenient for the Purpoſes of the ſaid Navigation; and alſo, from Time to Time, to alter, repair, and amend the ſame, and to make, widen, or enlarge any Bridges, Ways, Roads, Paſſages, Cuts, Locks, Tunnels, Aqueducts, Trenches, Sluices, or other Conveniencies, as well for the carrying and conveying Goods, Commodities, and other Things, to or from the ſaid Cut or Canal, or Navigation, as for the carrying and conveying of all Manner of Materials neceſſary for the making, erecting, finiſhing, altering, repairing, or amending, the ſaid Works of and belonging to the

and place and manufacture Materials;

ſaid Navigation; and alſo to place, lay, work, and manufacture, the ſaid Materials on the Grounds near to the Place or Places where the ſaid Works, or any of them, ſhall or are intended to be made, erected, repaired, or done; and alſo to make, maintain, repair, and alter any Fences or Paſſages, over, under, or through the ſaid Cut or Canal, or the Tunnels, Aqueducts, Soughs, Trenches, Paſſages, Gutters, Watercourſes, and Sluices reſpectively, which ſhall communicate therewith; and alſo to make, ſet up, and

and make Towing-paths, &c.

appoint ſuch Towing-paths, Banks, Roads, and Ways, convenient for towing, haling, or drawing of Boats, Barges, or other Veſſels, paſſing in, through, or upon the ſaid Cut or Canal, as they the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, ſhall think convenient; and alſo to dig, take, and carry away Soil, Clay, Gravel, or Stone, proper, requiſite, and convenient for carrying on and maintaining the ſaid Works and Undertakings, in or from any Grounds of any Perſon or Perſons

Not to prejudice Houſes, Gardens, &c.

adjoining or lying contiguous thereto (not being a Houſe, Garden, Park, Paddock, planted Walk or Avenue to a Houſe, or Lawn incloſed or adjoining to a Manſion-houſe), and to conſtruct, erect, and keep in Repair, any Piers, Arches, and other Works, in, upon, and acroſs any Rivers or Brooks, for the making, uſing, maintaining, and repairing, the ſaid Cut or Canal, and Towing-paths on the Sides thereof; and alſo to conſtruct, erect, make, and do all other Matters and Things which they ſhall think neceſſary and convenient for the making, effecting, extending, preſerving, improving, completing, and uſing the ſaid Navigation, in purſuance and within the true Meaning of this Act; they the ſaid Sir *Nigel Greſley*, and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, doing as little Damage as may be in the Premiſes, and making Satisfaction, in Manner herein after mentioned, to the Owners or Proprietors of, or Perſons intereſted in, ſuch Lands, Tenements, or Hereditaments, Waters, Watercourſes, Brooks, or Rivers reſpectively, as ſhall be taken and removed, diverted or prejudiced, for all Damages to be by them ſuſtained in or by the Execution of all or any of the Powers of this Act; and this Act ſhall be ſufficient to indemnify the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, and their Servants, Agents, and Workmen, and all other Perſons whatſoever, for what they or any of them ſhall do by virtue of the Powers hereby granted.

Lands may be entered for making Surveys.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Agents and Servants of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, from Time

Time to Time, and at all Times hereafter, to enter upon the Lands or Grounds of the ſaid ſeveral Perſons, Bodies Politick, Corporate or Collegiate, through which the ſaid Cut or Canal, and other Works hereby authoriſed, are intended to be made, in order to ſurvey and take a Level of the ſame, and to ſet out and aſcertain ſuch Parts thereof as they ſhall think neceſſary or proper for the making ſuch Cut or Canal, and other the Matters and Conveniencies aforeſaid, ſuch Agents or Servants making Satisfaction for the Damage they ſhall do thereby to the Occupiers of ſuch Lands or Grounds for the Time being, in caſe the ſame exceeds the Sum of one Shilling.

Breadths of the Canal and Towing-paths.

III. Provided always, and be it enacted by the Authority aforeſaid, That the Lands or Grounds to be taken or uſed for ſuch Cut or Canal, and Towing-paths, and the Ditches, Drains, and Fences, to ſeparate ſuch Towing-paths from the adjoining Lands, ſhall not exceed twenty-ſix Yards in Breadth; except in ſuch Places where the ſaid Cut or Canal ſhall be raiſed higher, or cut more than five Feet deeper, than the Surface of the Land, and in ſuch Places where it ſhall be judged neceſſary for Boats and other Veſſels to turn, lie, or paſs each other, or where any Crane may be erected, nor above ſixty Yards in Breadth in any of the ſaid reſpective Places, any Thing in this Act contained to the contrary notwithſtanding.

Bodies Politick, &c. impowered to ſell and convey Lands.

IV. And be it further enacted by the Authority aforeſaid, That after any ſuch Parts of the ſaid Lands and Grounds ſhall be ſet out and aſcertained as aforeſaid, for making the ſaid Cut or Canal, and other Purpoſes and Conveniencies herein before mentioned, it ſhall and may be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, Feoffees in Truſt, Committees, Executors, and Adminiſtrators, and all other Truſtees whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants, Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſon or Perſons, and to and for all Femes-covert who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in their own Right, and to and for every other Perſon and Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in any Lands or Grounds which ſhall be ſo ſet out and aſcertained as aforeſaid, or any Part thereof, to contract for, ſell, and convey, unto the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or to ſuch Perſon or Perſons as they ſhall nominate and appoint, for the Uſe of the ſaid Navigation, all or any Part of ſuch Lands or Grounds which ſhall from Time to Time be ſo ſet out and aſcertained as aforeſaid, either in conſideration of a Sum of Money to be paid in Groſs, or of an annual Rent or Payment to be charged and ſecured, as herein after mentioned; and where, by making the ſaid Cut or Canal, the Property of any Land Owner ſhall be ſeparated into ſmall Parcels, ſo as to render the Occupation thereof inconvenient, it ſhall and may be lawful to and for ſuch Bodies Politick, Corporate and Collegiate, and other ſuch Land Owners, by and with the Conſent of the Commiſſioners to be appointed, as herein after mentioned, or any five or more of them, to be teſtified by any Writing or Writings, to be by them ſealed and delivered in the Preſence of, and atteſted by, two or more credible Witneſſes, to contract for, ſell, and diſpoſe of, or to convey in Exchange, in Lieu of other Lands, all or any Part of ſuch Lands or Grounds through which the ſaid intended Cut or Canal ſhall be made, to any Perſon or Perſons whomſoever, for ſuch Price or Prices, in Money or other Equivalent, as to the ſaid Commiſſioners, or any five or more of them, ſhall ſeem reaſonable: and that all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances, ſhall be valid and effectual in Law, to all Intents and Purpoſes whatſoever, any Law, Statute, Uſage, or Cuſtom, to the contrary thereof in any wiſe notwithſtanding; and all Bodies Politick, Corporate or Collegiate, and all Perſons whomſoever ſo conveying or exchanging as aforeſaid, are hereby indemnified for what he, ſhe, they, or any of them, ſhall reſpectively do by virtue of or in purſuance of this Act; and that all ſuch Contracts, Agreements, Sales, Conveyances, and Aſſurances (other than thoſe which concern any Purchaſe or Exchange between any ſuch reſpective Land Owners), to be made as aforeſaid, ſhall, at the Expence of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, be inrolled by the Clerk of the Peace for the County of *Stafford*; and true Copies thereof ſhall be allowed to be good Evidence in all Courts whatſoever; for which Inrolment ſhall be paid the Sum of Three-pence for every two hundred Words, and ſo in proportion for any greater or leſſer Number of Words, and no more

Small Parcels of Land may be ſold or exchanged.

All Contracts to be at the Expence of Sir Nigel Greſley, &c.

'V. And whereas Differences may ariſe between the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, 'their Heirs and Aſſigns, and the ſeveral Owners of, and Perſons intereſted in, any Lands, Grounds, 'Tenements, Hereditaments, or Waters, which ſhall or may be affected or prejudiced by the Execution 'of any of the Powers hereby granted, touching the Purchaſe-money to be paid, or Recompence to be 'made, to them reſpectively,' be it therefore enacted by the Authority aforeſaid, That the Right Honourable Lord Viſcount *Trentham*, the Right Honourable Lord *Archibald Hamilton*, the Right Honourable Lord *Spencer Hamilton*, the Honourable *Baptiſt Leveſon Gower*, the Honourable *Booth Grey*, the Honourable *John Grey*, the Honourable *John Grey* junior, the Honourable *John Leveſon Gower*, Sir *John Aſtley* Baronet, *George Anſon*, *Edward Arblaſter*, *Charles Bowyer Adderley*, *William Armitt*, *Charles Armitt*, *Richard Adams* Clerk, *Joſeph Adams*, *Benjamin Adams*, *William Adams*, *William Adams*, *Aſhwood*, *Henry Allen*, Sir *William Bagot*, Sir *Thomas Broughton*, Baronets; *Charles Baldwyn*, *Thomas Boothby*, *Brooke Boothby*, *Thomas Broad*, *Iſaac Hawkins Brown*, *John Tempeſt Borrow*, *Thomas Bainbridge*, *John Brindley*, the Reverend *Walter Bagot*, the Reverend *John Bill*, the Reverend *John Breck*, Clerks; *William Bill*, *George Boughey*, *Thomas Beech*, *Bagnal Beech*, *James Bent*, *John Beech*, *Ralph Baddeley*, *John Beckett*, *William Beard*, *Nathaniel Beard*, *John Birtles*, *Peter Broughton*, *John Bagnall*, *Aaron Brown*, *Iſaac Barbar*, *Hugh Booth*, *Luke Bennett*, *John Bennett*, *Thomas Bacchus*, *James Breck*, *John Bourne*, *Samuel Boyer*, *Joſeph Bucknall*, *John Beckett*, *Enock Booth*, *Charles Barnes*, Sir *John Chetwode* Baronet, Sir *Henry Cavendiſh* Baronet, *Aſheton Curzon*, *John Crewe*, *Henry Cavendiſh*, *William Cotton*, the Reverend *Rowland Cotton*, *Crew Chetwode*, *Jonathan Cope*, *William Clowes*, *Charles Corbett*, *Thomas Corbett*, *Henry Copeſtake*, *Brook Crutchley*, the Reverend Doctor *Joſeph Crewe*, the Reverend Doctor *Randle Crewe*, the Reverend Doctor *William Cotton*, *Smith Child*, *Thomas Child*, *John Child*, *Francis Cobb*, *Ralph Cartwright*, *Thomas Cartwright*,

Commiſſioners Names.

Cartwright, *John Crewe* of *Boleſworth*, *John Clownam*, *John Clowes*, *Joſiah Clowes*, the Honourable *Nathaniel Curzon*, *John Dolphin*, *Simon Debank*, *John Davenport*, *John Daintry*, *Michael Daintry*, Sir *Thomas Egerton* Baronet, *John Eld*, *Francis Eld*, *Samuel Egerton*, *Thomas Foley*, *Thomas Foley* junior, *John Fenton*, *John Fenton* junior, the Reverend Doctor *James Falconer*, the Reverend *John Fernyhough*, the Reverend *John Fenton*, *Thomas Fletcher*, *Thomas Fletcher* junior, *John Fletcher*, *James Ford*, *John Ford*, *Hugh Ford*, *Hugh Ford*, *William Ford*, *Charles Ford*, *Thomas Fowler*, *John Ford*, *John Fowler*, *Thomas Fernyhough*, *Thomas Fenton*, *Thomas Fenton*, *William Fowler*, *Barnard Granville*, *Thomas Gilbert*, *John Gilbert*, *James Godwin*, *George Greatbatch*, *Thomas Griffin*, the Reverend *John Greſley*, Sir *Henry Harper* Baronet, Sir *Rowland Hill* Baronet, Sir *Charles Holte* Baronet, *Richard Hill*, *Thomas Hoo*, *John Hollins*, *Samuel Hollins*, *Iſaac Hawkins*, *Nicholas Hurt*, *Andrew Hackett*, *Richard Hayne*, *Leighton Hayne*, *John Hayne*, *John Hodgetts*, *William Hodgetts*, *Thomas Hincklay*, *Peter Hinckes*, *Robert Hurſt*, *Thomas Hart*, *Bleſt Hadderton*, *Thomas Hatrell*, *Henry Hatrell*, *Richard Higgins*, *William Stonehewer Hall*, *George Hand*, *George Hand* junior, *Hugh Henſhall*, *John Edenſor Heathcote*, *Thomas Heath*, *Daniel Heath*, *John Hales*, *John Harriſon*, *John Hyatt*, the Reverend *Randle Hancock*, *William Inge*, *William Jervis*, *John Jervis*, *Clement Kynnerſley*, the Reverend *Keeling*, *William Kinnerſley*, Sir *Edward Littleton*, Sir *Robert Lawley*, *Robert Lander*, *Francis Leigh*, *Edward Leigh*, *Thomas Leigh*, *John Levett*, the Reverend Doctor *Langley*, *Obadiah Lane* Clerk, *Robert Lawton*, *John Lawton*, *John Lovatt*, *Thomas Lovatt*, *Thomas Lawton*, *Joſeph Lovatt*, *Nathaniel Liſter*, *Richard Lateward*, *William Lowndes*, *Edward Mainwaring*, *Edward Mainwaring* junior, *Hugo Meynell*, *Thomas Mills*, *William Mills*, the Reverend *Simon Mills*, *Thomas Middleton* Clerk, *Thomas Mountford*, *William Malkin*, *William Malkin* junior, *Ralph Moreton*, *Ralph Moreton* junior, *James Myatt*, *John Mare*, *John Mare* junior, *Jeſſon Maſon*, *Francis Mare*, *Robert Macclesfield*, *Thomas Mytton*, *John Middleton* Clerk, *Fettiplace Nott*, *Thomas Nicholls*, *Thomas Parker*, *George Parker*, *Humphrey Palmer*, *John Phillips*, *Thomas Poole*, *Thomas Payne*, *Thomas Rowley*, the Reverend *William Robinſon*, *Samuel Robiſon*, *James Robiſon*, *Thomas Roylance*, *Ralph Sneyd*, *Walter Sneyd*, *John Sneyd*, the Reverend *Edward Sneyd*, *William Swinnerton*, *Thomas Swinnerton*, *Jeremiah Smith*, the Reverend *Joſhua Stonehewer*, *Thomas Stonehewer*, *Richard Stanier*, *William Stanier*, *Francis Stanier*, *Charles Boothby Scrimſhire*, *Ambroſe Smith*, *John Shingley*, *Joſeph Smith*, *John Sparrow*, *Thomas Simpſon*, *John Stevenſon*, *Thomas Swinnerton*, *James Smallwood*, *William Sutton*, *Edward Salmon*, *John Turton*, *George Tollett*, *Charles Tollett*, *Thomas Twemlowe*, *George Twemlowe*, *John Turner*, the Honourable *George Venables Vernon*, *Henry Vernon*, *William Unett*, *Thomas Unett*, *William Unett* junior, Sir *John Wrotteſley* Baronet, *John Williamſon*, *Moreton Wallhouſe*, *Richard Whitworth*, *Thomas Whieldon*, *Thomas Wedgwood*, *John Wedgwood*, *Richard Wedgwood*, *Joſiah Wedgwood*, *Thomas Wedgwood*, the Reverend *John Ward*, *Stephen Wood*, *Ralph Weſton*, *Bowyer Leſtwich Wynne*, the Reverend *Peter Walthal*, *Samuel Whalley*, and the Reverend *William Willetts*, are hereby appointed Commiſſioners for ſettling, determining, and adjuſting, all Queſtions, Matters, and Differences, which ſhall or may ariſe between the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or any of them, and the ſeveral Proprietors of, and Perſons intereſted in, any Lands, Grounds, Tenements, Hereditaments, or Waters, that ſhall or may be affected or prejudiced by the Execution of any of the Powers hereby granted; and they the ſaid Commiſſioners, or any five or more of them, acting in ſuch Queſtion, Matter, or Difference, as ſhall ariſe, are hereby impowered, by Writing under their Hands and Seals, with the Conſent of the Parties concerned, to determine and adjuſt, from Time to Time, what Sum or Sums of Money ſhall be paid by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or any of them, either by an annual Rent or Payment, or by a Sum of Money in Groſs, to and at the Election of ſuch Bodies Politick, Corporate or Collegiate, Perſon or Perſons reſpectively, who ſhall be ſo intitled or intereſted, as aforeſaid, for the abſolute Purchaſe of the Lands or Grounds which ſhall be ſet out and aſcertained, as aforeſaid, for making the ſaid Cut or Canal, or any Part thereof, and other the Purpoſes herein mentioned; and alſo to determine and adjuſt the Recompence to be made for any Damages which may or ſhall be at any Time or Times whatſoever ſuſtained by ſuch Bodies Politick, Corporate or Collegiate, or any Perſon or Perſons reſpectively, being Owners of, or intereſted in, any Lands, Grounds, Tenements, or Hereditaments, for or by reaſon of the making, repairing, or maintaining, the ſaid Cut or Canal, Reſervoirs, Trenches, Paſſages, Gutters, Watercourſes, Roads, Ways, or Sluices, or ſupplying the ſame, or any of them, with Water, as aforeſaid, or by the flowing, leaking, or ouzing, of the Water over or through the Banks of the ſaid Cut or Canal, Reſervoirs, Trenches, Sluices, or over or through any Paſſages, Gutters, or Watercourſes, which ſhall be made purſuant to the Powers hereby given for conveying and communicating Water to or from the ſaid Cut or Canal, or by not cleanſing the ſaid Watercourſes, Trenches, or Paſſages, or by turning or diverting any Streams or Brooks into the ſame, or by reaſon or means of the Execution of any of the Powers herein contained, by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, Agents, Workmen, or Servants, in caſe ſuch Price or Value, Damages and Recompences reſpectively, cannot be ſettled and adjuſted, and agreed for, by and between the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or any of them, and ſuch Proprietors of, and Perſons intereſted in, the ſaid Lands and Grounds, as aforeſaid: And if the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, for and on the Part and Behalf of themſelves, or any ſuch Bodies Politick, Corporate or Collegiate, or other Perſon or Perſons, ſo intereſted or intitled, as aforeſaid, for and on his, her, or their Parts, ſhall refuſe to ſubmit any ſuch Matter to the Determination of the ſaid Commiſſioners, or ſhall be diſſatisfied with any Determination which ſhall be by them made, as aforeſaid; and if any ſuch Bodies Politick, Corporate or Collegiate, Truſtee or Truſtees, or any other Perſon or Perſons intitled or intereſted, as aforeſaid, ſhall refuſe to receive, upon due Tender thereof made, ſuch Purchaſe-money or annual Rent, or ſuch Recompence, as ſhall be ſo determined to be paid, or ſhall, upon Notice in Writing, given to the principal Officer or Officers of ſuch Bodies Politick, Corporate or Collegiate, or to ſuch Truſtee or Truſtees, Perſon or Perſons reſpectively, or left at the Place or Places of his, her, or their Abode, or with the Tenant or Tenants, Occupier

They are impowered to ſettle Differences,

If Parties are diſſatisfied with the Determination of Commiſſioners,

Occupier or Occupiers, of ſuch Lands or Grounds, for the Space of twenty Days next after ſuch Notice, neglect or refuſe to treat, or ſhall not agree with the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or by reaſon of Abſence ſhall be prevented from treating, or through Diſability, by Nonage, Coverture, or other Impediment, cannot treat for themſelves, or make ſuch Agreement as ſhall be convenient for promoting the Navigation and other Works aforeſaid, or ſhall not produce and evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim therein; then, and in every ſuch Caſe, the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby impowered and required, from Time to Time, to iſſue a Warrant or Warrants, under their Hands and Seals, to the Sheriff of the ſaid County of *Stafford* for the Time being, or in caſe ſuch Sheriff, or his Under Sheriff, or either of them, ſhall happen to be intereſted in the Matter in queſtion, then to the Coroner or Coroners of the ſaid County of *Stafford*, commanding ſuch Sheriff or Coroner reſpectively to impannel, ſummon, and return a Jury; and the ſaid Sheriff or Coroner reſpectively is hereby required accordingly to impannel, ſummon, and return a Jury of twenty-four ſufficient and indifferent Men, qualified, according to the Laws of this Realm, to be returned for Trials of Iſſue joined in his Majeſty's Courts at *Weſtminſter*, to appear before the ſaid Commiſſioners, or any five or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, not being leſs than nine nor more than twenty Days after ſuch Warrant ſhall be ſerved upon the ſaid Sheriff or Sheriffs, Coroner or Coroners reſpectively; and in caſe a ſufficient Number of Jurymen ſhall not appear at the Time and Place appointed, as aforeſaid, the ſaid Sheriff or Coroner ſhall return other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured, to attend that Service, being ſo qualified as aforeſaid, to make up the ſaid Jury to the Number of twelve; and all Parties concerned may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not challenge the Array; and the ſaid Commiſſioners, or any five or more of them, are hereby impowered to ſummon and call before them all and every ſuch Perſon or Perſons who ſhall be thought neceſſary to be examined as Witneſſes touching the Matters in queſtion; and the ſaid Commiſſioners, or any five or more of them, may order and authoriſe the ſaid Jury, or any ſix or more of them, to view the Place or Places, or Matters in Controverſy, which Jury (upon their Oaths, to be adminiſtered by the ſaid Commiſſioners, or any five of them, and thoſe Oaths, as well as the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Commiſſioners, or any five or more of them, are hereby impowered to adminiſter) ſhall inquire of, aſſeſs, and aſcertain, the Sum or Sums of Money, or annual Rent, to be paid for the Purchaſe of ſuch Lands or Grounds, or the Recompence to be made for the Damages that may or ſhall be ſuſtained, as aforeſaid; and the ſaid Commiſſioners, or any five or more of them, ſhall give Judgment for ſuch Purchaſe-monies, Rent, or Recompence, ſo to be aſſeſſed by ſuch Juries; which ſaid Verdict, and the Judgment thereupon to be pronounced by the ſaid Commiſſioners, or any five or more of them, ſhall be binding and concluſive, to all Intents and Purpoſes, againſt the King's Majeſty, his Heirs and Succeſſors, and againſt all Bodies Politick, Corporate or Collegiate, and all Perſons whomſoever.

Juries ſhall be impannelled to aſſeſs the Purchaſe-money, &c.

VI. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, who, in any Examination to be taken by virtue of this Act, ſhall give falſe Evidence before the Commiſſioners, or any five of them, or before any Juſtices of the Peace, ſhall and may be proſecuted for the ſame, and, upon Conviction thereof, ſhall be ſubject to ſuch Puniſhments and Diſqualifications as any Perſon or Perſons can or may be ſubject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm.

Penalty on giving falſe Evidence.

VII. And be it further enacted, That if any ſuch Sheriff or Coroner, or his Deputy or Agent, ſhall make Default in the Premiſes, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of twenty Pounds; and if any Perſon ſo ſummoned, and returned as aforeſaid upon ſuch Jury, ſhall not appear, or appearing, refuſe to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Perſon ſo ſummoned to give Evidence ſhall not appear, or appearing, refuſe to be ſworn and examined, or to give Evidence, every Perſon ſo offending reſpectively, having no reaſonable Excuſe, to be allowed by the ſaid Commiſſioners, or any five or more of them, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding five Pounds; to be levied by virtue of any Warrant or Warrants, under the Hands and Seals of the ſaid acting Commiſſioners, or any five or more of them, by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo offending, rendering the Overplus to the Owners thereof, after ſuch Penalty, and the Charges of ſuch Diſtreſs and Sale, ſhall be deducted.

Penalties on the Sheriff, Coroner, &c. who ſhall make Default.

VIII. And be it further enacted, That in all Caſes where a Verdict or Aſſeſſment ſhall be given or made for more Monies, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or for any Damage to be done to any Lands, Grounds, Hereditaments, or Property, of any Perſon or Perſons whatſoever, than had been previouſly offered by or on Behalf of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, or than had been determined and aſſeſſed by the ſaid Commiſſioners, that then all the Expences of ſummoning ſuch Jury, and of taking ſuch Inqueſt, ſhall be ſettled by the ſaid Commiſſioners, or any five or more of them, and be defrayed by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns; but if any Verdict or Aſſeſſment ſhall be given or made for no more or a leſs Sum than had been previouſly offered by or on Behalf of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, or than had been determined and aſſeſſed by the ſaid Commiſſioners, as aforeſaid, then, and in every ſuch Caſe, the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, ſhall be ſettled in like Manner by the ſaid Commiſſioners, or any five or more of them, and be borne and paid by the Perſon or Perſons with whom the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, ſhall have Controverſy or Diſpute.

Expences of Juries how to be paid.

IX. And be it further enacted, That all and every Perſon and Perſons making Complaint, and requeſting ſuch Jury, ſhall, before the ſaid Commiſſioners be obliged to iſſue out their Warrant or Warrants for the

Perſons requeſting a Jury, to enter into a

Bond to profecute.

the ſummoning ſuch Jury as aforeſaid, firſt enter into a Bond to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, in the Penalty of fifty Pounds, to proſecute ſuch his, her, or their Complaint, and to bear and pay the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, in caſe a Verdict ſhall be given for no more or a leſs Sum than had been offered by or on Behalf of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or than had been aſſeſſed by the ſaid Commiſſioners, before the ſummoning and returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or Damages, as aforeſaid.

Commiſſioners not to receive Complaints of Injury, unleſs Application has been made to Sir Nigel Greſley, &c. within ſix Months after committed.

X. And be it further enacted, That the ſaid Commiſſioners ſhall not, nor ſhall any of them, be obliged, by virtue of this Act, to receive, or take Notice of, any Complaint or Complaints to be made by any Perſon or Perſons whatſoever, for any Injury or Damage by him, her, or them ſuſtained, or ſuppoſed to be ſuſtained, by virtue of this Act, unleſs Application hath been, or ſhall be, made in relation thereto, by or on Behalf of ſuch Perſon or Perſons, to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, or to their known Agent or Agents, within the Space of ſix Calendar Months next after the Time that ſuch ſuppoſed Injury or Damage ſhall have been ſuſtained, or the doing or committing thereof ſhall have ceaſed.

Upon Payment or Tender of the Monies aſſeſſed, Sir Nigel Greſley and Nigel Bowyer Greſley may cut, dig, &c.

XI. And be it further enacted by the Authority aforeſaid, That upon ſuch Sum or Sums of Money, or annual Rent, as ſhall be contracted or agreed for between the Parties, or to be determined and adjuſted by the ſaid Commiſſioners, or any five or more of them, or aſſeſſed by ſuch Juries, in Manner reſpectively as aforeſaid, for the Purchaſe of any ſuch Lands or Grounds as aforeſaid, to the Proprietors thereof, or other Perſons intitled to receive ſuch Money or Rent reſpectively, or legal Tender thereof made to ſuch Proprietor, or other Perſon or Perſons, or to the principal Officer or Officers of any Body Politick, Corporate or Collegiate, at any Time after the ſame ſhall have been ſo agreed for, determined, or aſſeſſed; or if he, ſhe, or they, cannot be found, or ſhall refuſe to accept ſuch Money or Rent, upon Payment thereof to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any five or more of them, ſhall, by Writing under their Hands, appoint, for the Uſe of, and to be paid upon Demand, without Fee or Reward, to ſuch Proprietor or Perſons reſpectively as aforeſaid; then, and in ſuch Caſe, ſuch Lands and Grounds reſpectively, and the Fee-ſimple and Inheritance thereof, ſhall from thenceforth be veſted in and become the ſole Property of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns; and then, but not before, it ſhall and may be lawful to and for the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, Agents, Workmen, and Servants, immediately to enter upon the ſame, and to dig, cut, trench, ſough, and remove, Earth, Stone, Rubbiſh, Trees, Roots of Trees, and all other Obſtructions, for the making, uſing, maintaining, and repairing, the ſaid Cut or Canal, and Towing-paths on the Sides thereof, in or upon ſuch Lands, Tenements, or Hereditaments, for which ſuch Satisfaction ſhall be determined or aſſeſſed as aforeſaid, and thereupon to make, erect, or do any Works, Matters, or Things, for the effecting and carrying on the ſaid Navigation, and for the ſupporting and maintaining the ſame, as the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, ſhall think requiſite, and to have and enjoy the Premiſes to and for their own Uſe and Benefit; and this Act ſhall be ſufficient to indemnify, as well the ſaid Commiſſioners as the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, and their Servants, Agents, and Workmen, for what they, or any of them, ſhall do by virtue of the Powers hereby granted.

All Determinations of the Commiſſioners, and alſo Verdicts, being ſigned, to be recorded.

XII. And be it further enacted by the Authority aforeſaid, That all the Determinations of the ſaid Commiſſioners, or any five of them, which ſhall be ſubmitted to, and acquieſced in, by the Parties concerned, and alſo the ſaid Verdicts and Judgments, being firſt ſigned by five or more of the Commiſſioners who ſhall be preſent at the making ſuch Determinations, or the taking of ſuch Verdicts, and pronouncing ſuch Judgments reſpectively, ſhall be tranſmitted to and kept by the Clerk of the Peace for the ſaid County of *Stafford*, and ſhall be deemed Records, to all Intents and Purpoſes; and the ſame, or true Copies thereof, ſhall be allowed to be good Evidence in all Courts whatſoever; and all Perſons ſhall have Liberty to inſpect the ſame, as alſo the Inrolments of ſuch Contracts, Agreements, Sales, and Conveyances, as are herein before mentioned, paying for ſuch Inſpection the Sum of one Shilling; and to take Copies thereof without Stamps, paying for every Copy, not exceeding two hundred Words, the Sum of Threepence, and ſo in proportion for any Number of Words: And immediately on ſuch Payments, and Entry of ſuch Verdicts, Sentences, Decrees, Orders, and other Proceedings of the ſaid Commiſſioners and Juries, all the Eſtate, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon and Perſons for whoſe Uſe ſuch Money or Rent ſhall be paid into and out of the ſaid Lands, Tenements, Hereditaments, and Premiſes, ſhall veſt in the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, and they ſhall reſpectively be deemed in Law to be in the actual Seiſin or Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon, having any Eſtate in the Premiſes, had actually conveyed the ſame to them by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment, with Livery of Seiſin, Fine, Recovery, or any other legal Conveyance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim, and Demand, of the Perſon or Perſons to whoſe Uſe ſuch Payment was made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, in Reverſion or Remainder (againſt the Iſſue or Iſſues of ſuch Perſon and Perſons, and all and every other Perſon and Perſons whomſoever), as effectually as a Fine and Recovery, or either of them, would do, if levied or ſuffered by the proper Parties in due Form of Law.

On Payment, and Entry made, Lands to be veſted in Sir Nigel Greſley, &c.

Purchaſe-money due to Corporations and Truſtees to be laid out to the ſame Uſes.

XIII. And be it further enacted by the Authority aforeſaid, That all Sums of Money which are to be paid to any Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees whatſoever, for or on Behalf of any Infants, Lunaticks, Idiots, Femes-covert, or other Ceſtuique Truſts, or to any Perſon or Perſons whoſe Lands are limited in ſtrict Settlement, for the Purchaſe or Exchange of any Lands or Grounds

Grounds aforeſaid, ſhall, in caſe the ſame exceeds the Sum of twenty Pounds, by ſuch Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees, Perſon or Perſons, ſeiſed of Lands or Grounds ſo limited in ſtrict Settlement, be laid out, as ſoon as conveniently may be, in the Purchaſe of Lands, Tenements, and Hereditaments, in Fee-ſimple, and conveyed to or to the Uſe of ſuch Bodies Politick or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees, for ſuch other Perſon or Perſons, and for ſuch Eſtates, and to, for, upon, and ſubject to ſuch Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Lands or Grounds, for or in reſpect whereof ſuch Purchaſe-money or Monies received in Exchange ſhall be ſo paid as aforeſaid, were limited, ſettled, and aſſured, at the Time ſuch Purchaſe-monies were ſo agreed for, aſcertained, or aſſeſſed reſpectively as aforeſaid, or ſo many of ſuch Uſes as ſhall be then exiſting and capable of taking Effect; ſuch Conveyances and Settlements, as aforeſaid, to be made at the Expence of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns; and in the mean time, and until ſuch Purchaſe or Purchaſes ſhall be made, the ſaid Monies ſhall be placed out by ſuch Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees, Perſon or Perſons, in ſome of the publick Funds, or on Government or Real Securities, in the Names of two or more Perſons to be nominated by the Party or Parties intereſted therein, and to be approved by the ſaid Commiſſioners, or any five or more of them; and the Intereſt ariſing or to be produced from ſuch Funds, or ſuch Securities, and alſo the annual Rent for ſuch Lands, Grounds, Tenements, or Hereditaments, where a Rent ſhall be fixed upon as aforeſaid, ſhall be paid to ſuch Perſon or Perſons reſpectively as would, for the Time being, be intitled to the Rents and Profits of ſuch Lands, Tenements, and Hereditaments, ſo to be purchaſed and ſettled, purſuant to the Tenor and Meaning of this Act; and ſuch annual Rent ſhall be a Rent Charge upon the ſaid Cut or Canal, and the Profits and Produce from thence ariſing.

Commiſſioners to ſettle the Proportion of the Money to be paid to the ſeveral Perſons intereſted.

XIV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, may, and are hereby impowered to ſettle what Shares and Proportions of the Purchaſe-monies, or Recompence for Damages, which ſhall be ſo agreed for between the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or any of them, or determined and adjuſted by the ſaid Commiſſioners, or any five or more of them, or aſſeſſed by the ſaid Juries in Manner reſpectively as aforeſaid, ſhall be allowed to any Tenant, or other Perſon having a particular Eſtate, Term, or Intereſt in the Premiſes, for his, her, or their reſpective Intereſts therein, except in ſuch Caſes where the ſame are herein directed to be laid out and inveſted in the Purchaſe of Lands, Tenements, or Hereditaments.

In Default of Payment, how the Monies are to be recovered.

XV. And be it further enacted by the Authority aforeſaid, That in Default of Payment of ſuch Sum or Sums of Money, and at ſuch Times, and in ſuch Manner, as ſhall be aſſigned and awarded for Damages of any Kind, by virtue of this preſent Act, by the ſaid Commiſſioners, or any five or more of them, it ſhall and may be lawful for the Perſon or Perſons intitled thereto to recover the ſame, with full Coſts of Suit, by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed.

If Coſts and Damages are not paid within four Months, the ſame to be levied by Diſtreſs and Sale.

XVI. Provided always, That in caſe the Damages and Coſts herein before provided to be ſatisfied ſhall not be paid and ſatisfied within the Space of four Calendar Months after the ſame ſhall be ſo determined or aſſeſſed as aforeſaid, that then, and in ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, upon Complaint made to them by or on Behalf of the Perſon or Perſons ſuſtaining ſuch Damage, to iſſue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the ſaid County of *Stafford*, authoriſing and impowering him to levy and raiſe the Damages, ſo to be determined and aſſeſſed, by Diſtreſs and Sale of the Goods and Chattels of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, upon the ſaid Navigation, or any of the Wharfs thereto belonging, together with ſuch reaſonable Charges as the ſaid Commiſſioners, or any five or more of them, ſhall in ſuch Warrant direct and appoint.

Annual Rents to be paid out of the Profits of the Canal.
In caſe of Nonpayment, how to be recovered.

XVII. And be it further enacted, That all and every ſuch yearly Rents or Sums as ſhall be agreed upon, or ſettled and aſcertained as aforeſaid, ſhall be charged and chargeable on the ſaid Cut or Canal, and Profits from thence ariſing, and ſhall be paid by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, as the ſame ſhall become due and payable; and in caſe of Nonpayment thereof within twenty-one Days next after the ſame ſhall become due, the ſaid yearly Rents or Sums may be ſued for and recovered with Coſts, by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, or, at the Election of the Parties intitled thereto reſpectively, may be recovered by Diſtreſs and Sale of the Goods and Chattels of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, upon the ſaid Cut or Canal, or the Wharfs thereto belonging, in ſuch Manner as the Law directs in Caſes of Diſtreſs for Rent.

Perſons deſtroying the Banks, or other Works, to be tranſported.

XVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully, maliciouſly, and to the Prejudice of the ſaid Navigation, break, throw down, damage, or deſtroy, any Banks or other Works to be erected or made by virtue of this Act, ſuch Perſon or Perſons ſhall be guilty of Felony, and ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony; and the Court by and before whom ſuch Perſon or Perſons ſhall be tried and convicted, ſhall, and hereby have Power and Authority to tranſport ſuch Felons for the Space of ſeven Years to ſome of his Majeſty's Plantations in *America*, in like Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm, or, in Mitigation of ſuch Puniſhment, may, if they think fit, award ſuch Sentence as the Law directs in Caſes of Petit Larceny.

Perſons obſtructing the Works, forfeit 5l. &c.

XIX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully and maliciouſly do any Hurt or Miſchief to obſtruct, hinder, or prevent the carrying on, completing, or maintaining, the ſaid intended Navigation, or any Works hereby authoriſed to be made, every Perſon

ſo offending ſhall forfeit any Sum not exceeding five Pounds, nor leſs than forty Shillings, or ſhall be committed to the Houſe of Correction for the ſaid County of *Stafford* for any Time not exceeding one Calendar Month, at the Diſcretion of the Juſtice or Juſtices before whom ſuch Offender ſhall be convicted.

Coals, &c. found in digging the Canal, may be taken by the Proprietors of the Lands.

XX. Provided always, and be it further enacted, That all Lime and other Stone, Clay, Marl, Coals, and other Minerals, which ſhall be found and dug up in making, carrying on, and completing, the ſaid Cut or Canal, or any other Works hereby authoriſed to be made, carried on, and completed, ſhall be laid upon the Surface of the Lands, in ſome convenient Place near the ſaid Works, at the Expence of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, ſave and except ſuch Lime and other Stone, Clay, and Marl, as ſhall be uſed in and about the Works of the ſaid Canal; and it ſhall and may be lawful to and for the Perſon or Perſons reſpectively, in whoſe Lands and Grounds the ſaid Lime and other Stone, Clay, Marl, Coals, and other Minerals, ſhall be found and dug up, or other Perſon or Perſons intitled thereto, to take, carry away, and diſpoſe of the ſame (ſave as aforeſaid) to and for his and their own Uſe and Benefit.

Where Cattle are deprived of Watering-places, others to be provided.

XXI. And be it further enacted by the Authority aforeſaid, That where, by means of making the ſaid navigable Cut or Canal, any Cattle which uſed to depaſture in the adjacent Lands or Grounds ſhall be deprived of their uſual Watering-places, then, and in ſuch Caſes, the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, ſhall, at their own proper Coſts and Charges, ſet out and provide proper and convenient Places, in the Lands adjoining to the ſaid navigable Cut or Canal, for Cattle to water at, in every ſuch Ground where they were heretofore accuſtomed to drink and water as aforeſaid, and to ſupply the ſaid Watering-places with Water from and out of the ſaid Cut or Canal, if neceſſary.

Sir Nigel Greſley, &c. to fence off Towing-paths from adjoining Lands,

and erect Bridges, &c. at their own Expence.

XXII. And be it further enacted, That the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, ſhall, at their own proper Coſts and Charges, divide and ſeparate the Towing-paths on the Side or Sides of the ſaid Cut or Canal, and navigable Trenches and Paſſages, or ſuch Part or Parts thereof as ſhall be found neceſſary by the ſaid Commiſſioners, or any five or more of them, from the Lands and Grounds adjoining to ſuch Towing-paths, with a ſufficient Poſt and Rail, Hedge, Ditch, Trench, Bank, or other Fence, ſufficient to keep in Sheep and other Cattle, to be ſet and made on the Lands or Grounds which ſhall be purchaſed by, conveyed to, or veſted in them, as aforeſaid, and ſhall, at their own Coſts and Charges, maintain and ſupport the ſame; and alſo ſhall, at their own Coſts and Charges, make, erect, and ſet up, and from Time to Time maintain and ſupport, ſuch and ſo many convenient Gates, Bridges, and Stiles, in and over all the Hedges and Fences to be by them ſo made on the Side of ſuch Towing-paths as aforeſaid, and alſo ſuch Bridges, Fords, and Paſſages, over, under, or through the ſaid Cut or Canal, and the ſaid Trenches, Streams, and Watercourſes, of ſuch Dimenſions, and in ſuch Manner, as the ſaid Commiſſioners, or any five or more of them, ſhall, from Time to Time, judge neceſſary and appoint, for the Uſe of the Owners and Occupiers of the Lands and Grounds, or Hereditaments, adjoining to ſuch Cut or Canal, Trenches, Streams, Watercourſes, and Towing-paths, or any of them reſpectively; and the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, ſhall not make the ſaid Cut or Canal, or any Trench or Watercourſe, or any Part thereof, in or acroſs any Common Highway, publick Bridleway, or Foot-path, until ſuch Time as they ſhall, at their own proper Charges, have made and perfected ſuch Bridge or Bridges over, or convenient Paſſages through, or Arch or Arches under, the ſaid Places where the ſaid Cut, Canal, Trench, or Watercourſe reſpectively, ſhall be intended to be made for ſuch Road, Way, or Path, of ſuch Dimenſions, and in ſuch Manner, as the ſaid Commiſſioners, or any five or more of them, ſhall adjudge proper; and all ſuch Bridges, Arches, Fords, and Paſſages, ſo to be made, ſhall, from Time to Time, be ſupported, maintained, and kept in ſufficient Repair, by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns.

No Cut, &c. to be be made acroſs any Highway till convenient Paſſages be made.

In caſe of Failure, the Land Owners may fence off Towing-paths, &c.

XXIII. And be it further enacted, That in caſe the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or their Agents, ſhall fail or neglect to make, erect, and ſet up, ſuch Gates, Bridges, and Stiles, in and over the Fences on the Sides of the ſaid Towing-paths, or ſuch Bridges, Arches, and Paſſages, over, under, or through the ſaid Cut or Canal, and the ſaid Trenches, Streams, and Watercourſes, as aforeſaid; or to make ſuch Watering-places for Cattle, as herein before directed, for the Uſe and Convenience of the reſpective Owners or Occupiers of the Lands adjoining thereto, and of ſuch Dimenſions, and in ſuch Manner, as the ſaid Commiſſioners, or any five or more of them, ſhall, from Time to Time, direct or appoint; or to maintain and ſupport ſuch Bridges, Arches, and Watering-places, when erected, ſet up, or made, for the Space of three Calendar Months next after the Times to be appointed for thoſe Purpoſes by the ſaid Commiſſioners, or any five or more of them; then, and in every ſuch Caſe, it ſhall and may be lawful to and for every or any of the ſaid Owners or Occupiers of the ſaid adjacent Lands or Grounds, who ſhall find themſelves or himſelf aggrieved by any ſuch Failure or Neglect, to make, erect, and ſet up all ſuch Gates, Stiles, Bridges, Arches, Paſſages, and Watering-places, as the ſaid Commiſſioners, or any five or more of them, ſhall have before directed or appointed to be made, erected, and ſet up, by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, as aforeſaid, and to maintain, repair, and ſupport the ſaid Bridges, Arches, and Watering-places, from Time to Time, as Occaſion ſhall require; and all the reaſonable Coſts and Charges thereof, to be ſettled and allowed by the ſaid Commiſſioners, or any five or more of them, ſhall be repaid to the reſpective Owners or Occupiers of the ſaid adjacent Lands, who ſhall have ſo made and erected the ſaid Gates, Stiles, Bridges, Arches, Paſſages, and Watering-places, or have repaired and maintained the ſame as aforeſaid, by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, within the Space of twenty Days next after the ſame ſhall have been ſo ſettled and allowed, and an Account and Demand ſhall have been delivered and made thereof: And in Default of Payment of the ſaid Coſts and Charges within the Time aforeſaid, the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby

hereby required, by Warrant under their Hands and Seals, to levy the ſaid Coſts and Charges by Diſtreſs and Sale of the Goods and Chattels of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, in or upon the ſaid Cut or Canal, or the Wharfs adjoining or near the ſame, to and for the Uſe of ſuch Perſon or Perſons who ſhall have ſo laid out and expended the ſame as aforeſaid, rendering to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or to ſome of their Agents, the Overplus (if any ſuch there be), after deducting the reaſonable Charges of making ſuch Diſtreſs and Sale, to be ſettled by the ſaid Commiſſioners, or any five or more of them; otherwiſe, every or any of the ſaid Owners or Occupiers of Lands, who ſhall have made, erected, ſet up, maintained, or repaired, any ſuch Gates, Stiles, Bridges, Arches, or Watering-places, as aforeſaid, upon the Failure or Neglect of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, doing the ſame, or paying the ſaid Coſts and Charges as aforeſaid, ſhall and may have ſuch and the like Remedy againſt the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, for the Recovery of ſuch Coſts and Charges, by Action at Law, to be commenced and proſecuted in ſuch Manner as in other Caſes is in and by this Act directed.

How the Expence may be recovered, in caſe of Nonpayment.

XXIV. And be it enacted, That if the Owners or Occupiers of any Lands, through which the ſaid intended Cut or Canal ſhall be made, do or ſhall, at any Time or Times hereafter, find, upon Experience, that the ſeveral Gates, Stiles, Bridges, Arches, Paſſages, and Watering-places, which the ſaid Commiſſioners, or any five or more of them, ſhall have limited or directed to be made by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, in, upon, or over and under the ſaid Cut or Canal, or the Towing-paths thereof, are inſufficient, either in Number or Situation, for the commodious Uſe or Occupation of their reſpective Lands and Grounds, on both Sides, or on either Side, of the ſaid Cut or Canal; that then, and ſo often, or in any ſuch Caſe, it ſhall and may be lawful to and for every or any ſuch Owners or Occupiers of the ſaid Lands for the Time being, to make, fix, and erect, at their own Coſts and Charges, one or more Gate or Gates, Stiles, Bridges, Arches, Paſſages, or Watering-places, of the ſame or the like Conſtruction with others made and erected by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, on, in, over, or near the ſaid Cut or Canal, or Towing-paths thereof, in ſuch Places as ſhall be found and adjudged moſt neceſſary and convenient, for the better Uſe, Cultivation, Improvement, or Occupation thereof, and to repair and ſupport the ſame at their own like Coſts and Charges, as Occaſion ſhall require, ſo as the Navigation of, in, or upon the ſaid Cut or Canal, be not prevented or obſtructed thereby, for any longer Space of Time, or in any other Manner, than the ſame will be neceſſarily by any of the other Gates, Stiles, or Bridges, to be made or erected in or over the ſaid Cut or Canal by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, as aforeſaid, and ſo as no Damage or Injury be thereby done to any of the Works of the ſaid Navigation.

Owners of Lands impowered to make Bridges at their own Expence.

XXV. Provided alſo, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Perſon or Perſons owning or occupying any Lands or Grounds, adjoining or lying near to the Lands or Grounds which ſhall be had or taken for or upon account of making the ſaid Cut or Canal, or any Part thereof, or any other the Purpoſes herein before mentioned, to have and uſe any Boats or Veſſels for the Carriage or Conveyance of any Dung, Marl, or other Manure, upon the ſaid Cut or Canal, or any Part thereof, to and from ſuch his, her, or their Lands or Grounds, for the Improvement thereof, without paying any Toll, Rate, or Duty whatſoever, to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or any of them, for the ſame; and for that Purpoſe to have free Liberty to make uſe of the Towing-paths, Wharfs, or Quays, belonging to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, ſuch Perſon or Perſons not ſuffering ſuch Dung, Marl, or Manure, to lie upon ſuch Wharfs or Quays longer than may be neceſſary for loading, unloading, and conveying the ſame, to and from ſuch his, her, or their Lands or Grounds, and making good any Damages that may be done to the Sides or Banks of the ſaid Cut or Canal, or any Part thereof, by the loading, unloading, or diſcharging, any ſuch Boats or other Veſſels; which Recompence and Satisfaction, in caſe of any Difference, ſhall be ſettled and aſcertained by the ſaid Commiſſioners, or any five or more of them.

Owners or Occupiers of Lands may uſe Boats for carrying Manure without paying Toll.

XXVI. Provided always, and be it enacted by the Authority aforeſaid, That the ſaid Cut or Canal, or any Works whatſoever, to be made by virtue of the Powers of this Act, ſhall not be ſubject to the Controul, Direction, Survey, or Order, of any Commiſſion of Sewers, or to any Law or Statute relating to Sewers; any other Law or Statute to the contrary hereof notwithſtanding.

Canal not ſubject to the Power of Commiſſioners of Sewers.

XXVII. And, for continuing a ſufficient Number of Commiſſioners for putting this Act in Execution, be it enacted by the Authority aforeſaid, That when any of the Commiſſioners hereby appointed, or to be elected in Manner herein after mentioned, ſhall die, or refuſe to act, the ſurviving or remaining Commiſſioners, or any five or more of them, ſhall, and they are hereby impowered, from Time to Time, by Writing under their Hands and Seals, to elect and appoint, in the Place of every Commiſſioner ſo dying or refuſing to act, ſome other Perſon, qualified as herein after mentioned; and all ſuch Commiſſioners ſo appointed ſhall, from the Time of their Appointment, have the like Authority, in all Things relating to the Execution of this Act, as if they had been expreſsly named and appointed Commiſſioners in this Act; Notice of the Time, Place, and Purpoſe of ſuch Meetings, being given fourteen Days at leaſt before all ſuch Meetings.

Manner of electing new Commiſſioners.

XXVIII. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall act as a Commiſſioner in any Caſe where he ſhall be any ways intereſted or concerned in the Matter in queſtion; and that no Commiſſioner herein before appointed, or who ſhall be elected by virtue of this Act, ſhall act as a Commiſſioner, unleſs he ſhall be ſeiſed in his own Right, or in the Right of his Wife, and not as a Mortgagee or Mortgagees, at the Time of ſuch his acting, of an Eſtate of Freehold or Copyhold, in Lands, Tenements, and Hereditaments, of the clear yearly Value of one hundred Pounds, over and above what

Qualification of Commiſſioners.

what is ſufficient to pay off all his juſt Debts (unleſs he ſhall be the eldeſt Son or Heir-apparent of a Peer of the Realm, or of a Perſon qualified to be elected and ſerve as a Knight of the Shire for that Part of *Great Britain* called *England*): And if any Perſon hereby declared incapable to act as a Commiſſioner, ſhall nevertheleſs preſume to act as ſuch, every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit the Sum of fifty Pounds, to any Perſon who ſhall ſue for the ſame; to be recovered, with full Coſts of Suit, by Action at Law, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which Action no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed; and ſuch Perſon ſo proſecuted ſhall prove that he is qualified as before mentioned, or otherwiſe ſhall pay the ſaid Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Proſecutor, than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act.

Penalty on Perſons acting if not qualified.

XXIX. Provided always, That no Perſon ſhall act as Commiſſioner in any Caſe (except in adminiſtering the following Oath) until he ſhall have taken and ſubſcribed the Oath following, before any five or more of the ſaid Commiſſioners (who are hereby authoriſed and impowered to adminiſter the ſame to any other of the Commiſſioners;) *videlicet*,

No Perſon to act as Commiſſioner till he take and ſubſcribe the following Oath.

The Oath.

'I *A. B.* do ſwear, That I will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the beſt of my Skill and Judgment, execute and perform the Powers and Authorities veſted in me, by an Act made in the fifteenth Year of the Reign of his Majeſty King *George* the Third, for making and maintaining a navigable Canal from certain Coal Mines in *Apedale* to *Newcaſtle under Lyme*, in the County of *Stafford*.

'*So help me* GOD.'

Commiſſioners who are Juſtices may act as ſuch in the Execution of this Act.

XXX. Provided always, That ſuch Commiſſioners who are Juſtices of the Peace for the ſaid Borough of *Newcaſtle under Lyme*, or who are or ſhall be in the Commiſſion of the Peace for the ſaid County of *Stafford*, ſhall and may, and they are hereby reſpectively impowered to act as Juſtices of the Peace in the Execution of this Act, within the Limits of their reſpective Juriſdictions, notwithſtanding their being Commiſſioners.

On Application of Land Owners, &c. Commiſſioners may meet for the Purpoſes of the Act.

XXXI. And be it further enacted by the Authority aforeſaid, That upon an Application to be made by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, or by any of the Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments, to be affected by the ſaid intended navigable Cut or Canal, or any of the Works neceſſary or relating thereto, unto the Commiſſioners appointed by and for the Purpoſes of this Act, or any five or more of them, deſiring them to appoint a General Meeting of the Commiſſioners, the Commiſſioners ſo applied to, or any five or more of them, may and ſhall, and they are hereby reſpectively authoriſed and required, within ſeven Days after ſuch Requeſt or Application made, to give Notice, in Manner hereby directed, of a General Meeting, to be held at ſuch Time and Place as ſhall be ſpecified in ſuch Notice (ſuch Time not being leſs than fourteen Days, or more than twenty-one Days, from the Day on which ſuch Requeſt ſhall be made to them as aforeſaid); and the ſaid Commiſſioners are hereby authoriſed, impowered, and required, to aſſemble at the Time and Place ſo to be appointed, in order to put this preſent Act, and the Powers and Authorities hereby given to and veſted in them, in Execution; and ſhall then adjourn themſelves, and afterwards meet at ſuch Place as the ſaid Commiſſioners there aſſembled, or any five or more of them, ſhall think proper and convenient; and if it ſhall happen that there ſhall not appear, at any Meeting which ſhall be appointed to be had or held by the ſaid Commiſſioners, a ſufficient Number of Commiſſioners to act at ſuch Meeting, and to adjourn to any other Time, then, and from Time to Time, as often as the Caſe ſhall happen, they ſhall be deemed adjourned until that Day three Weeks, at the ſame Place where the Meeting was laſt held; and all Meetings of the ſaid Commiſſioners by virtue of this Act ſhall be publick; and the Majority of the ſaid Commiſſioners preſent at every ſuch Meeting (ſuch Majority not being leſs than five in Number of the ſaid Commiſſioners), ſhall have Power and Authority to execute the Powers hereby veſted in the ſaid Commiſſioners, but not otherwiſe; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Meetings may be called at any Time by five Commiſſioners.

XXXII. Provided nevertheleſs, and be it further enacted, That it ſhall and may be lawful for any five or more of the ſaid Commiſſioners, and they are hereby impowered, although they ſhall not be aſſembled at a Meeting to be held by virtue of this Act, from Time to Time, and at all Times, upon ſuch Requeſt made as aforeſaid, by Notice in Writing, ſigned by them, and publiſhed in Manner hereby directed, to ſummon a Meeting of the ſaid Commiſſioners, at ſuch Time and Place as ſhall be mentioned in ſuch Notices, for the ſettling and aſcertaining ſuch Damages as are herein directed to be ſettled and aſcertained, notwithſtanding any Adjournment or Non-adjournment of the ſaid Commiſſioners.

No Meeting of Commiſſioners to be effectual, unleſs Notice, &c. be given.

XXXIII. Provided always, That no Meeting of the ſaid Commiſſioners ſhall be good or effectual for any of the Purpoſes of this Act, unleſs previous Notice of the Time and Place thereof, and the Buſineſs propoſed to be done, under the Hand of the Clerk for the Time being attending the ſaid Commiſſioners, ſhall be publiſhed in the *Birmingham* or other News-paper circulated in the ſaid County of *Stafford*, at leaſt fourteen Days before every ſuch intended Meeting of the ſaid Commiſſioners, unleſs the Buſineſs to be tranſacted at any Meeting, of which ſuch Notice has been given as aforeſaid, ſhall not be concluded on the Day mentioned in ſuch Notice; in which Caſe the Commiſſioners, or any five or more of them, may, from Time to Time, adjourn to the ſucceeding Day, or, if ſuch Day be *Sunday*, the Day after, and in like Manner from Day to Day, and may meet again at the ſame or any other convenient Place, and proceed in ſuch Buſineſs, until the ſame is finiſhed, without any Notice to be given of the Meetings held by ſuch laſt-mentioned Adjournments.

All Meetings to be held within

XXXIV. Provided alſo, That every Meeting of the Commiſſioners for hearing or determining any Complaint, Controverſy, Diſpute, or Difference, between the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*,

Greſley, their Heirs or Aſſigns, and any other Perſon or Perſons, ſhall be held at ſome Place within five Miles of the Place where ſuch Complaint or Diſpute ariſes.

five Miles where any Diſpute ariſes.

XXXV. And be it further enacted, That all the Orders and Proceedings of the ſaid Commiſſioners ſhall be regularly entered in a Book or Books to be kept for that Purpoſe, and ſuch Entries, being ſigned by ſuch Number of the ſaid Commiſſioners as are impowered by this Act to make ſuch Orders, or carry on ſuch Proceedings, ſhall be deemed Originals, and be admitted in Evidence in all Courts whatſoever; and the ſaid Commiſſioners, or any five or more of them, may appoint ſuch Perſon, out of three to be nominated by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, as they ſhall think proper, as a Clerk, and from Time to Time to remove any Perſon, and appoint another out of three to be nominated as aforeſaid, in his Stead; which Clerk ſhall be paid, for his Care and Trouble in the Execution of ſuch Office, by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns.

Proceedings of the Commiſſioners to be entered in a Book.

A Clerk to be appointed.

XXXVI. And be it further enacted and declared, That the Owner or Owners of ſuch Lands or Grounds through which the ſaid Cut or Canal ſhall be made, ſhall have and be intitled to the ſole, ſeveral, and excluſive Right of Fiſhery, of and in ſo much of the ſaid Cut or Canal, Trenches or Sluices, as ſhall be made in, over, or through his, her, or their Lands or Grounds reſpectively, ſo as in the Uſe or Exerciſe of the ſaid Right of Fiſhery, the ſaid navigable Cut or Canal, Trenches or Sluices, and the Towing-paths, Banks, or other Works and Conveniencies, hereby authoriſed to be made, ſhall not be prejudiced or obſtructed, or any Water drained or exhauſted from or out of the ſaid Cut or Canal, Trenches or Sluices, and ſo as the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, or their Agents, Servants, or Workmen, or any of them, ſhall not be liable to any Penalty, Action, or Proſecution, for or by reaſon of the taking or deſtroying of any Fiſh in the ſaid Cut or Canal, Trenches or Sluices, which ſhall be taken, killed, or deſtroyed, through or by means of the letting off the Water out of the ſaid Cut or Canal, Trenches or Sluices, for or upon account of any Repairs or Works to be done in or about the ſame, any Thing herein contained to the contrary notwithſtanding.

Saving Clauſe reſpecting the Right of Fiſhery.

XXXVII. And be it alſo enacted by the Authority aforeſaid, That if the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, ſhall be in Poſſeſſion of any Lands or Grounds, by virtue of this Act, for the Space of ten Years, without making the ſaid intended Navigation through the ſame reſpectively; or if the ſaid Navigation ſhall be made and completed, and afterwards diſcontinued or diſuſed for the Space of five Years; then, and in either of the ſaid Caſes, from and immediately after the Expiration of the ſaid ten Years without making, or five Years after diſuſing, the ſaid Navigation, as aforeſaid, the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, ſhall convey all their Right, Property, and Intereſt, in or to ſuch Lands or Grounds reſpectively, unto the ſeveral and reſpective Perſons or Bodies Politick, Corporate or Collegiate, or their Heirs, Succeſſors, or Aſſigns, who were the Owners or Proprietors thereof immediately before the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, became ſeiſed of the ſame, in caſe they or any of them ſhall think fit to become Purchaſers thereof, and to pay ſuch valuable Conſideration for the ſaid Lands and Grounds to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, as the ſaid Commiſſioners, or any five or more of them, ſhall adjudge reaſonable; and in caſe any Difference ſhall happen in aſcertaining thereof by the ſaid Commiſſioners, then as any Jury, to be impannelled in the Manner herein before directed, ſhall aſcertain or award to be paid for the ſame; (provided that ſuch Conſideration, to be aſcertained by the ſaid Commiſſioners, or to be awarded by ſuch Jury, ſo to be impannelled as aforeſaid, ſhall not exceed the Sum or Sums of Money firſt paid by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, for the Purchaſe of ſuch Lands or Grounds:) And in caſe the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, upon the Payment or Tender of ſuch valuable Conſideration as aforeſaid for ſuch Lands or Grounds, ſhall refuſe or neglect to convey the ſame as aforeſaid; then, and in ſuch Caſe, ſuch Lands and Grounds, upon Tender of ſuch valuable Conſideration as aforeſaid to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, ſhall revert to and be from thenceforth veſted in the ſaid ſeveral and reſpective Perſon or Perſons, Bodies Politick, Corporate or Collegiate, their Heirs, Succeſſors, or Aſſigns; and in caſe an annual Rent ſhall have been paid for the ſaid Lands or Grounds, to be taken in Manner aforeſaid, for the Uſe of the ſaid Navigation, then ſuch Rent ſhall ceaſe and determine, and ſuch Sum or Sums of Money ſhall be paid for Damages done to the ſaid Lands or Grounds by the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, to the Perſon or Perſons, Bodies Politick, Corporate or Collegiate, or their Heirs, Succeſſors, or Aſſigns, to whom ſuch Lands or Grounds ſhall be reconveyed or revert as aforeſaid, as the ſaid Commiſſioners or Jury reſpectively ſhall aſcertain or award; ſuch Sum or Sums of Money, in Default of Payment at the Time to be fixed by ſuch Commiſſioners or Jury reſpectively, and to be recovered in ſuch Manner as any other Damages are to be recovered by virtue of this Act.

If Lands be not uſed within a certain Time for the Purpoſes of the Act, they are to be reconveyed.

XXXVIII. And be it further enacted by the Authority aforeſaid, That for and during the Term of twenty-one Years, to be computed from the Time the ſaid Cut or Canal ſhall be completed, no Coals whatſoever, that ſhall be brought out of or from any Coal Mines now belonging, or which may at any Time or Times hereafter belong, to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, or either of them, their or either of their Heirs or Aſſigns, upon the ſaid Cut or Canal, or any Part thereof (Cannel Coals excepted), ſhall be ſold to any Inhabitant or Inhabitants of the Town of *Newcaſtle under Lyme* aforeſaid, to be uſed and conſumed within the ſaid Town, or to any of the Inhabitants of that Part of the Pariſh of *Stoke upon Trent* which adjoins to *Newcaſtle Mill Pool*, for their own Uſe and Conſumption, for any greater Price than five Shillings for each Ton or twenty hundred Weight (each hundred Weight to conſiſt of ſix Score Pounds Avoirdupoiſe, and to be weighed at the Expence of the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns); nor for any greater Price than five Shillings and Sixpence for each ſuch Ton, for the further Term of twenty-one Years, to commence from and after the Expiration of the ſaid firſt-mentioned Term, and ſo in proportion for any greater or leſs Quantity than a Ton (not leſs than

Inhabitants of Newcaſtle under Lyme are to be ſupplied with Coals for twenty-one Years, at 5 s. a Ton, and for twenty-one Years more, at 5 s. 6 d.

than one hundred Weight): And if any Perſon or Perſons whatſoever ſhall take or receive any greater Price or Prices reſpectively than as before mentioned from any ſuch Inhabitant (knowing him to be ſuch) for any ſuch Coals to be uſed and conſumed as aforeſaid, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds; to be recovered, levied, and applied, in the Manner herein after mentioned: And if the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, ſhall, at any Time hereafter, during the reſpective Terms aforeſaid, neglect to find and provide, on the Wharf of the ſaid Cut or Canal, at the Termination thereof, within or near to the ſaid Town of *Newcaſtle under Lyme*, a Supply of Coals ſufficient for all and every the Inhabitants of the ſaid Town, to be uſed and conſumed in their own Houſes, Outhouſes, and Buildings, as aforeſaid, at the reſpective Rates and Prices aforeſaid, for the Space of one Calendar Month together (unleſs hindered or prevented by inevitable Accidents in working the ſaid Coal Mines, or by Froſts); then, and in ſuch Caſe, the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, ſhall, for every ſuch Offence, forfeit and pay the Sum of forty Pounds; to be recovered, levied, and applied, in Manner herein after mentioned: And if any Perſon or Perſons ſhall, at any Time hereafter, take the Benefit, or claim or demand the Benefit of the Proviſion herein before made for the Inhabitants of the ſaid Town of *Newcaſtle under Lyme*, or the ſaid Part of the Pariſh of *Stoke upon Trent*, not being thereunto intitled, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds, to be alſo recovered, levied, and applied, in Manner herein after mentioned.

Penalty 40 l. on Failure of a ſufficient Quantity of Coals.

Proviſo reſpecting the Purchaſe of a leſs Quantity than a Ton.

XXXIX. Provided always, That in caſe any ſuch Inhabitant ſhall, at any Time during the ſaid laſt-mentioned Term of twenty-one Years, require to buy any leſs Quantity of Coals than a Ton, that it ſhall and may be lawful to and for the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs or Aſſigns, to take and receive for the ſame after the Rate of Three-pence Halfpenny for every hundred Weight, conſiſting as aforeſaid.

Proviſo with reſpect to raiſing the Coals to 6 s. per Ton during the ſecond Term.

XL. Provided alſo, That in caſe it ſhall at any Time hereafter, during the ſaid ſecond Term, be made appear to the ſaid Commiſſioners, or any ſeven or more of them, at a Meeting for that Purpoſe aſſembled, of which twenty Days Notice ſhall be given, in Manner herein after mentioned, ſpecifying the Intent of ſuch Meeting, that the aforeſaid Price of five Shillings and Sixpence a Ton ſhall, by the Advance of Labour, or other unforeſeen Accidents, be inſufficient to anſwer the Expence of getting, carrying, and vending, the ſaid Coals, and a reaſonable Profit to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns; then, and in ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, at ſuch Meeting aſſembled, to give Power and Authority to the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, to demand and take for ſuch Coals as aforeſaid any Sum not exceeding ſix Shillings a Ton, conſiſting as aforeſaid, and ſo in proportion as aforeſaid; and after ſuch Power and Authority given, it ſhall and may be lawful to and for the ſaid Sir *Nigel Greſley* and *Nigel Bowyer Greſley*, their Heirs and Aſſigns, to take and receive ſuch Price or Sum as ſhall be ſo authoriſed, any Thing herein before contained to the contrary notwithſtanding.

Writings not to be charged with Stamp-duties.

XLI. And be it further enacted by the Authority aforeſaid, That no Summons, Order, Determination, Judgment, Warrant, Contract, Agreement, Bond, or other Writing whatſoever, under the Hands, or under the Hand and Seal, of any Juſtices of the Peace, or of the ſaid Commiſſioners, or any of them, or any other Perſon or Perſons appointed or employed by them, or other Writing whatſoever, made in purſuance of the Powers given in and by this preſent Act, ſhall be charged or chargeable with any Stamp or other Duty whatſoever; and that no Proceedings to be had or taken in purſuance of this Act ſhall be quaſhed or vacated for want of Form, or removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

Proceedings not to be quaſhed for want of Form.

Fines and Forfeitures how to be recovered and applied.

XLII. And be it further enacted, That all Fines and Forfeitures inflicted by this Act, the levying and recovering of which ſaid Fines and Forfeitures are not herein before particularly directed, ſhall be levied by Warrant, under the Hand and Seal, or Hands and Seals, of any one or more Juſtice or Juſtices of the Peace of the ſaid Borough of *Newcaſtle under Lyme*, or of the ſaid County of *Stafford* reſpectively (which ſaid Juſtice or Juſtices is and are hereby authoriſed to hear and examine Witneſſes upon Oath, and determine the ſame, and may, according to his or their Diſcretion, mitigate any Fine or Forfeiture herein before impoſed or inflicted); and all ſuch reſpective Fines, Forfeitures, and Penalties, by this Act impoſed and inflicted, the Application whereof is not herein before particularly directed, ſhall be paid into the Hands of the ſaid Commiſſioners, or any five or more of them, or to their Clerk, and ſhall be applied in Manner following, (that is to ſay) Two third Parts thereof for the Maintenance and Relief of the Poor of the Pariſh of *Newcaſtle under Lyme* aforeſaid, and the remaining third Part thereof for the Maintenance and Relief of the Poor reſiding within the Manor of *Apedale* aforeſaid; and in Default of Payment of any of the ſaid Fines, Forfeitures, and Penalties, inflicted by this Act, or if no ſufficient Diſtreſs can be found to anſwer the ſame, the Perſon or Perſons offending, and liable to ſuch Forfeitures, ſhall, by Warrant or Warrants of one or more Juſtice or Juſtices of the Peace for the ſaid County of *Stafford*, or the ſaid Borough of *Newcaſtle under Lyme* reſpectively, be ſent to the Houſe of Correction for ſuch County or Borough reſpectively, there to be kept in hard Labour for any Space of Time ſuch Juſtice or Juſtices ſhall direct, not exceeding three Calendar Months, or until Payment of ſuch Forfeitures.

How Juſtices may proceed for the Conviction of Offenders.

XLIII. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, be it further enacted, That all and every the Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen; *videlicet*,

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord
'*A. B.* is convicted before me *C. D.* one of his Majeſty's Juſtices of the Peace for the Borough of
'*Newcaſtle under Lyme*, or for the County of *Stafford*, [*ſpecifying the Offence, and Time and Place when* 'and

'*and where the ſame was committed, as the Caſe ſhall be*]. Given under my Hand and Seal the Day and 'Year aforeſaid.'

XLIV. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made, or any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Defect or want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe. Diſtreſs not unlawful for want of Form.

XLV. Provided always, That any Perſon or Perſons thinking himſelf, herſelf, or themſelves aggrieved by the Order or Determination of any Juſtice or Juſtices of the Peace, or by the Order or Determination of any of the ſaid Commiſſioners, or by any other Order, Act, Matter, or Thing, done or executed in purſuance of this Act, may, within ſix Calendar Months after ſuch Order, Matter, or Thing, ſhall have been made, done, or executed, and Notice given, complain to the Juſtices of the Peace, at their General Quarter Seſſions of the Peace to be held for the ſaid County of *Stafford*; who, if they ſee Cauſe, may mitigate any Forfeiture or Fine, and may order any Money to be returned which ſhall have been levied in purſuance of ſuch Order or Determination, and may order ſuch further Satisfaction to be made to the Party or Parties injured, as they ſhall think reaſonable. Perſons thinking themſelves aggrieved may appeal to the Quarter Seſſions.

XLVI. And be it further enacted by the Authority aforeſaid, That if any Action, Suit, or Information, ſhall be brought or commenced againſt any Perſon or Perſons, for any Thing done, or to be done, in purſuance of this Act, or in the Execution of the Powers and Authorities, or the Orders and Directions, herein before given or granted, every Suit or Information ſhall be brought or commenced within ſix Calendar Months next after the Fact committed, or, in caſe there ſhall be a Continuation of Damages, then within ſix Calendar Months next after the doing or committing ſuch Damages ſhall ceaſe, and not afterwards; and ſhall be laid and brought in the County where the Matter in Diſpute ſhall ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to have been ſo done, or if any Action, Suit, or Information, ſhall be brought after the Time ſo limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then, and in ſuch Caſe, the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or ſuffer a Diſcontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants ſhall have appeared; or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs; the Defendant or Defendants ſhall have double Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law. Limitation of Actions. General Iſſue. Double Coſts.

XLVII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be allowed in all Courts whatſoever as a Publick Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice of it as ſuch, without ſpecially pleading the ſame. Publick Act.

CAP. XVII.

An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors. *Further Time given for theſe Purpoſes, to 25th December*, 1776.

CAP. XVIII.

An Act to reſtrain the Trade and Commerce of the Colonies of *New Jerſey*, *Penſylvania*, *Maryland*, *Virginia*, and *South Carolina*, to *Great Britain*, *Ireland*, and the *Britiſh* Iſlands in the *Weſt Indies*, under certain Conditions and Limitations.

'WHEREAS by an Act, made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*; and by ſeveral ſubſequent Acts of Parliament, which are now in Force, it is, amongſt other Things, enacted, That for every Ship or Veſſel which ſhall load any Commodities, in thoſe Acts particularly enumerated, at any *Britiſh* Plantation, being the Growth, Product, or Manufacture thereof, Bonds ſhall be given, with one Surety, to the Value of one thouſand Pounds, if the Ship be of leſs Burthen than one hundred Tons, and of the Sum of two thouſand Pounds, if the Ship be of greater Burthen, that the ſame Commodities ſhall be brought by ſuch Ship or Veſſel to ſome other *Britiſh* Plantation, or to ſome Port in *Great Britain*: And whereas, by ſeveral other Acts of Parliament which are now in Force, no Commodities of the Growth, Product, or Manufacture, of *Europe* (except Salt for the Fiſheries, Wines of the *Madeiras* and *Azores* and *Weſtern Iſlands*, and Victual and Linen Cloth from *Ireland*, under the Reſtrictions in ſuch Acts particularly mentioned), can be imported into any Plantation, Colony, Territory, or Place, belonging to his Majeſty, in *Aſia*, *Africa*, or *America*, but what ſhall be *bona fide*, and without Fraud, laden and ſhipped in *Great Britain*, and carried directly from thence: And whereas, Preamble. Clauſe in Act 12 Car. II. recited.

'during the Continuance of the Combinations and Diſorders, which at this Time prevail within the Co-
'lonies of *New Jerſey*, *Penſylvania*, *Maryland*, *Virginia*, and *South Carolina*, to the Obſtruction of the
'Commerce of theſe Kingdoms, and other his Majeſty's Dominions, and in Breach and Violation of the
'Laws of this Realm, it is highly unfit that the Inhabitants of the ſaid Colonies ſhould enjoy the ſame
'Privileges of Trade, and the ſame Benefits and Advantages to which his Majeſty's faithful and obedient
'Subjects are intitled;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twentieth Day of *July* one thouſand ſeven hundred and ſeventy-five, and during the Continuance of this Act, no Goods, Wares, or Merchandiſes, which are particularly enumerated in and by the ſaid Act made in the twelfth Year of King *Charles* the Second, or any other Act, being the Growth, Product, or Manufacture, of the Colonies of *New Jerſey*, *Penſylvania*, *Maryland*, *Virginia*, and *South Carolina*, in *North America*, or any or either of them, are to be brought to ſome other *Britiſh* Colony, or to *Great Britain*; or any ſuch enumerated Goods, Wares, or Merchandiſe, which ſhall at any Time or Times have been imported or brought into the ſaid Colonies, or any or either of them, ſhall be ſhipped, carried, conveyed, or tranſported, from any of the ſaid Colonies reſpectively, to any Land, Iſland, Territory, Dominion, Port, or Place whatſoever, other than to *Great Britain*, or ſome of the *Britiſh* Iſlands in the *Weſt Indies*, to be laid on Shore there; and that no other Goods, Wares, or Merchandiſes whatſoever, of the Growth, Product, or Manufacture of the Colonies herein before mentioned, or which ſhall at any Time or Times have been imported or brought into the ſame, ſhall, from and after the ſaid twentieth Day of *July*, and during the Continuance of this Act, be ſhipped, carried, conveyed, or tranſported, from any of the ſaid Colonies reſpectively, to any other Land, Iſland, Territory, Dominion, Port, or Place whatſoever, except to the Kingdoms of *Great Britain* or *Ireland*, or to ſome of the *Britiſh* Iſlands in the *Weſt Indies*, to be laid on Shore there; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

After July 20, 1775, no Goods, Wares, &c. enumerated in and by Act 12 Car. II. being of the Growth, Product, &c. of New Jerſey, &c. are to be brought into ſome other Britiſh Colony, or in o Great Britain; and no other Goods of the Manufacture of the Colonies mentioned, are to be tranſported to any other Place except to Great Britain or Ireland, &c.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twentieth Day of *July*, before any Ship or Veſſel ſhall lade or take on Board any Goods, as aforeſaid, in any or either of the Colonies before mentioned, ſufficient Bond, with one Surety, beſides the Maſter of ſuch Ship or Veſſel, ſhall be given to the Collector, or other principal Officer of the Cuſtoms at the Port or Place where ſuch Goods are intended to be laden or taken on Board, in the Penalty of one thouſand Pounds if the Ship be of leſs Burthen than one hundred Tons, and of the Sum of two thouſand Pounds if the Ship ſhall be of that or any greater Burthen; with Condition, that ſuch enumerated Goods ſhall not be landed or put on Shore at or upon any other Land, Iſland, Territory, Dominion, Port, or Place whatſoever, except ſome Port or Place within the Kingdom of *Great Britain*, or ſome of the *Britiſh* Iſlands in the *Weſt Indies*; and that all other Goods, Wares, or Merchandiſes, ſo intended to be laden as aforeſaid, ſhall not be landed or put on Shore at or upon any Land, Iſland, Territory, Dominion, Port, or Place whatſoever, other than and except ſome Port or Place within the Kingdoms of *Great Britain* or *Ireland*, or ſome of the *Britiſh* Iſlands of the *Weſt Indies*; and with further Condition, to bring a Certificate in Diſcharge thereof, within eighteen Months from the Date of ſuch Bond, for ſuch of the ſaid Goods as ſhall be entered for, or landed in, *Great Britain* or *Ireland* reſpectively; and within ſix Months for ſuch of the ſaid Goods as ſhall be entered for, or landed in, any of the *Britiſh* Iſlands in the *Weſt Indies*; which reſpective Certificates ſhall be under the Hands and Seals of Office of the Collector and Comptroller, or other Principal Officer of the Cuſtoms, reſident at the Port or Place where ſuch Goods ſhall be landed, teſtifying the Landing thereof; or ſuch Bond or Bonds ſhall and may be diſcharged by Proof upon Oath, made by credible Perſons, that the ſaid Goods were taken by Enemies, or periſhed in the Seas.

Bonds, with Sureties, to be given, beſides the Shipmaſter's, before taking on Board any Goods of the Growth, &c. of ſaid Colonies.

Shipmaſters to deliver Certificates of the due landing of Goods, which are to be ſigned by the Collector at the Port where landed.

III. And it is hereby further enacted by the Authority aforeſaid, That where any ſuch Bond or Bonds ſhall be given as aforeſaid, in purſuance of this Act, the Collector, or other Principal Officer of the Cuſtoms, to whom ſuch Bond or Bonds ſhall have been given, ſhall deliver, under his Hand and Seal of Office, without Fee or Reward, to the Maſter of the Ship or Veſſel taking in ſuch Goods, for the Security of her Navigation, a Certificate that ſuch Bond or Bonds hath or have been given, expreſſing therein the Quantity and Species of the Goods, with the Marks and Numbers of the Packages, and the Port or Place for which they were entered; and if any ſuch Goods ſhall be laden on Board any ſuch Ship or Veſſel, in any of the Colonies in this Act before mentioned, before ſuch Bond or Bonds ſhall be given, or ſhall be found on Board any Ship or Veſſel without the Certificate herein before directed, that ſuch Bond or Bonds hath or have been given, the Goods ſo laden, together with the Ship or Veſſel, with her Guns, Ammunition, Tackle, Apparel and Furniture, ſhall be forfeited; and if any Goods, ſo laden as aforeſaid, ſhall be landed or diſcharged at any Port or Place contrary to the Intent and Meaning of this Act, over and above the Penalty of the Bond or Bonds, the Shipper and Owner of ſuch Goods, and the Maſter or Perſon taking Charge of the Veſſel on Board which they were laden, ſhall reſpectively forfeit the full Value of the Goods ſo landed or diſcharged, to be eſtimated according to the higheſt Price or Value which ſuch Sort of Goods bear in the Colony where, and at the Time when, they were ſhipped and laden; which Ship and Goods may be ſeized and proſecuted, or the Value of ſuch Goods proſecuted for, by any Admiral, Chief Commander, or Commiſſioned Officer, of his Majeſty's Fleet or Ships of War, or by any Officer of his Majeſty's Cuſtoms, in the Manner herein after directed.

After Bonds have been delivered, Collector to certify the ſame.

Goods laden on Board before Bond given, or without Certificate, are to be forfeited, with the Ship, &c.

IV. And it is hereby further enacted by the Authority aforeſaid, That from and after the firſt Day of *September* one thouſand ſeven hundred and ſeventy-five, and during the Continuance of this Act, no Sort of Wines, Salt, or any Goods or Commodities whatſoever (except Horſes, Victual, and Linen Cloth, the Produce and Manufacture of *Ireland*, imported directly from thence), ſhall be imported into any of the ſaid Colonies herein before reſpectively mentioned, upon any Pretence whatſoever, unleſs ſuch Goods ſhall be *bona fide*, and without Fraud, laden and ſhipped in *Great Britain*, and carried directly from thence, upon Forfeiture thereof, and of the Ship or Veſſel on Board which ſuch Goods ſhall be laden; and it ſhall be

After Sept. 1, 1775, certain Goods prohibited to be brought into the Colonies, unleſs without Fraud ſhipped from Great Britain.

be lawful for any Admiral, Chief Commander, or Commiſſioned Officer of his Majeſty's Fleet or Ships of War, or any Officer of his Majeſty's Cuſtoms, to ſeize any Ship or Veſſel arriving at any of the ſaid Colonies before mentioned, or which ſhall be diſcovered within two Leagues of any Shore thereof, having ſuch Goods on Board, and the Goods laden thereon (except as before excepted), for which the Maſter, or other Perſon taking Charge of ſuch Ship or Veſſel, ſhall not produce a Cocket or Clearance from the Collector, or proper Officer of his Majeſty's Cuſtoms, certifying that the ſaid Goods were laden on Board the ſaid Ship or Veſſel in ſome Port of *Great Britain*, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

This Act not to extend to Goods, &c. neceſſary for his Majeſty's Ships of War, or Forts, &c.;

V. Provided always, and it is hereby further enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to prohibit the Exportation or carrying out from any of the Colonies before mentioned, or the Importation into the ſame, of any Goods or Commodities whatſoever, for the victualling or providing any of his Majeſty's Ships of War, or other Ships or Veſſels in his Majeſty's Service, or for his Majeſty's Forces, Forts, or Garriſons; any Thing herein contained to the contrary notwithſtanding.

nor to hinder the lawful Importation of Goods from the Britiſh Weſt India Iſlands into the ſaid Colonies.

VI. And provided alſo, That nothing herein contained ſhall extend, or be conſtrued to extend, to hinder or reſtrain the lawful Importation into any or either of the ſaid Colonies herein before mentioned, from any of the *Britiſh* Iſlands in the *Weſt Indies*, of any ſuch Goods or Commodities, being the Growth or Produce thereof, as may now by Law be imported from thence into the ſaid Colonies, or any or either of them.

No Goods to be ſhipped from Newcaſtle, Kent, &c. except to Great Britain or Ireland, till Oath be made that ſuch Goods are the Product, &c. of the ſaid Counties, and a Certificate granted. On Failure, the Ship and Goods to be forfeited.

'VII. And, in order to prevent Frauds and Abuſes which may be committed contrary to the Intention 'and againſt the Proviſions of this Act, by the Exportation of any Goods of the Growth, Product, or 'Manufacture of the Colonies of *New Jerſey*, *Penſylvania*, *Maryland*, and *Virginia*, from any of the 'Ports within the Government of the Counties of *Newcaſtle*, *Kent*, and *Suſſex* on *Delaware*, in *North* '*America*,' it is hereby further enacted by the Authority aforeſaid, That during the Continuance of this Act, no Goods or Commodities whatſoever ſhall be ſhipped, to be carried from any Port or Place within the ſaid Counties of *Newcaſtle*, *Kent*, and *Suſſex* on *Delaware*, or either of them, to any other Land, Port, or Place whatſoever, except to the Kingdoms of *Great Britain* or *Ireland*, or to ſome of the *Britiſh* Iſlands in the *Weſt Indies*, until the Owner or Exporter of ſuch Goods ſhall have made Oath, or being one of the People called *Quakers*, ſhall have affirmed, before the Collector or other proper Officer of the Cuſtoms at the Port or Place where the ſame ſhall be ſhipped (which Oath or Affirmation ſuch Collector or other Officer is hereby authoriſed to adminiſter), that ſuch Goods are really and *bona fide* of the Growth, Product, or Manufacture, of one or other of the ſaid Counties; of which Fact the Collector or other proper Officer of the Cuſtoms ſhall and is hereby required to give a Certificate, under his Hand, to the Maſter of the Ship or Veſſel on Board which ſuch Goods are laden, for the Security of her Navigation; and in Failure of producing ſuch Certificate, ſuch Ship or Veſſel, and the Goods thereon laden, ſhall be forfeited, and ſhall and may be ſeized and proſecuted as herein after directed.

Whenever it ſhall appear to the Governor of New Jerſey, &c. that Peace is ſo far reſtored in the ſaid Colonies, that Trade may be carried on, he is to notify the ſame by Proclamation;

'VIII. And whereas it is the Intent and Meaning of this Act, that the ſeveral Prohibitions and Re- 'ſtraints herein before enacted ſhould be diſcontinued and ceaſe, ſo ſoon as the Trade and Commerce of 'his Majeſty's Subjects may be carried on without Interruption within the ſaid Colonies;' be it therefore enacted by the Authority aforeſaid, That whenever it ſhall be made appear, to the Satisfaction of his Majeſty's Governor or Commander in Chief, and the Majority of the Council of the Colonies of *New Jerſey*, *Penſylvania*, *Maryland*, *Virginia*, and *South Carolina*, that Peace and Obedience to the Laws ſhall be ſo far reſtored within the ſaid Colonies, or either of them, that the Trade and Commerce of his Majeſty's Subjects may be carried on without Interruption within the ſame, and that Goods, Wares, and Merchandiſe, have been freely imported into the ſaid Colonies, or either of them, from *Great Britain*, and expoſed to Sale, without any Let, Hindrance, or Moleſtation, from or by reaſon of any unlawful Combinations to prevent or obſtruct the ſame; and that Goods, Wares, and Merchandiſe, have in like Manner been exported from the ſaid Colonies, or either of them reſpectively, to *Great Britain*, for and during the Term of one Calendar Month preceding; that then, and in ſuch Caſe, it ſhall and may be lawful for the Governor or Commander in Chief, with the Advice of the Council of ſuch Colonies reſpectively, by Proclamation, under the Seal of ſuch reſpective Colony, to notify the ſame to the ſeveral Officers of the Cuſtoms, and all others; and after ſuch Proclamation, this Act, with reſpect to ſuch Colony, within which ſuch Proclamation or Proclamations have been iſſued as aforeſaid, ſhall be diſcontinued and ceaſe (except as herein after provided); and all Officers of his Majeſty's Cuſtoms, and all other Perſons having Charge of the Execution of this Act, having received due Notice of ſuch Proclamation, are hereby directed and required to yield and pay Obedience to ſuch Proclamation, and to proceed in the Diſcharge of their reſpective Duties, in admitting to Entry, clearing, and diſcharging, all Ships and Veſſels, and all Goods, Wares, and Merchandiſes, into and out of ſuch reſpective Colony, in like Manner as if this Act had never been made; any Thing herein contained to the contrary notwithſtanding.

and all Officers of the Cuſtoms, &c. are required to pay due Obedience thereto.

Proclamation not to diſcharge Proceedings upon any Seizure made before iſſuing thereof.

IX. Provided nevertheleſs, and it is hereby further enacted and declared by the Authority aforeſaid, That ſuch Proclamation or Proclamations ſhall not extend, or be conſtrued to extend, to diſcharge or ſuſpend any Proceedings upon any Seizure which ſhall have been made, or any Proſecution which ſhall have been commenced for any Penalty or Forfeiture inflicted by this Act before the iſſuing of ſuch Proclamation or Proclamations.

Perſons giving falſe Certificates, or counterfeiting, &c. the ſame, to forfeit 500l.

X. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall give or grant any falſe Certificate, Cocket, or Clearance, for any of the Purpoſes required or directed by this Act, ſuch Perſon or Perſons ſhall forfeit the Sum of five hundred Pounds, and be rendered incapable of ſerving his Majeſty, his Heirs and Succeſſors, in any Office whatſoever; and if any Perſon or Perſons ſhall counterfeit, eraſe, alter, or falſify any Certificate, Cocket, or Clearance, required or directed by this Act, or ſhall knowingly or willingly make uſe of any falſe Certificate, Cocket, or Clearance, or of any

Certificate, Cocket, or Clearance, ſo counterfeited, eraſed, altered, or falſified, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of five hundred Pounds; and ſuch Certificate, Cocket, or Clearance, ſhall be invalid and of no Effect.

How Penalties and Forfeitures may be proſecuted and applied.

XI. And be it further enacted by the Authority aforeſaid, That the ſeveral Forfeitures and Penalties inflicted by this Act ſhall and may be proſecuted, ſued for, and recovered, and be divided, paid, and applied, in like Manner as other Penalties and Forfeitures, inflicted by any Act or Acts of Parliament relating to the Trade or Revenues of the *Britiſh* Colonies or Plantations in *America*, are directed to be proſecuted, ſued for, or recovered, divided, paid, and applied, by two ſeveral Acts of Parliament, the one paſſed in the fourth Year of his preſent Majeſty, intituled, *An Act for granting certain Duties in the* Britiſh *Colonies and Plantations in* America; *for continuing, amending, and making perpetual an Act, paſſed in the ſixth Year of the Reign of his late Majeſty King* George *the Second, intituled,* An Act for the better ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in *America*; *for applying the Produce of ſuch Duties, and of the Duties to ariſe by virtue of the ſaid Act, towards defraying the Expences of defending, protecting, and ſecuring, the ſaid Colonies and Plantations*; *for explaining an Act, made in the twenty-fifth Year of the Reign of King* Charles *the Second, intituled,* An Act for the Encouragement of the *Greenland* and *Eaſtland* Trades, and for the better ſecuring the Plantation Trade; *and for altering and diſallowing ſeveral Drawbacks on Exports from this Kingdom, and more effectually preventing the clandeſtine Conveyance of Goods to and from the ſaid Colonies and Plantations, and improving and ſecuring the Trade between the ſame and* Great Britain; and the other, paſſed in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act for the more eaſy and effectual Recovery of the Penalties and Forfeitures inflicted by the Acts of Parliament relating to the Trade or Revenues of the* Britiſh *Colonies and Plantations in* America.

Perſons ſued for any Thing done in purſuance of this Act, may plead the General Iſſue,

and recover treble Coſts,

XII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons, for any Thing done in purſuance of this Act of Parliament, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give the ſaid Act, and the ſpecial Matter, in Evidence, at any Trial to be had thereupon; and that the ſame was done in purſuance of and by the Authority of this Act: And if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall recover treble Coſts, and have the like Remedy for the ſame as Defendants have in other Caſes by Law.

CAP. XIX.

An Act to enable the Commiſſioners for executing the Office of Treaſurer of his Majeſty's Exchequer, or the Lord High Treaſurer for the Time being, to compound with the Repreſentatives of *Hugh Barlow, Herbert Lloyd,* and *William Skyrme*, a Debt due to his Majeſty from *William Williams*, deceaſed.

CAP. XX.

An Act to amend and render more effectual two Acts, paſſed in the ſixth and tenth Years of the Reign of his preſent Majeſty, for making a Navigable Cut or Canal from the River *Trent*, at or near *Wilden-Ferry*, in the County of *Derby*, to the River *Merſey*, at or near *Runcorn-Gap*.

Preamble.

Act 6 Geo. III. recited.

'WHEREAS by an Act, made in the ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for making a Navigable Cut or Canal from the River* Trent, *at or near* Wilden-Ferry, *in the County of* Derby, *to the River* Merſey, *at or near* Runcorn-Gap, certain Perſons therein mentioned and deſcribed were united into one Body Politick and Corporate, by the Name of *The Company of Proprietors of the Navigation from the* Trent *to the* Merſey, with Power and Authority, at their own Coſts and Charges, by the Ways and Means therein mentioned, to make, complete, and maintain, ſuch Navigable Cut or Canal paſſable for Boats, Barges, and other Veſſels; and were enabled to raiſe and contribute amongſt themſelves the Sum of one hundred and thirty thouſand Pounds, in Manner therein mentioned, with Power, if that Sum was not ſufficient, by the ſame Means to raiſe, for the Purpoſes aforeſaid, a further Sum of twenty thouſand Pounds; and the ſaid Company are thereby required, out of the Monies to be raiſed as aforeſaid, during the Time the ſaid Cut or Canal ſhould be carrying on, and until the ſame ſhould be completed, to pay unto every Perſon who ſhould ſubſcribe and pay the Sum of two hundred Pounds, or ſuch Sum or Sums of Money as ſhould be demanded in reſpect thereof, towards carrying on and completing the ſaid Navigation, Intereſt for the ſame, after the Rate of five Pounds for every hundred Pounds for one Year, from the Time that each of ſuch Sum or Sums ſhould be ſo reſpectively advanced, as aforeſaid: And whereas the ſaid Company did, in purſuance of the ſaid Act, raiſe and contribute amongſt themſelves, by ſeveral Subſcriptions, the Sum of one hundred and thirty thouſand Pounds, for the Purpoſes of making and carrying on the ſaid Navigation: And whereas, by a certain other Act of Parliament, made in the tenth Year of the Reign of his ſaid preſent Majeſty, intituled, *An Act to amend an Act made in the ſixth Year of the Reign of his preſent Majeſty, for making a Navigable Cut or Canal from the River* Trent, *at or near* Wilden-Ferry, *in the County of* Derby, *to the River* Merſey, *at or near* Runcorn-Gap; *and for granting further Powers for that Purpoſe*; the ſaid Company were enabled to raiſe and contribute amongſt themſelves, or by the Admiſſion of new Subſcribers to the ſaid Undertaking, any ſuch Sum or Sums of Money, as ſhould be further wanted, beyond the ſaid Sum of one hundred and thirty thouſand Pounds, for perfecting the ſaid Works, not exceeding

Act 10 Geo. III. recited.

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'the Sum of ſeventy thouſand Pounds; or it ſhould be lawful for the ſaid Company, or the Committee 'for the Time being, to be by them appointed, or any ſeven or more of ſuch Committee, at any of their 'Meetings aſſembled, to borrow and take up at legal or leſs Intereſt, all or any Part of the ſaid Sum of 'ſeventy thouſand Pounds on the Credit of the ſaid Navigation and Undertaking, as to them ſhould ſeem 'meet and convenient; and they are thereby authoriſed and impowered to aſſign over the ſaid Naviga-'tion, Undertaking, and Premiſes, and the Tolls, Rates and Duties, ariſing by virtue of the ſaid firſt-'recited Act, or any Part thereof, as a Security for any ſuch Sum or Sums of Money to be borrowed, 'with Intereſt, to ſuch Perſon or Perſons, or their Truſtees, who ſhould advance the ſame, under the 'Common Seal of the ſaid Company; the Intereſt of which Money ſo to be borrowed was by the ſaid Act 'directed to be paid Half-yearly to the Parties intitled thereto, in Preference of any Intereſts or Demands 'due to the ſaid Company of Proprietors, and before the yearly or other Intereſt or Dividends due to 'them ſhould be paid, made, or divided: And whereas the ſaid Company have, by virtue of the ſaid laſt-'mentioned Act, already borrowed, upon the Credit of the ſaid Navigation, and the Duties ariſing there-'from, the Sum of ſixty-eight thouſand five hundred and fifty Pounds, at the Rate of four Pounds and 'ten Shillings *per Centum per Annum*, and have regularly paid the Intereſt thereof as it hath become due; 'but in order to accommodate the ſaid Undertaking, have, for upwards of four Years paſt, withheld the 'Payment of Intereſt for the ſaid Sum of one hundred and thirty thouſand Pounds due to themſelves; 'which Intereſt being computed to the eighteenth Day of *March* one thouſand ſeven hundred and ſeventy-'five, amounts to the Sum of twenty-eight thouſand five hundred and ſixty-three Pounds fifteen Shil-'lings and Four-pence: And whereas the ſaid Company have, in purſuance of the ſaid recited Acts, 'proceeded to make the ſaid Navigable Cut or Canal, and have completed about ſeventy-five Miles 'thereof, and within that Compaſs have made the great Tunnel through *Harecaſtle-Hill*, of the Length 'of about two thouſand nine hundred Yards; and alſo the Tunnel through *Preſton-Hill*, of the Length 'of about one thouſand two hundred and forty Yards; and are proceeding to complete the Remainder of 'the ſaid Canal, being in Length about fifteen Miles; but having nearly expended the Whole of the 'Money which they have advanced, or are enabled to advance or borrow under and by virtue of the ſaid 'ſeveral Acts, find themſelves unable to perfect the ſaid Works, and pay the Intereſt due for the Money 'borrowed and advanced for carrying on the ſaid Works, as aforeſaid, without the further Aſſiſtance of 'Parliament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the ſaid Company of Proprietors of the Navigation from the *Trent* to the *Merſey* to raiſe and contribute among themſelves, in ſuch Shares and Proportions as to them ſhall ſeem meet and convenient, or by the Admiſſion of new Subſcribers to the ſaid Undertaking, any ſuch Sum or Sums of Money as ſhall be further wanted beyond the ſaid ſeveral Sums of one hundred and thirty thouſand Pounds, and ſeventy thouſand Pounds, already raiſed and borrowed, or authoriſed to be raiſed and borrowed, for perfecting and completing the ſaid Navigable Canal, and other Works authoriſed to be made by the ſaid Acts, and for Payment of the ſaid Intereſt, not exceeding in the Whole the Sum of ſeventy thouſand Pounds; and that the ſame be divided into ſuch Number of Shares as they ſhall think proper, at a Price not exceeding two hundred Pounds *per* Share: Provided that no Perſon do ſubſcribe or become a Proprietor of more than thirty Shares in the ſaid Navigation, either in this Subſcription alone, or in the ſaid former and this preſent Subſcription together, or by any other Means whatſoever, either in his own Name, or in the Name of any other Perſon or Perſons in Truſt for him, except the ſame ſhall hereafter come to him by Will or Act in Law, upon Pain of forfeiting to the ſaid Company all ſuch Shares, except thirty Shares, as aforeſaid: And every Subſcriber towards raiſing ſuch further or other Sum or Sums of Money, as aforeſaid, ſhall have a like Vote, by himſelf or Proxy, in reſpect of every ſuch Share in the ſaid further Sum ſo to be raiſed, and ſhall alſo be liable to ſuch Forfeitures, and ſtand intereſted in all the Profits and Powers of the ſaid Navigation, proportionably to the Sum he or they ſhall or may ſubſcribe thereto, as generally and extenſively, to all Intents and Purpoſes, as if ſuch further or other Sum, hereby allowed to be ſubſcribed and raiſed, had originally been Part of the original Subſcription, any Thing in the ſaid former Acts contained to the contrary thereof in any wiſe notwithſtanding: Or it ſhall be lawful for the ſaid Company, or the Committee for the Time being, to be by them appointed by virtue of the ſaid firſt-recited Act, or any ſeven or more of ſuch Committee, at any of their Meetings aſſembled, to borrow and take up, at legal or leſs Intereſt, all or any Part of the ſaid Sum of ſeventy thouſand Pounds on the Credit of the ſaid Navigation and Undertaking, as to them ſhall ſeem meet and convenient; and they are hereby fully authoriſed and impowered to aſſign over the ſaid Navigation, Undertaking, and Premiſes, and the Tolls, Rates, and Duties, ariſing by virtue of the ſaid firſt-recited Act, or any Part thereof (the Coſts and Charges of aſſigning the ſame to be paid out of ſuch Tolls, Rates, and Duties), as a Security for any ſuch Sum or Sums of Money to be borrowed, with Intereſt, to ſuch Perſon or Perſons, or their Truſtees, who ſhall advance the ſame, under the Common Seal of the ſaid Company, by the following Words of Aſſignment, or by any other Words to the ſame Effect, *(videlicet,)*

The Company have made great Progreſs in the Work;

and are proceeding to complete the Remainder of it.

Further Powers wanted,

Company impowered to raiſe 70,000 l. more among themſelves, or by Admiſſion of new Subſcribers.

No Share to exceed 200 l.

No Perſon to be a Proprietor of more than thirty Shares.

Privileges of Subſcribers.

Company impowered to borrow Money,

and to aſſign the Tolls and Duties as a Security.

'BY virtue of an Act, made in the fifteenth Year of the Reign of his Majeſty King *George* the Third, 'to amend and render more effectual two Acts, paſſed in the ſixth and tenth Years of the Reign of his 'preſent Majeſty, *For making a Navigable Cut or Canal from the River* Trent, *at or near* Wilden-Ferry, '*in the County of* Derby, *to the River* Merſey, *at or near* Runcorn-Gap; We the Company of Proprietors 'of the ſaid Navigation, incorporated by the ſaid Act, made in the ſixth Year of his preſent Majeſty's 'Reign, in conſideration of the Sum of of lawful *Britiſh* Money 'to us in Hand paid by do aſſign unto the ſaid 'his

Form of Aſſignment.

'his Executors, Adminiſtrators, and Aſſigns, all and ſingular the Tolls, Rates, and Duties, ariſing by 'virtue of the ſaid laſt-mentioned Act; and alſo the ſaid Navigation, Undertaking, and Premiſes, and all 'the Eſtate, Right, Title, and Intereſt, of the ſaid Company of Proprietors, of, in, and unto the ſame; 'to hold unto the ſaid his Executors, Adminiſtrators, and Aſſigns, 'until the ſaid Sum of together with Intereſt for the ſame, after 'the Rate of *per Centum per Annum*, ſhall be repaid.'

Perſons to whom Aſſignments are made, equally intitled to their Proportion of the Tolls, &c. Application of the Money.

And all and every Perſon and Perſons to whom ſuch Aſſignment or Aſſignments ſhall be made, ſhall be equally intitled to their Proportion of the ſaid Tolls, Rates, Duties, and Premiſes, according to the reſpective Sums in ſuch Aſſignment mentioned to be advanced, to ſecure the Repayment thereof, with the Intereſt, as aforeſaid, without any Preference by reaſon of Priority of Aſſignment, either in purſuance of this or the ſaid laſt-recited Act, or on any other Account whatſoever: And the Money ſo borrowed by any or either of the above Methods ſhall be applied, in the firſt place, for diſcharging the Expences incurred in and in relation to the obtaining of this Act; and afterwards for making, continuing, completing, and maintaining, the ſaid Navigable Cut or Canal, and other Works authoriſed by this Act, or the ſaid recited Acts; and in carrying this Act, and the ſaid former Acts, and the ſeveral Proviſions, Powers, and Authorities, therein and herein contained, into effectual Execution; which Aſſignment or Aſſignments may be transferred in ſuch Manner as is directed with reſpect to Aſſignments made in purſuance of the ſaid recited Act, made in the tenth Year of his preſent Majeſty, and the Aſſignee or Aſſignees ſhall in like Manner be intitled to the Money due on ſuch Aſſignment or Aſſignments reſpectively, and the whole Benefit thereof, in as full and ample Manner as the Aſſignee or Aſſignees of any Aſſignment or Aſſignments, made under or by virtue of the ſaid laſt-recited Act; Entries of ſuch Aſſignments and Transfers reſpectively, where the Conſideration amounts to upwards of one hundred Pounds, being made, in ſuch Manner as is directed by the ſaid laſt-mentioned Act.

Securities may be transferred.

Entries of Aſſignments to be made.

Intereſt of the Money borrowed to be paid Half-yearly.

II. And it is hereby further enacted, That the Intereſt of the Money which ſhall be borrowed by Mortgage, as aforeſaid, ſhall be paid Half-yearly to the ſeveral Parties intitled thereto, in Preference to and before the Intereſt or Dividends, which ſhall be due and payable by virtue of the ſaid ſeveral recited Acts, or this preſent Act, to the ſaid Company of Proprietors, or any of them, for the ſame Half-year, ſhall be paid, made, or divided; and that all ſuch Transfers, Securities, and Aſſignments, ſhall be free from all Stamp-duties.

Publick Act.

III. And be it further enacted, That this Act ſhall be allowed in all Courts whatſoever as a Publick Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice of it as ſuch, without ſpecially pleading the ſame.

CAP. XXI.

An Act for the better Relief and Employment of the Poor within the Pariſh of *Saint Mary le Bone*, in the County of *Middleſex*; and for building a Workhouſe in the ſaid Pariſh.

Preamble.

'WHEREAS in and by an Act of Parliament, made in the eighth Year of the Reign of his 'preſent Majeſty King *George* the Third (intituled, *An Act for repealing an Act, made in the twenty-'ninth Year of the Reign of his late Majeſty King* George *the Second, intituled*, An Act for the better regu-'lating the Nightly Watch and Beadles; and cleanſing, enlightening, and paving the Streets, Squares, 'Lanes, and other Paſſages, and repairing the Highways and Cauſeways, and regulating the Poor, within 'the Pariſh of *Saint Mary le Bone*, in the County of *Middleſex*; and for making more effectual Proviſion 'for thoſe Purpoſes), Power was given to the Veſtrymen, nominated in and by the ſaid Act, to aſcertain 'the Monies neceſſary to be raiſed, and to make Rates and Aſſeſſments for the Relief of the Poor of the 'ſaid Pariſh; to appoint Governors and Directors of the Poor of the ſaid Pariſh, and to impower ſuch 'Governors and Directors to make Rules, Orders, and Regulations, for the better Government of the 'Poor thereof; but no ſufficient Power was given to purchaſe or hire Ground whereon to build a Work-'houſe or Workhouſes, nor for the building or erecting a Workhouſe or Workhouſes ſufficiently large 'and convenient for the Reception of the ſick, diſeaſed, and infirm Poor; nor for ſetting at Work the 'healthy and able, and for the Puniſhment of the idle, diſorderly, and refractory; nor Power to raiſe 'Money for thoſe Purpoſes: And whereas the ſaid Governors and Directors are ſtill in want of further 'Powers to make Regulations for the better providing for, governing, and employing the Poor of the ſaid 'Pariſh: And whereas the Buildings, Houſes, and Inhabitants, of the ſaid Pariſh are, ſince the paſſing 'of the ſaid Act, greatly increaſed, and are ſtill increaſing, the Poor of the ſaid Pariſh are become very 'numerous, and the preſent Workhouſe is greatly inſufficient to receive the Number of Poor that belong 'and are chargeable to the ſaid Pariſh: And whereas it would tend to the Health and convenient Accom-'modation of the ſick, diſeaſed, and infirm Poor; to the Employment of thoſe able to work and in-'duſtrious; to the Correction of the Profligate and Idle; to the Education of the Infant Poor in Habits 'of Induſtry, Religion, and Honeſty, and to the Emolument and Advantage of themſelves and the ſaid 'Pariſh, by the Profits ariſing from their Labour, if a large and convenient Houſe or Houſes, with 'Apartments for the ſick and diſeaſed, for the old, impotent, and infirm, and for thoſe able to work 'for the carrying on of divers Trades, Works, and Manufactures, as alſo for the Puniſhment of the idle, 'refractory, and profligate, and for carrying into Execution the ſeveral Purpoſes of this Act, were built 'and erected; but as the ſame cannot be carried into Execution without the Aid and Authority of Par-'liament;' may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons,

mons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid Act, made in the eighth Year of his preſent Majeſty's Reign, as relates to the Nomination and Appointment of Governors and Directors of the Poor of the ſaid Pariſh, and to the ſeveral Powers and Authorities by the ſaid Act veſted in the ſaid Governors and Directors, when ſo appointed, and to the previous Conſent of the Veſtrymen of the ſaid Pariſh being given before any Money ſhould be applied for the Purpoſe of erecting any Workhouſe for the Reception of the Poor within the ſaid Pariſh, or ſuch Workhouſe erected, ſhall be and is hereby repealed. Part of Act 8 Geo. III. relating to the Appointment of Governors, &c. repealed.

II. And be it further enacted, That the Veſtrymen of the ſaid Pariſh, nominated and appointed in and by virtue of the ſaid Act, or any nine or more of them, ſhall meet in the Veſtry-room, at the Court-houſe in the ſaid Pariſh, on the ſecond *Thurſday* next after the paſſing of this Act, and ſhall alſo meet on ſome Day in the Month of *February*, which will be in the Year of our Lord one thouſand ſeven hundred and ſeventy-ſix, and ſhall, in like Manner, meet on ſome Day in the Month of *February* in every ſucceeding Year, between the Hours of Ten in the Forenoon and Three in the Afternoon (publick Notice of ſuch Meeting being given in and upon the Church and Chapels of the ſaid Pariſh, in Manner in the ſaid Act directed); and ſhall at ſuch firſt Meeting next after the paſſing of this Act, and at ſuch Meeting in the Month of *February* in every ſucceeding Year, annually, nominate and appoint thirty ſubſtantial and diſcreet Perſons, whom they the ſaid Veſtrymen ſhall make Choice of, which ſaid thirty ſubſtantial and diſcreet Perſons, nominated and appointed as aforeſaid, ſhall be and be called Directors and Guardians of the Poor of the ſaid Pariſh, for carrying into Execution the ſeveral Powers given and intruſted to them by this Act, until other Directors and Guardians ſhall in like Manner be appointed in their Room. Time and Place of the firſt and ſubſequent Meetings of Veſtrymen, who are annually to appoint Directors and Guardians.

III. Provided always, That in caſe nine or more Veſtrymen ſhall not attend at ſuch firſt or any ſubſequent Meetings, the Veſtry Clerk ſhall and is hereby authoriſed and impowered to adjourn ſuch Meeting to ſome future Day, not exceeding ſeven Days from the Day when ſuch Meeting was firſt appointed to be held, giving the Notice directed by the ſaid Act, made in the eighth Year of his preſent Majeſty's Reign, in regard to the Meeting of ſuch Veſtrymen. On Non-attendance of Veſtrymen, Meetings may be adjourned.

IV. Provided always, and be it further enacted, That the Churchwardens of the ſaid Pariſh for the Time being, each and every of them, ſhall be, and they are hereby declared to be Directors and Guardians of the Poor within the true Intent and Meaning of this Act; and ſhall have full Power and Authority, together with the ſeveral Directors and Guardians, to be from Time to Time nominated and appointed as herein mentioned, to act as ſuch to all Intents and Purpoſes, as if they had been elected and choſen by the Veſtrymen of the ſaid Pariſh, in Manner and Form preſcribed by this Act. Churchwardens to be Directors and Guardians.

V. And be it further enacted, That the ſaid Directors and Guardians of the Poor, nominated and appointed as aforeſaid, or any nine or more of them, ſhall at their firſt Meeting next after their Appointment in purſuance of this Act, and at their firſt Meeting after their annual Appointment in every ſucceeding Year (which Meetings the ſaid Veſtrymen are hereby directed and required to direct and appoint), divide themſelves into ſix diſtinct Committees, each of the ſaid Committees to conſiſt of five Directors and Guardians, and ſhall then fix and eſtabliſh an annual Rule or Rotation for the Attendance of each of the ſaid Committees; and one of the ſaid Committees ſhall meet on a certain Day, to be appointed by the ſaid Directors and Guardians, in every Week, and ſhall attend weekly for ſo long Time as ſhall by the ſaid Rotation be fixed and eſtabliſhed; and afterwards the next Committee on ſuch Rotation ſhall attend weekly, in like Manner, until ſuch annual Rotation ſhall be perfect and complete; and ſuch Committees, ſo appointed, ſhall, at ſuch their Meetings, carry this Act into Execution. Directors and Guardians to divide themſelves into Committees, and eſtabliſh a Rule for Attendance.

VI. Provided always, That no Buſineſs tranſacted by the ſaid Committees, nor any Orders made by them, ſhall be good, valid, or effectual, unleſs five or more Directors or Guardians be preſent at ſuch Committee. No Orders of Committees valid, unleſs five Directors or Guardians are preſent.

VII. And be it further enacted by the Authority aforeſaid, That all or any of the ſaid Directors and Guardians may, if they think fit, attend any ſuch Weekly Meetings, ſo to be appointed as aforeſaid, and may act, proceed, and vote, at any ſuch Meeting, in ſuch Manner as if he or they were on the Committee then attending in Rotation. All the Directors and Guardians may attend Weekly Committees.

VIII. And be it further enacted by the Authority aforeſaid, That the Clerk to the ſaid Directors and Guardians ſhall, two Days previous to every ſuch Weekly Meeting, give Notice, in Writing, or printed, to every Director and Guardian, being a Member of ſuch Committee, whoſe Turn it ſhall or may be to attend according to the Rotation ſo fixed and eſtabliſhed, ſuch Notice, expreſſing that ſuch Director and Guardian is upon ſuch Committee; and ſhall likewiſe, at the ſame Time, give Notice of ſuch Meeting of the Committee to each and every Director and Guardian of the Poor not being on ſuch Committee. Clerk to ſummon Weekly Committees.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon being a Veſtryman, nominated and appointed in and by virtue of the ſaid Act, made in the eighth Year of his preſent Majeſty's Reign, who ſhall be appointed a Director and Guardian of the Poor, in Manner before mentioned, ſhall neglect or refuſe to take upon himſelf or act in ſuch Office, and ſhall neglect to attend on any of the ſaid Weekly Committees to which he ſhall be appointed, according to the Rule or Rotation ſo to be fixed and eſtabliſhed, either in Perſon, or by one of the ſaid Directors and Guardians as and for his Subſtitute, for the Space of one Year, ſuch Neglect and Refuſal ſhall be taken and deemed to be a Refuſal to act, within the Intent and Meaning of this Act, and ſuch Veſtryman ſhall from thenceforth ceaſe to be a Veſtryman, in like Manner as is provided in the ſaid Act of the eighth Year of his preſent Majeſty, for Veſtrymen who ſhall neglect to attend the Veſtry Meetings for the Space of two Years. If any Veſtryman be appointed a Director and Guardian, and refuſe to act, &c. for one Year, to ceaſe to be a Veſtryman.

X. And be it further enacted by the Authority aforeſaid, That the ſaid Directors and Guardians, before they take upon themſelves the Execution of any of the Powers and Authorities given them by this Act, ſave and except the Power of adminiſtering to one another the Oath herein after directed and preſcribed, ſhall ſeverally take the following Oath; that is to ſay, Directors and Guardians, before they act, to take the following Oath.

"I *A. B.*

The Oath.

'I *A. B.* will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the 'best of my Skill and Knowledge, execute and perform all and every the Truſts, Powers, and Au- 'thorities, as a Director and Guardian of the Poor, appointed in purſuance of an Act of Parliament, 'made in the fifteenth Year of his preſent Majeſty King *George* the Third, intituled, *An Act for the better* '*Relief and Employment of the Poor within the Pariſh of* Saint Mary le Bone, *in the County of* Middleſex, '*and for building a Workhouſe in the ſaid Pariſh.*

'So help me GOD.'

Which Oath the ſaid Directors and Guardians, or any two or more of them, at their firſt or any ſubſequent Meeting to be held in purſuance of this Act, are hereby impowered and required to adminiſter.

Times of holding Quarterly Meetings.

XI. And be it further enacted, That after ſuch Directors and Guardians ſhall be choſen as aforeſaid, the ſaid Directors and Guardians ſhall hold four General Quarterly Meetings in every Year, on the four ſeveral Days following, *viz.* the twenty-fourth Day of *June*, the twenty-ninth Day of *September*, the twenty-fifth Day of *December*, and the twenty-fifth Day of *March*, in every Year, unleſs any of thoſe Days ſhall happen to be on a *Sunday*, in which Caſe the Meeting ſhall be held on the following Day; the firſt of which ſaid Quarterly Meetings ſhall be held on the twenty-fourth Day of *June* next after the paſſing of this Act, at the Court Houſe in the ſaid Pariſh; at which Quarterly Meetings the Accounts of the Treaſurers to the ſaid Directors and Guardians, and all other Accounts relative to the Execution of this Act, ſhall be examined and adjuſted, and ſigned by the Chairman to the ſaid Quarterly Meeting.

No Buſineſs valid, unleſs nine Directors, &c. be preſent.

XII. Provided always, That no Buſineſs tranſacted at the ſaid Quarterly Meeting, nor any Order made by them, ſhall be good, valid, or effectual, unleſs nine Directors and Guardians ſhall be preſent at ſuch Meeting.

In caſe of Non-attendance, Clerk may adjourn the Meeting.

XIII. And be it further enacted, That in caſe nine Directors and Guardians ſhall not attend at any ſuch Quarterly Meeting, or in caſe five Directors and Guardians ſhall not attend at any ſuch Weekly Committee, it ſhall and may be lawful to and for the Clerk to ſuch Directors and Guardians to adjourn ſuch Quarterly Meeting or Committee to any Day within eight Days after ſuch Meeting was appointed to be held, and forthwith to give Notice of ſuch Adjournment to every Director and Guardian.

How Vacancies by Death, &c. are to be filled up.

XIV. And be it further enacted, That the Veſtrymen of the ſaid Pariſh, or any nine or more of them, at any Meeting to be held in purſuance of the ſaid Act of the eighth Year of his preſent Majeſty, ſhall and may, as often as Occaſion ſhall require, fill up by Ballot any Vacancies that may have happened in the Number of the ſaid Directors and Guardians, either by Death, Removal, or Refuſal to act; but no ſuch Director and Guardian, ſo to be elected to fill up any Vacancy, ſhall continue a Director and Guardian for any longer Time than the Perſon in whoſe Place he ſhall or may be elected might or ought to have continued by virtue of this Act.

Proviſo.

XV. Provided always, That fourteen Days Notice at the leaſt ſhall be given of every ſuch Meeting, ſpecifying therein the Cauſe of ſuch Meeting, and the Number of Vacancies to be filled up.

Proviſo.

XVI. Provided alſo, That no Perſon whatſoever ſhall be liable or compellable to ſerve as a Director and Guardian of the Poor, for a longer Time than two Years ſucceeding or following each other.

Three Directors and Guardians may call a General Meeting.

XVII. And be it further enacted, That if any three or more Directors and Guardians ſhall, on any Occaſion, think it neceſſary or expedient to call or convene a General Meeting of the ſaid Directors and Guardians, it ſhall and may be lawful for ſuch three Directors and Guardians to order the Clerk to ſuch Directors and Guardians to ſummon ſuch General Meeting of the Directors and Guardians, to meet at the Time the ſaid three Directors and Guardians ſhall then require, by a Notice, ſpecifying the particular Occaſion of ſuch Requiſition.

Chairman to be appointed.

XVIII. And be it further enacted by the Authority aforeſaid, That at each and every of the Quarterly or General Meetings of the ſaid Directors and Guardians, and at each and every of the ſaid Weekly Meetings of the Committee, any one Director and Guardian preſent, who ſhall be then named by the Majority of the Directors and Guardians preſent at any ſuch Meeting, ſhall preſide at every ſuch Meeting, and take the Chair as Preſident or Chairman of ſuch Meeting; and in caſe of an Equality of Voices on any Tranſaction, including the Voice of the Chairman or Preſident, ſuch Chairman or Preſident ſhall have another or the caſting Voice.

Directors may adminiſter an Oath,

XIX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Guardians (five or more of them being then preſent), at any of their General Meetings, Quarterly Meetings, or Weekly Committees, to be held in purſuance of this Act, to adminiſter an Oath to any Perſon or Perſons for their more certain Information in any Matter or Buſineſs then depending.

appoint Treaſurers, &c.

XX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Guardians, from Time to Time, to appoint one or more Treaſurer or Treaſurers, Clerk or Clerks, Governor or Governors, Steward or Stewards, Matron or Matrons, and ſuch other Officer or Officers, Servant or Servants, as the ſaid Directors and Guardians ſhall think fit and convenient, for the better Government and Regulation of the Poor maintained in ſuch Workhouſe or Workhouſes.

and a Clergyman to inſtruct the Poor, &c.

XXI. And be it further enacted, That the ſaid Directors and Guardians, at any Quarterly Meeting, ſhall and may, if they think the ſame fit and convenient, from Time to Time, appoint ſome Clergyman of the Church of *England*, to inſtruct ſuch Perſons as ſhall be maintained in ſuch Workhouſe or Workhouſes in the Principles of the Chriſtian Religion, and alſo to viſit the Sick, and perform other Duties of his Profeſſion, in the ſaid Workhouſe or Workhouſes; and the ſaid Directors and Guardians, at any Quarterly Meeting, ſhall, and they are hereby impowered to make ſuch Allowance to ſuch Clergyman, and Treaſurer or Treaſurers, Clerk or Clerks, Governor or Governors, Steward or Stewards, Matron or Matrons, or other Officer or Officers, Servant or Servants, for their Pains and Trouble therein, as to them

them the ſaid Directors and Guardians, at any ſuch Meeting, ſhall ſeem reaſonable; and may, from Time to Time, at any ſuch Meeting, diſplace or diſcharge him or them, or any of them; and ſhall and may pay ſuch Allowances out of the Monies to be raiſed by this and the ſaid former Act, made in the eighth Year of his preſent Majeſty.

Ground or Buildings may be purchaſed.

XXII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Guardians, at any General Meeting to be held in purſuance of this Act, and they are hereby authoriſed, to treat, contract, and agree for, and to purchaſe or hire, for any Term of Years, or to purchaſe for ever, any Lands (not exceeding ſix Acres), Tenements, or Hereditaments, within the ſaid Pariſh, in the Name of the ſaid Directors and Guardians, or any nine or more of them, at any General Meeting to be held in purſuance of this Act, who are hereby enabled to take a Conveyance thereof, in the Name of the whole of the ſaid Directors and Guardians, and to them and their Succeſſors, for any Term of Years, or for ever; and, from Time to Time, to pull down, alter, repair, and furniſh any Buildings that may be ſtanding on the ſame, for the better receiving, maintaining, and employing all or any of the Poor of the ſaid Pariſh, or may erect and build thereon, or on any other Ground belonging to or to belong to the ſaid Pariſh, one or more Houſe or Houſes, for the like Purpoſes, and provide Furniture for the ſame, and all other Materials and Things for putting in Execution this Act; and by and out of the Monies raiſed or to be raiſed by virtue of this and the ſaid Act of the eighth Year of his preſent Majeſty, ſhall pay and ſatisfy the Purchaſe-money or Hire for the ſame, and all neceſſary Charges relating thereunto, and to the comfortable Support, maintaining and employing of the Poor of the ſaid Pariſh; and alſo all Monies which ſhall be juſtly due to the Artificers, Workmen, and others, employed in and about erecting, altering, repairing, and furniſhing the ſaid Houſe or Houſes, or Tenements, and in and about all other Matters and Things concerning the ſame.

Bodies Politick, &c. impowered to ſell or convey Lands.

XXIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Truſtees, and Feoffees in Truſt, Huſbands, Guardians, and Committees for Lunaticks and Idiots, Executors, Adminiſtrators, and Guardians, or other Truſtees whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſons whatſoever, and to and for all Femes-covert who are or ſhall be ſeiſed in their own Right, and to and for all and every Perſon and Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any of the ſaid Lands, Tenements, or Hereditaments, which ſhall be thought neceſſary for the Purpoſes of this Act, to treat, ſell, and contract with the ſaid Directors and Guardians, and to convey to them, or to any other Perſon or Perſons, or their Heirs in Truſt for them, all or any of the ſaid Lands, Tenements, Hereditaments, Eſtates, and Intereſt, or any Part thereof; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by ſuch Perſons as aforeſaid, ſhall be good, valid, and effectual in Law, to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon or Perſons conveying, but alſo to convey all Right, Title, Eſtate, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſons whomſoever, and all Perſons claiming, or to claim, by, from, or under them, any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in any wiſe notwithſtanding; and all Bodies Politick, Corporate, Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, and all other Perſons whatſoever, ſhall be and are hereby indemnified for what they ſhall do by virtue or in purſuance of this Act, notwithſtanding any Omiſſion or Miſtake of Matter or Form whatſoever.

Tenants, after ſix Months Notice, to deliver Poſſeſſion.

XXIV. And be it further enacted, That all and every Tenant at Will, or Leſſee for a Year, or other Perſon or Perſons in Poſſeſſion of any ſuch Lands, Tenements, Hereditaments, and Premiſes, or any Part thereof, which ſhall be purchaſed by or conveyed to the ſaid Directors and Guardians, as aforeſaid, and who ſhall have no greater Intereſt in the Premiſes than as Tenant at Will, or as Leſſee by Parole for a Year, or from Year to Year, ſhall, on the Expiration of ſix Calendar Months after Notice in Writing left upon the Premiſes, or ſo ſoon after as he, ſhe, or they, ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Directors and Guardians, or any other Perſon or Perſons authoriſed by them, or any five or more of them, to take Poſſeſſion thereof: And in caſe any ſuch Perſon or Perſons ſhall refuſe to give ſuch Poſſeſſion, then it ſhall and may be lawful to and for the ſaid Directors and Guardians, or any five or more of them, to iſſue their Precept or Precepts to the Sheriff of the ſaid County of *Middleſex*, to deliver Poſſeſſion of the Premiſes to ſuch Perſon or Perſons as ſhall in ſuch Precept or Precepts be nominated to receive the ſame; and the ſaid Sheriff is hereby required to deliver Poſſeſſion accordingly of the ſaid Premiſes, and to levy ſuch Coſts as ſhall accrue from the Iſſuing and Execution of ſuch Precept or Precepts on the Perſon or Perſons refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, and their Goods and Chattels.

Sheriff's Power, in caſe of Refuſal.

5l. Penalty on Sheriff making Default.

XXV. And be it further enacted, That the ſaid Directors and Guardians, at any of their Meetings to be held in purſuance of this Act, ſhall have Power from Time to Time to impoſe any reaſonable Fine, not exceeding the Sum of five Pounds, on the ſaid Sheriff, or his Deputy or Deputies, or Agent or Agents reſpectively, making Default in the Premiſes, or refuſing to deliver Poſſeſſion, as aforeſaid, and from Time to Time to levy ſuch Fine or Fines, by Order of the ſaid Directors and Guardians, by Diſtreſs and Sale of the Offender's Goods, together with the reaſonable Charges of every ſuch Diſtreſs, returning the Overplus (if any) to the Owner; and all ſuch Fines ſhall be applied for the Purpoſes of this Act.

Contracts may be entered into for Work to be performed.

XXVI. And be it further enacted by the Authority aforeſaid, That the ſaid Directors and Guardians, at any of their Meetings to be held in purſuance of this Act, ſhall and may, and they are hereby authoriſed and impowered to contract or agree with any Perſon or Perſons whatſoever, for erecting, building, and finiſhing, the Whole or any Part of any Workhouſe or Workhouſes directed by this Act to be built and

erected, or for altering, repairing, finiſhing, or completing, any Tenements or Hereditaments that ſhall be purchaſed or taken in purſuance of this Act; and alſo to purchaſe or provide, either by Contract or otherwiſe, from Time to Time, ſuch Furniture, Goods, Chattels, Proviſions, Clothing, Utenſils, and Materials whatſoever, as ſhall be thought proper for the effectual ſetting to work, receiving, employing, maintaining, clothing, and providing for, in every reſpect, the Poor of the ſaid Pariſh, of what Age, Sex, or Condition ſoever they be; and ſhall pay, or order the Payment of the Monies due, or to become due, upon any ſuch Contracts, Agreements, or Purchaſes, to the Perſon or Perſons intitled to receive the ſame, by virtue of this and the ſaid Act of the eighth Year of his preſent Majeſty.

Fourteen Days Notice to be given of Directors Meetings for making Contracts.

XXVII. Provided always, That previous to the Day appointed for the Meetings of the ſaid Directors and Guardians for the making of any Contracts for the erecting, building, and finiſhing the Whole or any Part of the ſaid Workhouſe or Workhouſes, fourteen Days Notice of ſuch Meeting to make ſuch Contracts ſhall be given in ſome of the publick News-papers, expreſſing the Intentions of ſuch Contract, in order that any Perſon or Perſons, willing to undertake the ſame, may make Propoſals for that Purpoſe; to be offered and preſented to the ſaid Directors and Guardians at the Time and Place mentioned in ſuch Notice.

No Contract valid till confirmed at a ſubſequent Meeting.

XXVIII. Provided alſo, That no Contract or Agreement whatſoever, made by the ſaid Directors and Guardians, ſhall be good, valid, binding, or effectual, until the ſame ſhall be approved and confirmed at their next or ſubſequent Meeting to be held in purſuance of this Act, and ſigned by the Chairman preſiding at ſuch Meeting.

No Director to hold any Office, or enter into Contract.

XXIX. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be capable of acting as a Director and Guardian of the Poor, in the Execution of this and the ſaid former Act of the eighth Year of his preſent Majeſty, during the Time he or they ſhall hold any Office, or enter into any Contract, or have any Share or Intereſt in any Contract relating to the Execution of any of the Powers of this and the ſaid former Act of the eighth Year of his preſent Majeſty.

All Contracts to be entered in Books.

XXX. And be it further enacted, That the ſaid Directors and Guardians ſhall cauſe all Contracts, made with or by all Artificers, Workmen, Tradeſmen, or others, employed in and about the building, repairing, or altering, any Workhouſe or Workhouſes, or other Houſes or Tenements, for the Reception of the Poor of the ſaid Pariſh, and all other Contracts or Agreements which ſhall in any wiſe relate to the carrying into Execution the Purpoſes of this and the ſaid former Act, and all Receipts and Payments, Debts and Credits, and any Matter or Thing relative thereto, to be fairly entered in a Book or Books to be provided for thoſe Purpoſes.

Orders to be entered in Books.

XXXI. And be it further enacted by the Authority aforeſaid, That all Acts, Orders, and Proceedings, of the ſaid Veſtrymen, and Directors and Guardians, at their Meetings, ſhall be entered in a Book or Books, to be kept for that Purpoſe, and ſigned by the Chairman or Preſident for the Time being at their next Meeting; and all Acts, Orders, and Proceedings, ſhall then be deemed and taken to be original Acts, Orders, and Proceedings, and ſuch Books ſhall and may be produced and read in Evidence in all Courts whatſoever.

Furniture, Apparel, &c. provided for the Poor, veſted in Directors.

XXXII. And be it further enacted by the Authority aforeſaid, That the Property of all and every the Goods, Chattels, Furniture, Proviſions, Cloaths, Linen, and Wearing Apparel, Tools, Utenſils, Materials, and Things whatſoever, to be from Time to Time had, bought, procured, and provided, for the Uſe of the Poor of the ſaid Pariſh, and for carrying into Execution the ſeveral Purpoſes of this Act, ſhall be, and the ſame are hereby veſted in the Directors and Guardians of the Poor of the ſaid Pariſh for the Time being, and their Succeſſors, for the Purpoſes of this Act, who are hereby impowered to bring, or cauſe to be brought, any Action or Actions, or to prefer or order the preferring of, any Bills of Indictment againſt any Perſon or Perſons, who ſhall ſteal, take, or carry away, any or any Part of ſuch Goods, Chattels, Furniture, Proviſions, Cloaths, Linen, and Wearing Apparel, Utenſils, Materials, and Things whatſoever, the Property of which ſaid Goods, Chattels, Furniture, Proviſions, Cloaths, Linen, and Wearing Apparel, Tools, Utenſils, Materials, and Things, ſhall be laid in every ſuch Action and Indictment to be the Property of the Directors and Guardians of the Poor of the Pariſh of *Saint Mary le Bone*, in the County of *Middleſex*, and ſhall be brought or laid in the Name of the Treaſurer for the Time being; and every Action and Indictment ſo laid ſhall be good in Law to all Intents and Purpoſes.

Directors and Guardians may borrow Money, not exceeding 20,000l.;

XXXIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Directors and Guardians, nominated and appointed as aforeſaid, or any nine or more of them, at any of their General Meetings to be held in purſuance of this Act, and they are hereby impowered, at any Time or Times, to borrow and raiſe, for the Purpoſes of this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of ten thouſand Pounds, at the loweſt Rate of Intereſt that the ſame can be procured; which Intereſt ſhall be and is hereby made payable out of the Monies to be raiſed by the Rate or Aſſeſſment for the Relief of the Poor, directed by the ſaid former Act of the eighth Year of his preſent Majeſty's Reign, to be made by the Veſtry of the ſaid Pariſh; ſuch Money to be borrowed upon Bonds of one hundred Pounds each, to be executed and ſigned by the ſaid Directors and Guardians, or any ſeven or more of them, and the Principal Money ſecured by ſuch Bonds ſhall be diſcharged in Manner herein after mentioned.

and may pay off, at any Quarterly Meeting, any Sum not exceeding 500l. yearly.

XXXIV. And be it further enacted, That in order to pay off and diſcharge the Money to be borrowed on the Credit of the ſaid Rate or Aſſeſſment, in Manner herein directed, it ſhall and may be lawful to and for the ſaid Directors and Guardians, and they are hereby authoriſed and impowered, yearly, and every Year, at any of their Quarterly Meetings, to pay off and diſcharge therefrom a Sum not exceeding five hundred Pounds, out of the Monies raiſed by ſuch Rate or Aſſeſſment.

How Bonds or Securities are to be paid off.

XXXV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Guardians, or any nine or more of them, at any of their Quarterly Meetings, to cauſe the Numbers of all the Bonds or Securities, which ſhall then be due and owing to the Creditors on

on the ſaid Rate, to be written on ſeparate Slips of Paper or Parchment, and to be put ſeparately into a Wheel or Box; and that ſo many Numbers of the ſaid Bonds or Securities ſhall be drawn out of the ſaid Wheel or Box by the Clerk to the ſaid Directors and Guardians, in the Preſence of the ſaid Directors and Guardians, or any nine or more of them, as ſhall make up the Sum then intended to be paid off, which Numbers he ſhall then read and deliver to the Chairman or Preſident preſiding at ſuch Meeting, who ſhall cauſe the ſame to be entered by the Clerk in the Minutes; and that ſix Months Notice, in Writing, or printed, and ſigned by the Clerk to the ſaid Directors and Guardians for the Time being, ſhall be given to the Perſon or Perſons who ſhall be intitled to ſuch Bond or Bonds, Security or Securities, ſo drawn out, or ſhall be left at his, her, or their laſt or moſt uſual Place of Abode, that his, her, or their reſpective Bond or Bonds, Security or Securities, Principal and Intereſt, will be paid off; and that at the Expiration of the ſaid ſix Months, to be computed from the Day of ſuch Notice given or left as aforeſaid, all Intereſt on ſuch Bond or Bonds, Security or Securities, ſhall ceaſe and determine.

More Monies may be borrowed.

'XXXVI. And whereas it may happen hereafter, that, by reaſon of the farther Increaſe of the Poor, 'old, impotent, and other Perſons, whom it will be neceſſary to receive into ſuch Workhouſe or Work-'houſes, it may become neceſſary to add more Buildings or Erections for the Purpoſes of this Act, or to 'make ſome conſiderable Alterations and Repairs, the Expence whereof may be too great to be defrayed 'out of the ſaid annual Rate for the Relief of the Poor of the ſaid Pariſh;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Guardians, or any nine or more of them, at any of their General Meetings to be held in purſuance of this Act, and they are hereby authoriſed and impowered, in caſe of ſuch Neceſſity, to borrow and take up at Intereſt ſuch Sum or Sums of Money as ſhall be ſo wanted on the Credit of the ſaid Rate, in like Manner as is herein before directed.

Proviſo.

XXXVII. Provided always, That the whole Sum ſo borrowed ſhall not at any Time exceed the Sum of ten thouſand Pounds, the Sum herein directed to be borrowed for the ſeveral Purpoſes before mentioned.

500l. at a lower Intereſt may be borrowed to pay off Bonds at higher Intereſt.

XXXVIII. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Directors and Guardians can at any Time borrow and take up any Sum or Sums of Money, not leſs than the Sum of five hundred Pounds at one Time, at a lower Rate of Intereſt than the Bonds or Securities by them iſſued then carry, it ſhall and may be lawful to and for the ſaid Directors and Guardians, or any nine or more of them, from Time to Time, to pay off and diſcharge the Bonds or Securities bearing a higher Rate of Intereſt, following the Directions and Regulations as are herein before preſcribed for paying off Bonds and Securities.

Proviſo for paying off Bonds.

XXXIX. Provided nevertheleſs, That no Bond or Security carrying a lower Rate of Intereſt ſhall at any Time be paid off and diſcharged, whilſt any of the Bonds or Securities carrying a higher Rate of Intereſt are unpaid and undiſcharged.

Securities to be entered in Books.

XL. And be it further enacted, That there ſhall be entered in a Book or Books, to be for that Purpoſe provided and kept by the Clerk or Clerks to the ſaid Directors and Guardians, all Securities for Monies borrowed by virtue and in purſuance of this Act, and all Aſſignments or Transfers thereof, expreſſing, in Words at Length, the Names, Surnames, Additions, Places of Abode, and other Deſcriptions, of all ſuch Perſons as ſhall from Time to Time be intitled to ſuch Securities.

Securities may be aſſigned.

XLI. And it is hereby further enacted, That it ſhall and may be lawful to and for any Perſon and Perſons, intitled to any of the Securities before mentioned, and his, her, or their Executors, Adminiſtrators, or Aſſigns, at any Time or Times, by Writing under his or their Hands reſpectively, to aſſign or transfer ſuch Securities, by Indorſement on the Back thereof, to any Perſon or Perſons whatſoever, and witneſſed by one Witneſs, and ſo *toties quoties*; and ſuch Aſſignments and Transfers, after they ſhall be reſpectively entered in the Book or Books of ſuch Directors and Guardians, in Manner aforeſaid, ſhall intitle the Perſon or Perſons to whom they ſhall reſpectively be made, and his, her, or their reſpective Executors, Adminiſtrators, and Aſſigns, to the Benefit of the Security or Securities ſo aſſigned and transferred.

Donations and other Monies to be paid to the Treaſurer.

XLII. And be it further enacted by the Authority aforeſaid, That all Gifts, Donations, Benefactions, and Sums of Money whatſoever, now payable, or which ſhall hereafter become payable, for and to the Uſe of the Poor of the ſaid Pariſh, not being directed or liable to be applied for the Support of any private or particular Poor or Charity, or by the Donation particularly appropriated, not being Sacramental Money, ſhall, from Time to Time, from and after the Appointment of the ſaid Directors and Guardians, be paid into the Hands of the Treaſurer or Treaſurers to the ſaid Directors and Guardians, for the Uſe of the Poor of the ſaid Pariſh, to be applied in Aid of the Rate for the Relief of the Poor thereof.

Names of Benefactors to be put up in the Church, &c.

XLIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Directors and Guardians, at any of their ſaid Weekly Meetings, to order the Name of every ſuch Donor, Benefactor, or charitable Perſon, together with the Sum by them given for and towards the Uſe of the Poor of the ſaid Pariſh, to be written and painted in legible Characters, in ſome conſpicuous Part of the Church of the ſaid Pariſh, and alſo in ſome publick or conſpicuous Part of ſuch Workhouſe or Workhouſes, in ſuch Manner as the ſaid Directors and Guardians ſhall think fit, the Expence thereof to be defrayed out of the Monies to be raiſed by virtue of this Act.

Directors may ſell or let the preſent Workhouſe or Lands.

XLIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Guardians, at any of their Meetings to be held in purſuance of this Act, to ſell, let, or diſpoſe of the preſent Workhouſe belonging to the ſaid Pariſh (if they ſhall not think fit to apply the ſame to any of the Purpoſes of this Act), and alſo to ſell, let, or diſpoſe of ſo much of the Lands, Tenements, or Hereditaments, ſo to be purchaſed or hired as aforeſaid, as ſhall not be neceſſary or uſed for the Purpoſes of this Act, to any Perſon or Perſons willing to purchaſe or take the ſame, for the beſt Price that can be got, and apply the Monies ariſing therefrom to the Purpoſes of this Act.

All Contracts for Building, &c. to be confirmed by Veſtry.

XLV. Provided always, and be it enacted, That before any Contract or Agreement made by the ſaid Directors and Guardians for erecting any new Building, or for the hiring or purchaſing any Lands, Tenements, or Hereditaments, or for the borrowing of Money on Bond or Security, or for the ſelling or diſpoſing of any Lands, Tenements, or Hereditaments, belonging to the ſaid Pariſh, under the Authority of this Act, ſhall be valid and effectual, every ſuch Contract or Agreement reſpectively ſhall be laid before the Veſtry of the ſaid Pariſh, at ſome publick Meeting, for their Approbation and Confirmation; and if ſuch Contract or Agreement ſhall, at ſuch Meeting, be approved and confirmed by a Majority of the Veſtrymen then preſent (ſuch Majority being not leſs than nine in Number), the ſame ſhall be certified by the Chairman of ſuch Veſtry for the Time being, who ſhall ſign his Name to an Indorſement, to be made on every ſuch Contract or Agreement, in the following Form; *videlicet*,

Form of Indorſement.

'I Chairman of the Veſtry of the Pariſh of Saint *Mary le Bone*, held at the Court Houſe, on the Day of do hereby certify, that the within Contract or Agreement *(as the Caſe may be)* was approved and confirmed according to the Direction of this Act. Witneſs my Hand,

And ſuch Certificate or Indorſement ſhall be entered in the ſame Form in the Book or Books containing the general Proceedings, Orders, and Regulations, of the ſaid Veſtry.

Directors and Guardians may make Bye-laws.

XLVI. And be it further enacted by the Authority aforeſaid, That the ſaid Directors and Guardians ſhall have, and they are hereby declared to have, full Power and Authority, at any of their General Meetings, to make, from Time to Time, ſuch Bye-laws, Rules, Orders, and Conſtitutions, as well for the better governing, employing, and ſupporting, the ſaid poor Perſons in the ſaid Pariſh, and for the carrying on any Trade that ſhall be ſet on Foot for the Employment of the ſaid Poor, and for other the Ends and Purpoſes of this Act, and from Time to Time afterwards to repeal, alter, or amend, ſuch Bye-laws, Rules, Orders, and Conſtitutions, as to them the ſaid Directors and Guardians ſhall ſeem meet, ſo that ſuch Bye-laws, Rules, Orders, and Conſtitutions, are not repugnant to the Laws of the Land.

No Bye-laws to be valid till confirmed at next General Meeting.

XLVII. Provided always, That no ſuch Bye-laws, Rules, Orders, and Conſtitutions, ſhall be good, valid, or effectual, until confirmed by the next or ſubſequent General Meeting, at which General Meeting nine or more Directors and Guardians ſhall be then preſent, and aſſenting thereto; and the Summonſes for ſuch Meeting for the Making or Confirmation of Bye-laws ſhall expreſs that ſuch Meeting is for that Purpoſe in particular.

Overſeers of the Poor, Conſtables, &c. to aid, aſſiſt, and obey Directors;

XLVIII. And be it further enacted, That all Overſeers of the Poor, Conſtables, or other Pariſh Officers for the Time being of the ſaid Pariſh, except the Churchwardens and Sideſmen of the ſaid Pariſh for the Time being, ſhall, from Time to Time, and at all Times hereafter, aid and aſſiſt the ſaid Directors and Guardians to the beſt of their Power, and ſhall at all Times obey their Warrants and Orders relative to the Execution of this Act: And in caſe any Overſeer of the Poor, Conſtable, or other Officer, ſhall neglect or refuſe to obey ſuch Warrants or Orders, every ſuch Overſeer of the Poor, Conſtable, or other Officer, ſo neglecting or refuſing, ſhall be ſummoned, by Writing under the Hands of any three Directors and Guardians, to appear at the next Meeting of the ſaid Directors and Guardians to be holden as aforeſaid; and if ſuch Overſeer of the Poor, Conſtable, or other Officer ſo ſummoned, ſhall neglect or refuſe to appear at ſuch Meeting, or if appearing, he or any of them ſhall not ſufficiently excuſe or juſtify him or themſelves, but ſhall, in the Judgment of the major Part of the ſaid Directors and Guardians preſent at ſuch Meeting, be adjudged guilty of diſobeying ſuch Warrant or Warrants, Order or Orders; that then, and in every ſuch Caſe, all and every Perſon and Perſons ſo adjudged guilty as aforeſaid ſhall forfeit and pay any Sum not exceeding five Pounds; to be levied by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hand and Seal of any one Juſtice of the Peace in and for the ſaid County of *Middleſex*; and ſuch Forfeitures ſhall be paid to the Treaſurer or Treaſurers to the ſaid Directors and Guardians, and ſhall, by him or them, be carried to the Account of the Poor's Rate of the ſaid Pariſh, to be applied in Aid of the ſaid Rate; but if any ſuch Overſeer of the Poor, Conſtable, or other Officer, ſo offending, and convicted as aforeſaid, ſhall think himſelf aggrieved, that then it ſhall and may be lawful for ſuch reſpective Overſeer to appeal to the next General Seſſions of the Peace to be holden for the ſaid County againſt the Judgment of the ſaid Meeting, and the Juſtices for the ſaid County, at ſuch Seſſions aſſembled, ſhall and may hear and determine ſuch Appeal, and may mitigate or ſet aſide ſuch Penalties in ſuch Manner, and award ſuch reaſonable Coſts, as they ſhall think proper; and the Judgment of ſuch Juſtices, at ſuch Quarter Seſſions, ſhall be final, without any other Appeal.

5l. Penalty for Refuſal or Neglect of Duty.

Overſeers, &c. aggrieved may appeal to the Seſſions,

whoſe Judgment ſhall be final.

'XLIX. And whereas divers Perſons belonging to, and who ought by the Laws now in Force to be relieved by, the ſaid Pariſh of *Saint Mary le Bone*, are found wandering and begging in the ſaid Pariſh, and committing Acts of Vagrancy, and miſbehaving themſelves, by expoſing in any indecent Manner their Perſons or Limbs: And whereas divers Perſons, by reaſon of their idle and diſorderly living, neglect or refuſe to maintain or threaten to deſert their Families, not being able to maintain themſelves, and if Power were given to apprehend ſuch Perſons, and ſend them to ſuch Workhouſe or Workhouſes, there to be dealt with in Manner herein mentioned, it would tend to inure them to a Habit of Induſtry, and make them uſeful to the Publick;' be it therefore enacted by the Authority aforeſaid, That the ſaid Directors and Guardians ſhall and hereby have Power and Authority to receive, and to order and compel all and every Perſon found wandering and begging in the ſaid Pariſh, or committing Acts of Vagrancy; and alſo all and every idle and diſorderly Perſon, neglecting or refuſing to maintain or threatening to deſert their Families, not being able to maintain themſelves, and who ſhall belong to, or ought, by any Law now in Force, to be relieved and provided for by the ſaid Pariſh, to come into, work, dwell, and inhabit ſuch Workhouſe or Workhouſes, as ſhall be erected in purſuance of this Act, and to detain, keep, maintain, and employ all ſuch reſpective poor Perſons therein, ſo long as it ſhall not appear to the ſaid Directors and

Directors, &c. impowered to apprehend Vagrants, and all diſorderly Perſons neglecting to maintain their Families,

and Guardians, on the Part of any ſuch poor Perſons, that any of them reſpectively are of Ability, or can otherwiſe be ſufficiently maintained and provided for without the Aid and Proviſion of the Directors and Guardians; and ſhall have Power and Authority to employ, ſet, and compel, all ſuch Poor who ſhall be received, or come into, dwell, and be in the ſaid Workhouſe or Workhouſes, during ſuch their Abode and Reſidence there, and whilſt maintained by the ſaid Directors and Guardians, to do, execute, and perform ſuch Work, Labour, Buſineſs, and Employ, as the ſaid Directors and Guardians, at any of their ſaid Weekly Meetings, ſhall think and judge ſuch reſpective Poor are and ſhall be able and fit to do and perform, for the Uſe of the ſaid Pariſh, and to detain and keep all ſuch Perſons found wandering and begging in the ſaid Pariſh, and committing Acts of Vagrancy; and alſo all ſuch idle and diſorderly Perſons, who ſhall have ſo deſerted, threatened to leave, neglected or refuſed to maintain, his or their Families, and to ſet each of them to work in ſuch Workhouſe, during ſuch Time, and until every ſuch Perſon, by his or her Work or Labour there, ſhall have got and raiſed ſo much Money, above their Maintenance, as ſhall be ſufficient to repay and reimburſe to the ſaid Directors and Guardians the Charges and Expences they ſhall have ſuſtained in the maintaining and providing for every ſuch Perſon, and his or her Family: And in caſe ſuch Perſon ſhall not, by his or her Work and Labour, have gained ſo much Money as ſhall be ſufficient to reimburſe the ſaid Directors and Guardians the Charges and Expences of having maintained him or her, or any of his or her Family, as aforeſaid, and ſhall neglect or refuſe to apply himſelf or herſelf to ſuch reaſonable Work or Labour as ſhall be given to him or her by the Governor or Maſter of ſuch Workhouſe, under the Directions aforeſaid, then the ſaid Directors and Guardians, at any of their Weekly Meetings, ſhall have Power to detain and keep ſuch Perſon within ſuch Workhouſe or Workhouſes to hard Labour for the Space of thirty Days, and there to cauſe him or her to be whipped during ſuch thirty Days, as often, not exceeding three Times, as the ſaid Directors and Guardians, at any of the ſaid Weekly Meetings, ſhall think fit.

and to employ ſuch Perſons in uſeful Labour.

Further Powers reſpecting diſorderly Perſons.

L. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Guardians, and they are hereby impowered to keep, maintain, provide for, employ, and detain, in ſuch Workhouſe or Workhouſes, all ſuch Children as ſhall be admitted into ſuch Workhouſe or Workhouſes, and ſuch poor Children ſhall continue in ſuch Workhouſe or Workhouſes, under the Management of ſuch Directors and Guardians, until every ſuch Male Child ſhall be of the Age of ſeventeen Years, and every ſuch Female Child of the Age of fifteen Years, provided ſuch Children ſhall not be bound Apprentices, in Manner herein after mentioned; and that when they have reſpectively attained the Ages before mentioned, they be diſcharged from ſuch Workhouſe or Workhouſes, thoſe only excepted, who, from Sickneſs, Lameneſs, or other Infirmities, are incapable of providing for themſelves.

How long Children may be kept in the Workhouſe.

LI. Provided always, That if ſuch Male Children, when they have attained the Age of fifteen Years, or ſuch Female Children, when they have attained the Age of fourteen Years, ſhall be hired as yearly Servants for the Space of one Year; then, and in ſuch Caſe, the ſaid Directors and Guardians are hereby impowered to diſcharge every ſuch Child that ſhall have reſpectively attained the Ages of fifteen and fourteen Years.

Children may be ſent to Service;

LII. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and Guardians, or any three or more of them, at any of their Weekly Committees, by Indenture, ſigned by them, by and with the Conſent of any two Juſtices of the Peace in and for the County of *Middleſex*, at any Time before ſuch Children ſhall arrive at ſuch reſpective Ages as aforeſaid, to bind any of ſuch Children to be Apprentices where they ſhall ſee convenient, until ſuch Child, being a Male, ſhall arrive at the Age of twenty-one Years, or until the Age of eighteen Years, or the Day of Marriage of ſuch Child, being a Female: or to bind any of ſuch Male Children to be Apprentices in the Sea Service, to any Captain, Maſter, or Owner, of any Ship or Veſſel, in like Manner as Churchwardens and Overſeers of the Poor, with the Aſſent of the Juſtices of the Peace, are, by the Laws in being, now impowered to do; and the Perſon or Perſons to whom any ſuch Child ſhall be bound Apprentice, ſhall be obliged to receive and provide for ſuch Apprentice, in like Manner as by the Laws in being Perſons are obliged to provide for Apprentices in the like Circumſtances: And no Apprentice, ſo bound as aforeſaid, ſhall, except with the Conſent of the ſaid Directors and Guardians, preſent at any of their Weekly Committees, be aſſigned or turned over to any other Perſon; and that the Perſon or Perſons to whom any ſuch Apprentice ſhall be ſo aſſigned or turned over, ſhall be obliged to receive and provide for him or her, in the ſame Manner, and under the ſame Penalties and Forfeitures, as the Perſon or Perſons to whom ſuch Apprentice was firſt bound as aforeſaid was or were obliged to receive or provide for him or her.

or may be bound to be Apprentices.

No Apprentice to be turned over without Conſent of Directors.

LIII. And be it further enacted, That if any of the poor Perſons in any Workhouſe or Workhouſes, or other Houſes, made uſe of for the Purpoſes of this Act, ſhall be found guilty of ſtealing, embezzling, taking, or carrying away, or cauſing to be ſtolen, embezzled, taken, or carried away, any or any Part of the Goods, Chattels, Furniture, Proviſions, Cloathing, Linen, and Wearing Apparel, Tools, Utenſils, Materials, and Things, the Property of the ſaid Directors and Guardians, in the Judgment of the ſaid Directors and Guardians, it ſhall and may be lawful to and for the ſaid Directors and Guardians, at any of their Meetings to be held in purſuance of this Act (if they ſhall think the ſame moſt fit and expedient), to order ſuch moderate Correction or Confinement to any ſuch Offender or Offenders in any Workhouſe or Workhouſes, or other Houſes made uſe of for the Purpoſes of this Act, inſtead of any Action or Indictment, as they ſhall think proper, any Law, Statute, or Uſage, to the contrary notwithſtanding.

How Perſons guilty of embezzling Goods may be puniſhed.

LIV. And be it further enacted by the Authority aforeſaid, That if any Governor or Steward, or other Officer appointed, or Matron, or other Perſon whatſoever, employed by the ſaid Directors and Guardians, ſhall purloin, embezzle, or wilfully miſapply, any of the Monies, Materials, or Implements of Work,

Penalty on Servants purloining Money, Materials, &c.

Work, Proviſions, Utenſils, Goods, or Chattels, the Property of which are by this Act veſted in the ſaid Directors and Guardians, every ſuch Offender ſhall not only be diſcharged from his or her Office, but ſhall alſo forfeit and pay the Sum of ten Pounds, or treble the Value of ſuch Money, Materials, Implements of Work, Proviſions, Utenſils, Goods and Chattels, which ſhall be ſo purloined, embezzled, or miſapplied; to be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal of one of his Majeſty's Juſtices of the Peace in and for the ſaid County of *Middleſex*; and in caſe ſufficient Diſtreſs ſhall not be found, then, and in every ſuch Caſe, it ſhall and may be lawful to and for any one Juſtice of the Peace for the ſaid County to commit ſuch Offender to the Common Gaol, or Houſe of Correction, for the ſaid County, there to remain without Bail or Mainprize for any Space not exceeding three Months, nor leſs than one Month.

Directors may provide a convenient Stock of Materials for employing the Poor.

LV. And be it further enacted by the Authority aforeſaid, That the ſaid Directors and Guardians, or any five or more of them, ſhall and may, and are hereby authoriſed and impowered to keep, maintain, and employ, and to cauſe to be kept, maintained, and employed, in any Works, Trades, Manufactures, and Employments whatſoever, all and every the Poor maintained in any Workhouſe or Workhouſes, or any other Houſes or Tenements made uſe of for the Purpoſes of this Act; and ſhall and may provide a convenient Stock of Flax, Hemp, Wool, Cotton, Thread, Iron, Stone, Wood, Leather, or other Materials, for the Employment of the Poor received into ſuch Houſe or Houſes; and for that Purpoſe only may ſet up, uſe and occupy, any Trade, Myſtery, or Occupation whatſoever, in ſuch Houſe or Houſes, and may ſell, vend, and diſpoſe of ſuch Goods, Wares, and Merchandiſe, as ſhall be manufactured or made by ſuch Poor in ſuch Workhouſe or Workhouſes, any Law, Statute, or Uſage, to the contrary thereof in any wiſe notwithſtanding

How the Profit of their Labour is to be applied.

LVI. And be it further enacted by the Authority aforeſaid, That all Monies ariſing from any Work or Labour done by the Poor in any Workhouſe or Workhouſes, or other Houſes made uſe of for the Purpoſes of this Act, ſhall go in Aid of the Poor's Rate, and other Monies raiſed for carrying into Execution this and the ſaid former Act, and ſhall be made uſe of for the Purpoſes of this and the ſaid former Act.

Puniſhment for Curſing, Swearing, diſobeying of Orders, &c.

'LVII. And whereas many Perſons maintained in publick Workhouſes refuſe to work, or are guilty 'of profane Curſing, Swearing, and abuſive Language, of committing Waſte of Proviſions or other Ma'terials or Things, of diſobeying wholeſome Orders and Regulations, and other Miſdemeanours and 'Miſbehaviour, and by the Laws now in being no Puniſhment can be inflicted upon them without com'mitting them to the Houſe of Correction, or County Gaol, which Commitments have been found not 'to anſwer the Purpoſes thereby intended;' be it therefore enacted by the Authority aforeſaid, That if any poor Perſon or Perſons, who ſhall be maintained in any Workhouſe or Workhouſes, or other Houſes for the Reception and Employment of the Poor of the ſaid Pariſh, ſhall be guilty of profane Curſing, Swearing, or abuſive Language, of committing Waſte of Proviſions or any other Materials or Things, of diſobeying any Orders or Regulations made by the ſaid Directors and Guardians, or the reaſonable Commands of any Perſon or Perſons by the ſaid Directors and Guardians put in Authority over them, or any other Miſdemeanours or Miſbehaviour; that then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Directors and Guardians, at any Meeting to be held in purſuance of this Act, to cauſe ſuch Perſon or Perſons ſo offending to be puniſhed in ſuch Workhouſe, Workhouſes, or other Houſes, either by moderate Correction, Confinement, by ſetting them to hard Labour, or diſtinguiſhing them in Dreſs, Diet, or ſuch other Method as may beſt tend to remedy ſuch Offences in future, without committing ſuch Offender to the Houſe of Correction, any Law, Statute, or Uſage, to the contrary thereof in any wiſe notwithſtanding

Encouragement may be given to induſtrious and ſkilful Poor.

LVIII. And to the End that all the poor People in the ſaid Houſe may be encouraged to apply themſelves to ſuch Taſks in which they ſhall be employed with Diligence and Humility, be it further enacted by the Authority aforeſaid, That out of the Profits ariſing from the Work which ſhall be done by ſuch poor Perſons in the Workhouſe or Workhouſes, ſuch Rewards ſhall be diſtributed to the Induſtrious and Skilful, in proportion to the Quantity and Perfection of their Work, as to the ſaid Directors and Guardians, at any of their ſaid Weekly Committees, ſhall appear reaſonable, ſo as no Part of the Money paid in ſuch Gratuities ſhall be expended in the Purchaſe of unwholeſome or unneceſſary Liquors, the drinking of which ſuch Governor or Governors, Steward or Stewards, and Matron or Matrons, are hereby ſtrictly enjoined to prohibit and prevent.

Sideſmen may act as Churchwardens.

LIX. And be it further enacted by the Authority aforeſaid, That all and every the Sideſmen of the ſaid Pariſh for the Time being, nominated in and by the ſaid former Act to aſſiſt the Churchwardens of the ſaid Pariſh for the Time being in the Execution of their Office, ſhall, by and with the Conſent and Appointment of the Churchwardens of the ſaid Pariſh for the Time being, or either of them, to be ſignified in Writing, ſigned by every ſuch Churchwarden reſpectively, do, perform, and execute all and every ſuch Matter and Thing as is directed by Law to be done, or as uſually done and performed by Churchwardens, in as full and ample a Manner as if ſuch Matter and Thing had been done, performed, and executed, by ſuch Churchwardens; and ſuch Matters or Things ſo done, performed, and executed, ſhall be good, valid, and effectual in Law.

Directors and Guardians to appoint an Officer to relieve caſual Poor.

'LX. And whereas it may happen, that, by Caſualties or ſudden Illneſs, many poor Perſons within 'the ſaid Pariſh may ſtand in need of immediate Relief, before Application can be made for the ſame at 'the Weekly Meeting to be held in purſuance of this Act;' for Remedy whereof, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Directors and Guardians, or any nine or more of them, at any General Meeting to be held for that Purpoſe, on ſpecial Notice given ten Days at leaſt before ſuch Meeting, ſpecifying the Cauſe thereof, to nominate and appoint, under their Hands and Seals, one or more fit Perſon or Perſons for the Purpoſe of relieving ſuch caſual Poor; and he or they ſhall thereupon be authoriſed (in ſuch Manner, for ſo long Time, and by ſuch Ways and Means, as the ſaid

ſaid Directors and Guardians, or any nine or more of them, at any General Meeting, ſhall, from Time to Time, direct and appoint) to pay, or cauſe to be paid, upon Application made to him or them, or upon his or their own Knowledge of the Fact, and Neceſſity of the Caſe, unto every ſuch poor Perſon, any reaſonable Sum or Sums of Money, for his, her, or their Support, until the next Weekly Committee of the Directors and Guardians ſhall be held in purſuance of this Act; and ſuch Perſon or Perſons who ſhall have given ſuch Relief, ſhall, at the next Weekly Meeting as aforeſaid, lay before ſuch Meeting the State and Circumſtances of the Perſon or Perſons ſo relieved, and alſo an Account in Writing of the Sum or Sums of Money that ſhall have been ſo expended; and the ſaid Committee ſhall and may then give ſuch further Directions for the Maintenance and Relief of every ſuch poor Perſon as to them ſhall ſeem expedient, any Law, Statute, or Uſage, to the contrary notwithſtanding.

Officer to account for Money expended, &c. at Weekly Meetings.

LXI. And be it further enacted, That it ſhall and may be lawful for the ſaid Directors and Guardians, upon any Appointment of ſuch Perſon or Perſons as aforeſaid, to notify the ſame in Writing to the Churchwardens, Sideſmen, and Overſeers of the Poor of the ſaid Pariſh, and to direct and order them, and each of them, to forbear giving any Relief to any poor Perſon, by or under any Authority derived from their and each of their Office or Offices reſpectively (except by any legal Order from any of his Majeſty's Juſtice or Juſtices of the Peace in and for the ſaid County); and if, after ſuch Notice given, they, or any of them, ſhall, by any Account delivered into the Veſtry of the ſaid Pariſh, or to the ſaid Directors and Guardians, or otherwiſe, make any Charge or Demand on the ſaid Pariſh for Money expended in the Relief of poor Perſons (except by any legal Order from any of his Majeſty's Juſtice or Juſtices of the Peace in and for the ſaid County), it ſhall and may be lawful for the ſaid Veſtry, and alſo for the ſaid Directors and Guardians, to reject and refuſe to pay every ſuch Charge and Demand, as illegal and of no Effect, any Law, Statute, or Uſage, to the contrary notwithſtanding.

Notice to be given of the Appointment of ſuch Officer to Churchwardens, &c. with Orders to them not to relieve caſual Poor.
Money expended after ſuch Orders not to be repaid.

LXII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any nine or more of the ſaid Directors and Guardians, at any of their General Meetings to be held in purſuance of this Act, to grant Certificates, under their Hands, to any Perſon whoſe legal Settlement ſhall be in the ſaid Pariſh of *Saint Mary le Bone*, and who ſhall be willing to remove, or ſhall have removed out of the ſaid Pariſh; and which Certificates, under the Hands of nine of the ſaid Directors and Guardians, and atteſted by their Clerk for the Time being, and ſigned by two Juſtices of the Peace for the ſaid County, as Certificates are now by Law directed to be, ſhall be good and valid to all Intents and Purpoſes; and no other Certificate whatſoever to be granted within the ſaid Pariſh ſhall be valid, or of any Effect, any Law, Statute, or Cuſtom, to the contrary notwithſtanding.

Directors, &c. may grant Certificates to Perſons willing to remove.

LXIII. And be it further enacted by the Authority aforeſaid, That in all Caſes where one or more Juſtice or Juſtices of the Peace is or are impowered, by the Laws now in being, to proceed on the Complaint of the Churchwardens and Overſeers of the Poor of any Pariſh or Pariſhes, or of any of them, it ſhall and may be lawful for ſuch Juſtice or Juſtices of the Peace, and he and they are hereby required to proceed on the Complaint of any of the ſaid Directors and Guardians, or of ſuch Perſon or Perſons as ſhall have been duly appointed by any Writing under the Hands and Seals of ſeven or more of the ſaid Directors and Guardians for that Purpoſe, in ſuch and the like Manner, to all Intents and Purpoſes, as if ſuch Complaint had been made by ſuch Churchwardens and Overſeers, or any of them.

How Juſtices are to proceed on Complaint of Directors and Guardians.

LXIV. And be it further enacted by the Authority aforeſaid, That any Juſtice of the Peace in and for the ſaid County of *Middleſex* ſhall and may do any Act or Deed relative to the Office of a Juſtice of the Peace, notwithſtanding he ſhall or may at the ſame Time be a Director and Guardian of the Poor for the Time being, for carrying into Execution the ſeveral Purpoſes of this Act; and ſhall and may act in the Execution of this Act, at any Place within the ſaid Pariſh, or elſewhere, notwithſtanding he ſhall be an Inhabitant of the ſaid Pariſh, or pay the Rates thereof, any Law, Statute, or Uſage, to the contrary notwithſtanding.

Juſtices may act notwithſtanding their being Directors.

LXV. And be it further enacted by the Authority aforeſaid, That any Inhabitant of the ſaid Pariſh ſhall, before any Juſtice or Juſtices of the Peace, or upon any Trial, Hearing, Examination, or otherwiſe, in, about, touching, or concerning this Act, or the Matters or Things herein contained, or any Matter or Thing touching or concerning the ſaid Pariſh of *Saint Mary le Bone*, be and be deemed a competent Witneſs, notwithſtanding his or her paying the Rates of the ſaid Pariſh, any Law, Statute, or Uſage, to the contrary notwithſtanding.

Inhabitants deemed competent Witneſſes.

LXVI. And be it further enacted, That all Forfeitures and Penalties, or Moieties of Forfeitures and Penalties, which by the Laws now in being, or hereafter to be made, ought to be applied to the Uſe of the Poor of the ſaid Pariſh, ſhall be paid into the Hands of the Treaſurer or Treaſurers to the ſaid Directors and Guardians for the Time being, and applied to the Purpoſes of this Act, any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

Forfeitures and Penalties to be paid to the Treaſurer.

LXVII. And be it further enacted, That at all Meetings to be held in purſuance of this Act, the Directors and Guardians preſent at ſuch Meeting ſhall pay and defray their own Expences.

Directors, &c. to bear their own Expences.

LXVIII And be it further enacted, That all the Clauſes and Powers in the ſaid Act of the eighth Year of his preſent Majeſty's Reign contained, except ſuch as are hereby varied, altered, or repealed, ſhall extend, and be conſtrued to extend, to this Act, as fully and effectually as if the ſame were repeated and re-enacted in this preſent Act.

Certain Clauſes in Act 8 Geo III. extended to this Act.

LXIX And be it further enacted by the Authority aforeſaid, That all Penalties, Forfeitures, and Fines, hereby inflicted, or authoriſed to be impoſed, if the Manner of levying and recovering thereof is not herein otherwiſe directed, ſhall, upon Proof of the Offences reſpectively before any one Juſtice of the Peace for the County of *Middleſex*, or any one Juſtice of the Peace for the County or Place wherein the Offender ſhall be and reſide, either by the Confeſſion of the Party or Parties offending, or by the Oath of one or more Witneſs or Witneſſes, be levied by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties offending, by Warrant under the Hand and Seal of ſuch Juſtice, which Warrant ſuch Juſtice is hereby

Penalties and Forfeitures how to be recovered and applied.

hereby impowered and required to grant for thoſe Purpoſes; and the Overplus, after ſuch Penalties, Forfeitures, and Fines, and the Charges of ſuch Diſtreſs and Sale, are recovered and deducted, ſhall be returned upon Demand unto the Owner or Owners of ſuch Goods and Chattels; and the Penalties, Forfeitures, and Fines, when paid or levied, if not otherwiſe directed to be applied by this Act, ſhall be, from Time to Time, paid to the Treaſurer or Treaſurers of the ſaid Directors and Guardians, and applied to the Purpoſes of this Act: And in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be forthwith paid, it ſhall be lawful for any ſuch Juſtice as aforeſaid, and he is hereby authoriſed and required, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the Common Gaol or Houſe of Correction of the County, there to remain without Bail or Mainprize for any Time not exceeding three Calendar Months, nor leſs than fourteen Days, unleſs ſuch Penalties, Forfeitures, and Fines, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

How Juſtices may proceed for Conviction of Offenders.

LXX. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, be it further enacted, That all and every Juſtice or Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Words, or in any other Form of Words to the ſame Effect, as the Caſe ſhall happen; *videlicet*,

Form of Conviction.

'BE it remembered, That on the in the Year of our Lord
'*A. B.* is convicted before *C. D.* one of his Majeſty's Juſtices of the Peace
'for the County of *(ſpecifying the Offence, and Time and Place when and where the*
'*ſame was committed, as the Caſe ſhall be.)*

'Given under my Hand and Seal, the Day and Year firſt above written.'

Perſons aggrieved may appeal to the Quarter Seſſions.

LXXI. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon ſhall think him or herſelf aggrieved by any Thing done in purſuance of this Act, and for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the Juſtices of the Peace, at any General Quarter Seſſions of the Peace to be holden for the County of *Middleſex*, within three Calendar Months after the Cauſe of ſuch Complaint ſhall have ariſen, ſuch Appellant firſt giving, or cauſing to be given, eight Days Notice at leaſt in Writing of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk or Treaſurer to the ſaid Directors and Guardians, and within four Days after ſuch Notice entering into Recognizance before ſome Juſtice of the Peace for the County of *Middleſex*, with two ſufficient Sureties conditioned to try ſuch Appeal, and abide the Order of, and pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch Quarter Seſſions; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing, or appealed againſt, as they the ſaid Juſtices ſhall think proper; and the Determinations of ſuch Quarter Seſſions ſhall be final, binding, and concluſive, to all Intents and Purpoſes.

Proceedings not to be quaſhed for want of Form, nor removable by Certiorari.

LXXII. And be it further enacted by the Authority aforeſaid, That no Order made touching or concerning any of the Matters in this Act contained, or any Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be quaſhed for want of Form, or removed nor removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*; and that where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; nor ſhall the Party or Parties be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage (if any) in an Action upon the Caſe; but no Plaintiff or Plaintiffs ſhall recover in any Action for ſuch Irregularity as aforeſaid, if Tender of ſufficient Amends hath been made by or on Behalf of the Party diſtraining before ſuch Action brought.

Writings to be without Stamps.

LXXIII. And be it further enacted by the Authority aforeſaid, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Bond, Aſſignment, Indorſement, Transfer, or other Security for the borrowing or raiſing of Money, or other Writing whatſoever, relating to the Execution of, or in purſuance of, this Act, ſhall be chargeable with any Stamp-duty whatſoever.

Limitation of Actions.

LXXIV. And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced or brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or any of the Powers thereby given, or in any ways in relation to the Premiſes, until twenty-one Days Notice ſhall have been thereof given in Writing to the Clerk or Treaſurer to the ſaid Directors and Guardians, nor after Satisfaction or Tender of Amends ſhall have been made; and every ſuch Action or Suit ſhall be commenced and brought within the Space of ſix Calendar Months next after the Cauſe of Complaint ſhall ariſe, and not afterwards, and ſhall be laid and brought in the County of *Middleſex*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act, and the ſpecial Matter, in Evidence, on any Trial to be had thereupon, and if it ſhall appear to be done in purſuance of this Act, or that ſuch Action or Suit ſhall be brought before twenty-one Days Notice being given as aforeſaid, or before the Time herein before limited in that Behalf, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or ſhall diſcontinue his, her, or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants

General Iſſue.

ſhall

ſhall and may recover treble Coſts, and have and be intitled to the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes of Law. Treble Coſts.

LXXV. And it is hereby enacted and declared by the Authority aforeſaid, That this Act ſhall be taken and allowed in all Courts of Juſtice as a Publick Act; and Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame. Publick Act.

CAP. XXII.

An Act for veſting Part of the Garden of the Society of *Lincoln's Inn*, in the County of *Middleſex*, in the Accountant General of the Court of Chancery, and his Succeſſors, for ever, for the Purpoſe of erecting thereon Offices for the Accountant General, and for the Regiſter of the ſaid Court.

Preamble. Act 14 Geo. III. recited.

'WHEREAS by an Act, paſſed in the fourteenth Year of the Reign of his preſent Majeſty (intituled, *An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for the Regiſter and Accountant General of the ſaid Court, for the better preſerving the Records, Decrees, Orders, and Books of Account, kept in ſuch Offices)*, it is, amongſt other Things, enacted, That out of the Funds therein particularly mentioned, after paying and defraying the Charges and Expences attending the paſſing and obtaining the ſaid Act, a Sum of ten thouſand Pounds be applied, as the Lord High Chancellor of *Great Britain*, or Lord Keeper or Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, ſhall, in his or their Diſcretion, deem neceſſary, in erecting proper and convenient Offices for the ſaid Regiſter and Accountant General of the ſaid Court, ſeparate and detached from each other; and in purchaſing ſuch Ground and Houſes as ſhall be neceſſary for thoſe Purpoſes; and for preſerving the ancient Books of Entries of Decrees and Orders of the ſaid Court; and that the Ground and Houſes to be purchaſed for the Purpoſe of erecting the ſaid Offices for the ſaid Regiſter and Accountant General be conveyed to and veſted in *Thomas Anguiſh* Eſquire, Accountant General of the ſaid Court, and his Succeſſors in the ſaid Office for the Time being, for ever, in Truſt, to and for the Purpoſes in the ſaid Act mentioned, concerning the Offices of the ſaid Regiſter and Accountant General, and for no other Uſe or Purpoſe whatſoever: And whereas the Honourable Society of *Lincoln's Inn* are Owners of a convenient Spot of Ground, Part of the ancient Garden belonging to the ſaid Society, which will in all reſpects anſwer the Purpoſes intended by the ſaid recited Act, upon which the ſaid Offices may be erected, ſufficiently detached from any other Buildings, and the Worſhipful the Maſters of the Bench of the ſaid Society have agreed to diſpoſe of ſo much Ground, Part of the ſaid Garden, as ſhall be neceſſary for the Purpoſe of erecting the ſaid Offices, to be applied to that Uſe, (to wit), All that Piece or Parcel of Ground, ſituate on the Eaſt Side of the Garden next *Chancery Lane*, abutting South on a Way intended to be made into the ſaid Inn; Eaſt, on Ground adjoining to *Chancery Lane* aforeſaid, intended to be laid open; North, on Ground granted, or agreed to be granted, to the Six Clerks, whereon an Office is intended to be erected; and Weſt, on Ground alſo belonging to the ſaid Society, intended to be laid open; containing in Breadth from Eaſt to Weſt, at the South End, ſeventy-ſeven Feet ſeven Inches of Aſſize, with a Break Northward of four Inches in the Center of the ſaid South End thirty-four Feet in Length; containing in Length, from North to South, on the Eaſt Side, ninety-ſeven Feet ten Inches and three Quarters of Aſſize, with a Break Weſtward of eleven Feet ſix Inches and an Half in the ſaid Eaſt Side, commencing at the Diſtance of twenty-one Feet nine Inches and an Half from the South End; and containing in Breadth from Eaſt to Weſt, at the North End, fifty-four Feet ſix Inches of Aſſize; and in Length from North to South, on the Weſt Side, ninety-ſeven Feet ten Inches and three Quarters of Aſſize, with a Break Eaſtward of eleven Feet ſix Inches and an Half in the ſaid Weſt Side, commencing at the Diſtance of twenty-one Feet nine Inches and an Half from the South End; which Piece or Parcel of Ground is ſituated on a Parallel with the Buildings now carrying on in the ſaid Garden, and commences on the North Boundary thereof at the Diſtance of forty-two Feet nine Inches Southward of the Center of the ſaid Buildings; and the ſaid Ground hath been approved by the Right Honourable the Lord High Chancellor, as proper for the Scite of the ſaid Buildings; but in as much as the Soil and Freehold of the ſaid Garden is veſted in Truſtees, upon Truſt for the ſaid Society, and a good Title cannot be made to the ſaid Spot of Ground without the Aid of Parliament;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and the Authority of the ſame, That ſuch Plot or Parcel of the ſaid Garden, belonging to the ſaid Society of *Lincoln's Inn*, be, and the ſame is hereby veſted in *Thomas Anguiſh* Eſquire, Accountant General of the ſaid Court of Chancery, to hold to him, and his Succeſſors in the ſaid Office for the Time being, for ever, in Truſt, to and for the Purpoſes in the ſaid recited Act of the fourteenth Year of the Reign of his preſent Majeſty, and in this Act mentioned, concerning the Offices of the ſaid Regiſter and Accountant General, and to and for no other Uſe, Intent, or Purpoſe whatſoever; and that the ſaid Offices, when erected, be free from all Taxes, Rates, and Aſſeſſments whatſoever, ſave and except ſuch as the Accountant General and Regiſter, or either of them, do now pay in reſpect of their ſaid Offices.

A certain Plot of Lincoln's Inn Garden veſted in Thomas Anguiſh, Eſq; &c. for building Offices for the Accountant General, &c.; and the ſaid Offices to be free from Taxes, &c.

II. Provided nevertheleſs, That the Aſſeſſments to the Land Tax, now paid or payable by the ſaid Offices, or either of them, be continued to be paid within the Diviſion of the Liberty of the Rolls, wherein the ſame have been hitherto paid. Proviſo.

III. And be it further enacted, That the Charges and Expences attending the paſſing and obtaining this Act be paid and defrayed out of the ſame Funds, and in like Manner, as the Charges and Expences attending How the Expences of this Act are to be paid.

attending the paſſing and obtaining the ſaid recited Act of the fourteenth Year of the Reign of his preſent Majeſty are thereby directed.

CAP. XXIII.

An Act for building a Workhouſe, and for the better Relief and Employment of the Poor, within the Pariſh of *Saint James, Clerkenwell*, in the County of *Middleſex*.

Preamble.

'WHEREAS the Pariſh of *Saint James, Clerkenwell*, in the County of *Middleſex*, conſiſts of two 'Diſtricts, called the Diſtrict of *Saint James*, and the Diſtrict of *Saint John:* And whereas the 'Poor of the ſaid Pariſh are very numerous, and the preſent Workhouſe is not large enough to contain 'them, and a conſiderable Debt for their Relief has been unavoidably contracted: And whereas the pre-'ſent Method of raiſing and applying Money for the Maintenance of the Poor of the ſaid Pariſh is 'attended with many Inconveniencies: And whereas, if proper Powers were granted for relieving, go-'verning, and employing the ſaid Poor, and for paying the ſaid Debt, and for enlarging the preſent or 'building a new Workhouſe, and for raiſing and applying Money for thoſe Purpoſes, it would contribute 'greatly to the Eaſe of the Inhabitants of the ſaid Pariſh, and the Good of the Community:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Reverend *William Sellon*, *Joſeph Keeling*, *George Friend*, *Richard Gomm*, *William Blackborrow*, *Rivers Dickenſon*, *Roger Griffin*, *John Pay*, *Benjamin Long*, *Thomas Chadley*, *Samuel Search*, *Hugh Dixon*, *Robert Naſh*, *John Fowler*, *Francis Devalingen*, *Chriſtopher Bartholomew*, *Joſeph Barron*, *James Gibſon*, *William Gibſon*, *John Olney*, *John Taylor*, *William Amery*, *John Pullin*, *Thomas Kilburn*, *Morgan Auſtin*, *James Willſhire*, *John Severn*, *William Crank*, *James Holliday*, *Robert Hawkins*, *Henry Sargood*, *George Sedgley*, *Joſeph Brayne*, *Peter Crawford*, *Thomas Crawford*, *Robert Skeritt*, *John Thorpe*, *Andrew Walker*, *Thomas Mitchell*, *John Robinſon*, the Reverend *John Davies*, *Thomas Collier*, for and on Behalf of the Diſtrict of *Saint James*; and the Reverend Sir *George Booth* Baronet, the Reverend *Roger Parry*, *Joſeph Faikney*, *Heaton Wilkes*, *William Nightingale*, *William Montague*, *George Jon*, *Richard Rugg*, *George Stow*, *Uriah Briſtow*, *Gilbert Bearblock*, *James Emenſon*, *William Foſbrook*, *John Court*, *William Story*, *John Barton*, *William Wildman*, *James Upjohn*, *Thomas Kirk*, *Francis Peter Mallett*, *Benjamin Lyon*, for and on Behalf of the Diſtrict of *Saint John*, together with the Miniſters, Churchwardens, and Overſeers of the ſaid two Diſtricts for the Time being, ſhall be, and are hereby appointed Guardians or Governors of the Poor of the ſaid Pariſh, for putting this Act in Execution.

Guardians appointed.

New Guardians, &c. to be elected in caſe of Death, &c.

II. And be it further enacted, That when any one or more of the Perſons hereby appointed Guardians or Governors, as aforeſaid, ſhall die, or refuſe to act, or ſhall remove out of the ſaid Pariſh, it ſhall and may be lawful for the Inhabitants of both the ſaid Diſtricts (paying to the Rates of the ſaid Pariſh for Church and Poor) to aſſemble and meet together in the Veſtry-room of the ſaid Pariſh, on *Tueſday* in *Eaſter* Week in every Year, or within one Month after, to elect and appoint one or more Perſon or Perſons to be Guardian or Guardians, Governor or Governors, in the Room of the Guardian or Guardians, Governor or Governors, ſo dying, or refuſing to act, or removing out of the ſaid Pariſh: And all Perſons who ſhall be ſo elected and appointed ſhall be and are hereby veſted with the ſame Powers and Authorities as the Perſons in whoſe Places they ſhall reſpectively be elected and appointed were inveſted with.

Number of Guardians not to exceed ſixty-three.

In what Manner to be elected to ſupply Vacancies.

III. Provided always, That the Number of the ſaid Guardians and Governors ſhall not exceed ſixty-three; and that, upon making the Election or Appointment upon the *Tueſday* in *Eaſter* Week, or within one Month after, as aforeſaid, ſuch Perſons only as are Inhabitants of the Diſtrict of *Saint James* ſhall be elected to fill up the Vacancies occaſioned by the Death, Refuſal to act, or Removal, of ſuch Guardians or Governors as were Inhabitants of the ſaid Diſtrict; and ſuch only as are Inhabitants of the Diſtrict of *Saint John* ſhall be elected to fill up the Vacancies occaſioned by the Death, Refuſal to act, or Removal, of ſuch of the Guardians or Governors as were Inhabitants of the ſaid Diſtrict; ſo that the Numbers be forty-two for the ſaid Diſtrict of *Saint James*, and twenty-one for the ſaid Diſtrict of *Saint John*.

Qualification of Guardians, &c.

IV. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Guardian or Governor in the Execution of this Act, unleſs he ſhall be aſſeſſed and pay to the Poor's Rate of the ſaid Pariſh at the annual Sum of twenty Pounds, or be poſſeſſed of a real or perſonal Eſtate to the Value of five hundred Pounds (except the reſpective Miniſter or Churchwardens of either Diſtrict, or the Overſeers of the Poor of the ſaid Pariſh, and then only during the Time they ſhall continue in Office): And if any Perſon, not being ſo qualified, ſhall preſume to act as a Guardian or Governor in the Execution of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of thirty Pounds to any Perſon or Perſons who ſhall ſue for the ſame; to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, or by Bill, Suit, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed, and wherein the Proof of Qualification ſhall lie on the Perſon proſecuted; and it ſhall be ſufficient for the Proſecutor to prove that the Perſon ſo proſecuted acted as a Guardian or Governor in the Execution of this Act.

Penalty on Perſons acting and not duly qualified.

V. Provided alſo, That no Victualler, nor any Perſon who ſhall ſell Ale, Wine, or Spirituous Liquors, by Retail, ſhall be capable of acting as a Guardian or Governor in the Execution of this Act, unleſs he ſhall be a Churchwarden or Overſeer of the Poor of the ſaid Pariſh, and then only during the Time he ſhall continue to be Churchwarden or Overſeer of the Poor, as aforeſaid.

Time and Place of the firſt Meeting of Guardians.

VI. And be it further enacted, That the ſaid Guardians or Governors ſhall meet at the Workhouſe of the ſaid Pariſh on the ſecond *Tueſday* after the paſſing of this Act, and ſhall then and there proceed to the Execution of this Act; and they are hereby impowered to adjourn from Time to Time, and meet at the ſame

ſame Place, or at any other Place within the ſaid Pariſh: And if at any Meeting ſo appointed there ſhall not appear a ſufficient Number of Guardians or Governors to act, or to adjourn to another Day; or in caſe the ſaid Guardians or Governors ſo aſſembled ſhall omit, neglect, or refuſe to adjourn themſelves; then, and in every ſuch Caſe, any two of the ſaid Guardians or Governors, or the Clerk to the ſaid Guardians or Governors, ſhall appoint a Meeting of the ſaid Guardians or Governors to be held at the Work-houſe of the ſaid Pariſh, publick Notice whereof ſhall be given, by affixing the ſame in Writing upon the principal Doors of the Churches of *Saint James* and *Saint John*, within the ſaid Pariſh, at leaſt three Days before ſuch Meeting.

If a ſufficient Number do not attend, two Guardians may appoint another Meeting.

VII. And be it further enacted, That the Inhabitants of the ſaid Pariſh, paying to the Church and Poor's Rates, are hereby authoriſed and required to aſſemble and meet together in the Veſtry-room belonging to the ſaid Pariſh on *Eaſter Tueſday* in every Year, or within ten Days after; and the major Part of the Inhabitants ſo aſſembled ſhall then and there make out a Liſt of eight fit and proper Perſons, being Inhabitants of the ſaid Diſtrict of *Saint James*, to be Overſeers of the Poor of the ſaid Pariſh; and no Liſt ſhall be legal but that made as above in the Veſtry-room of the ſaid Pariſh; which Liſt ſhall be returned to any two or more Juſtices of the Peace for the County of *Middleſex*, acting in the Diviſion of *Finſbury*, at a Petty Seſſions to be held for that Purpoſe, whereof publick Notice ſhall be given in both the ſaid Churches of *Saint James* and *Saint John*, on the *Sunday* next preceding the holding of ſuch Petty Seſſions, of the Time and Place of holding the ſame; and out of which Liſt the Juſtices of the Peace, or the major Part of them then preſent, ſhall nominate and appoint four Perſons, being Inhabitants of the Diſtrict of *Saint James* as aforeſaid, to be Overſeers; and the Overſeers ſo nominated, together with the Churchwardens of the ſaid Pariſh, ſhall be Overſeers of the Poor of the ſaid Pariſh for the Year then next enſuing, and ſhall, within three Days after ſuch Nomination, and Notice thereof given, or left at his or their Place or Places of Abode, take that Office and Duty upon him or them, upon Pain that every ſuch Perſon refuſing or neglecting ſo to do ſhall forfeit the Sum of ten Pounds; and any two Juſtices of the Peace for the ſaid County, acting in the Diviſion of *Finſbury*, are hereby authoriſed and impowered to nominate ſome other fit Perſon or Perſons to the ſaid Office in the Place of him or them refuſing or neglecting as aforeſaid, and the Perſon or Perſons ſo nominated in the Room of ſuch Perſon or Perſons ſhall take ſuch Office or Duty upon him or them, under Pain of forfeiting the like Sum of ten Pounds for every ſuch Refuſal or Neglect, to be recovered in Manner herein after mentioned; all which ſaid Forfeitures ſhall be paid to the Treaſurer who ſhall be appointed to receive the Monies for the Relief of the Poor of the ſaid Pariſh, and ſhall be applied for and towards the Relief of ſuch Poor.

Inhabitants to meet on Eaſter Tueſday yearly, for the Purpoſe of appointing Overſeers of the Poor, &c.

Overſeer refuſing or neglecting his Duty to forfeit 10l.

VIII. And be it further enacted, That the Churchwardens, Overſeers of the Poor, and Inhabitants of the ſaid Pariſh, or the major Part of them, are hereby authoriſed and required to aſſemble and meet together in the Veſtry-room of the ſaid Pariſh on *Tueſday* in *Eaſter* Week, or oftener, as Occaſion ſhall require, Notice whereof ſhall be given in both the ſaid Churches of *Saint James* and *Saint John*, on the *Sunday* next preceding ſuch Meetings reſpectively; and the ſaid Churchwardens, Overſeers of the Poor, and Inhabitants, or the major Part of them, ſo aſſembled, ſhall aſcertain the Sum or Sums of Money neceſſary to be raiſed within the Limits of the ſaid Pariſh for the Relief of the Poor, and other the Ends and Purpoſes of this Act.

Time and Place of the Churchwardens, &c. meeting to aſcertain the Monies neceſſary to be raiſed.

IX. And be it further enacted, That the Churchwardens, Overſeers of the Poor, and Inhabitants of the ſaid Pariſh, ſhall aſſemble and meet together in the Veſtry-room of the ſaid Pariſh, within twenty Days after the ſaid Sum or Sums of Money ſhall have been aſcertained, as aforeſaid (due Notice having been given in both the ſaid Churches on the *Sunday* preceding ſuch Meeting in Manner aforeſaid), and at ſuch Meeting and Meetings ſhall and are hereby authoriſed and required to make and ſign one general equal Pound Rate or Aſſeſſment, as near as may be, for and towards the Relief of the Poor, and for other the Ends and Purpoſes of this Act, upon all and every Perſon and Perſons who do or ſhall inhabit, hold, occupy, or enjoy any Land, Houſe, Shop, Warehouſe, Coach-houſe, Stable, Cellar, Vault, or any other Building, Tenement, or Hereditament, within the ſaid Pariſh, and on every other Perſon and Perſons, who by Law is, are, or ſhall be chargeable or aſſeſſable for or towards the Relief of the Poor, as the ſaid Churchwardens, Overſeers of the Poor, and Inhabitants of the ſaid Pariſh, at ſuch Meeting and Meetings, ſhall think neceſſary and proper; which ſaid Rates or Aſſeſſments, ſo to be made, ſhall be made and laid according to the yearly Rent or Value of the Premiſes; and the ſaid Rates or Aſſeſſments ſhall be entered in a Book or Books, to be provided for that Purpoſe, and ſhall be allowed by two of his Majeſty's Juſtices of the Peace for the County of *Middleſex*, acting for the *Finſbury* Diviſion, or any two neighbouring Juſtices for the ſaid County, and Notice thereof given in both the ſaid Churches on the *Sunday* next after the ſame ſhall be allowed.

Churchwardens, &c. twenty Days after the Sums are aſcertained, ſhall meet to ſettle the Rates;

and ſhall enter them in a Book, and be allowed by two Juſtices.

X. Provided always, and be it enacted, That nothing in this Act ſhall extend, or be conſtrued to extend, to tax, rate, or aſſeſs, for any of the Purpoſes thereof, any Part of the Gaol, commonly called *New Priſon*, at *Clerkenwell*, nor of the Houſe of Correction, both ſituate in the Pariſh of *Saint James*, *Clerkenwell*.

This Act not to extend to New Priſon, or the Houſe of Correction.

XI. And be it further enacted, That if the ſaid Churchwardens, Overſeers of the Poor, and Inhabitants of the ſaid Pariſh, ſhall at any Time refuſe or neglect to aſſemble and meet together, or having ſo met, ſhall refuſe or neglect to aſcertain ſuch Sum or Sums of Money, in Manner as aforeſaid; or ſhall refuſe or neglect, within twenty Days after ſuch Meeting, to make ſuch Rates or Aſſeſſments as aforeſaid; or in caſe ſuch Rates or Aſſeſſments ſhall be deficient to anſwer the Purpoſes of this Act; that then, and in either of the ſaid Caſes, and as often as it ſhall happen, it ſhall and may be lawful to and for the ſaid Churchwardens and Overſeers of the Poor, and they are hereby required to meet together at the Work-houſe, or in the Veſtry-room of the ſaid Pariſh, or ſuch other Place in the ſaid Pariſh as they ſhall appoint for that Purpoſe, and then and there make one general equal Pound Rate or Aſſeſſment, as near as may be,

If Veſtrymen, &c. neglect to meet for making Rates, the Churchwardens and Overſeers may do it.

be, in Manner aforeſaid, for and towards the Relief of the Poor, and for paying ſuch Monies as have been neceſſarily expended under or in the due Execution of this Act; and therein equitably and proportionably rate and aſſeſs all and every Perſon and Perſons who do or ſhall inhabit, hold, or occupy, any Land, Houſe, Shop, Warehouſe, Tenement, Coach-houſe, Stable, Cellar, Vault, or any other Building or Hereditament within the ſaid Pariſh, and any other Perſon or Perſons who by Law, or under this Act, are chargeable and aſſeſſable for and towards the Relief of the Poor, as the ſaid Churchwardens and Overſeers of the Poor, or the major Part of them, at ſuch Meeting or Meetings, ſhall think fit and proper to be rated and aſſeſſed; and which ſaid Rates or Aſſeſſments, ſo to be made and ſigned by the ſaid Churchwardens and Overſeers of the Poor, ſhall be allowed by two of his Majeſty's Juſtices of the Peace for the ſaid County, acting within the Diviſion of *Finſbury* aforeſaid, or any two neighbouring Juſtices for the ſaid County; and Notice thereof ſhall be given in both the ſaid Churches the *Sunday* next after the ſame ſhall be allowed as aforeſaid.

Rates ſo made by the Churchwardens and Overſeers to be valid.

XII. And be it further enacted, That the Rate or Rates, Aſſeſſment or Aſſeſſments, ſo to be made by the ſaid Churchwardens and Overſeers, ſhall be deemed and taken to be as good, valid, and effectual, and ſhall and may be collected and levied in like Manner, as if the ſame had been aſcertained and made by the ſaid Churchwardens, Overſeers of the Poor, and Inhabitants, aſſembled as aforeſaid; any Law, Statute, or Uſage, to the contrary notwithſtanding.

Landlords of Houſes, or their Tenants, liable to pay the Rates.

'XIII. And whereas there are divers Houſes in the ſaid Pariſh which are let in ſeparate Apartments, 'and other Houſes let ready furniſhed to Lodgers, by which the Payment of the Rates or Aſſeſſments to 'be made by virtue of this Act is or may be evaded;' for Remedy whereof, be it enacted, That the Landlord or Owner of each and every ſuch Houſe and Houſes, or his or their Tenant, who ſhall let out his or her Houſe or Houſes in ſeparate Apartments, or ready furniſhed, to a Lodger or Lodgers, ſhall be deemed and taken to be the Occupier or Occupiers of ſuch Houſe or Houſes to all Intents and Purpoſes, and ſhall be liable and ſubject to the Payment of the Rates or Aſſeſſments by this Act directed to be raiſed and levied, whether he, ſhe, or they, be rated or not.

Perſons occupying ſeparate Apartments liable to pay the Rates;

XIV. And, for the more eaſy Recovery of the ſaid Rates or Aſſeſſments, be it further enacted, That each and every Perſon and Perſons ſo renting or occupying any ſeparate Apartment in ſuch Houſe or Houſes, or ready-furniſhed Houſe, ſhall be liable and compellable to the Payment of the ſame; to be recovered by Diſtreſs and Sale of the Goods and Chattels of each and every Perſon ſo renting or occupying the ſame, in like Manner as the Rates by this Act are to be levied and recovered.

and may deduct them out of their Rents.

XV. Provided always, That each and every ſuch Occupier or Occupiers who ſhall pay ſuch Rates or Aſſeſſments, or from whom the ſame ſhall be recovered, ſhall and may deduct the ſame from and out of the Rent due and payable, or to become due and payable, from him, her, or them, to the reſpective Landlord or Owner; and the Receipt for ſuch Payment ſhall be a ſufficient Diſcharge to ſuch Tenant or Tenants, Occupier or Occupiers, from his, her, or their ſaid Landlord, for ſo much Money as he, ſhe, or they, ſhall pay, or which ſhall be levied on him, her, or them, in the Manner directed by this Act.

Landlords not to be charged for increaſed Rent.

XVI. Provided alſo, That no ſuch Landlord or Owner ſhall be charged with, or liable to pay for, any increaſed Rent, reſerved or made payable for or on account of his paying ſuch Rates.

Power to compound for Houſes not exceeding 10 l. per annum.

XVII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Guardians or Governors, or any ſeven or more of them, to compound with the Owner or Owners of any Houſes, or other Buildings, within the ſaid Pariſh, the annual Rent or Value of each ſuch Houſe or Building being under ten Pounds, for the Rates by this Act authoriſed to be laid, ſo as in ſuch Compoſition there be not remitted to any ſuch Owner more than One-third of the Rate by this Act intended to be laid upon ſuch Premiſes reſpectively.

How Perſons removing from, or coming into, Houſes are to pay the Rates.

'XVIII. And whereas Perſons frequently enter and occupy Lands, Houſes, Tenements, Shops, Ware-'houſes, Coach-houſes, Stables, Cellars, Vaults, or Hereditaments, Part of the Year, or Quarter only, 'by reaſon whereof great Sums of Money are annually loſt;' be it therefore enacted, That where any Perſon or Perſons ſhall come into or occupy any Houſe, Land, Tenement, Shop, Warehouſe, Coach-houſe, Stable, Cellar, or other Hereditament or Premiſes, or out of or from which any other Perſon aſſeſſed or liable to pay ſhall be removed, or which, at the Time of making ſuch Rate or Aſſeſſment, was empty or unoccupied; that then, every Perſon removing from, and every Perſon ſo coming into, or occupying the ſame, ſhall be liable to pay ſuch Rate, in proportion to the Time that ſuch Perſons occupied or held the ſame reſpectively, in the ſame Manner as if ſuch Perſon ſo removing had not removed, or ſuch Perſon ſo coming in, or occupying, had been originally rated and aſſeſſed in ſuch Rate or Aſſeſſment; which ſaid Proportion ſhall be aſcertained by the ſaid Guardians or Governors, or any five or more of them; to be levied and recovered in like Manner as the Rates by virtue of this Act are to be levied or recovered.

Time of Commencement of the Rates.

XIX. And be it further enacted, That the firſt Rate or Rates, to be made in purſuance of this Act, ſhall commence from the twenty-fourth Day of *June* next; and every future Rate or Rates ſhall commence from the Time that the laſt preceding Rates ended, and not otherwiſe; and the Monies therein and thereby charged and aſſeſſed ſhall be payable and recoverable in Manner hereafter directed.

After June 24, no other Rates to be made.

XX. Provided always, and be it further enacted, That no Rate or Rates for the Relief of the Poor of the ſaid Pariſh ſhall be made other than is in and by this Act directed, after the ſaid twenty-fourth Day of *June* next.

Agreements between Landlords and Tenants not to be vacated.

XXI. Provided always, and be it further enacted, That nothing in this Act contained ſhall be deemed or taken to make void any Contract, Covenant, or Agreement, between Landlord and Tenant, touching the Poor's Rates of the ſaid Pariſh; but that every Perſon who, by virtue of any ſuch Contract or Agreement, is or ſhall be obliged to pay the ſaid Rates, ſhall, in Lieu thereof, be obliged, during the Continuance of ſuch Contract, Covenant, or Agreement, to pay the Rates hereby directed to be made, or ſo much

much thereof as ſhall be deemed reaſonable by two of his Majeſty's Juſtices of the Peace for the ſaid County, acting in the Diviſion of *Finſbury* aforeſaid, or any two neighbouring Juſtices for the ſaid County, in caſe any Difference or Diſpute ſhall ariſe about the Proportion thereof.

Appointment of Officers.

XXII. And be it further enacted, That the ſaid Guardians or Governors, or any five or more of them, ſhall and may, from Time to Time, by any Writing or Writings, under their Hands and Seals, appoint one or more Treaſurer or Treaſurers, Clerk or Clerks, Collector or Collectors, and ſuch other Officers and Servants as they ſhall think neceſſary for the Purpoſes of this Act; and ſhall and may take ſuch Security as they ſhall think proper, from ſuch Treaſurers, Clerks, Collectors, and other Officers, ſo to be appointed as aforeſaid, for the due Execution of their reſpective Offices, and for the true and faithful accounting for all Monies which ſhall come to their Hands by virtue of this Act; and may likewiſe, from Time to Time, remove ſuch Treaſurers, Collectors, Clerks, or other Officers or Perſons, and appoint others in the Room of ſuch of them as ſhall be ſo removed, or ſhall die; and alſo ſhall and may, from Time to Time, out of the Monies to be raiſed by virtue of this Act, pay, or cauſe to be paid, ſuch Salaries, or other Allowances, as they ſhall judge reaſonable to be paid or made, to the Officers, or other Perſons ſo appointed, for and in Conſideration of his and their Office and Offices reſpectively, and to ſuch other Perſon or Perſons as have been or ſhall be aiding and aſſiſting in and about the Execution of this Act; provided that the Salary or Allowance to be made to ſuch Collector or Collectors ſhall not exceed the Sum of Three-pence in the Pound of the Money by him or them collected in purſuance of this Act.

Security to be taken from them.

Officers may be removed, &c.

How Salaries are to be paid.

Collector's Salary not to exceed 3d. in the Pound.

XXIII. And be it further enacted, That the Collector or Collectors, to be appointed as aforeſaid, ſhall be, and is or are hereby impowered to collect and receive the Rates or Aſſeſſments to be made by virtue or in purſuance of this Act; and ſhall pay the Money, ſo by him or them collected or received, to ſuch Perſon or Perſons as the Churchwardens, Overſeers of the Poor, and the ſaid Guardians or Governors, or any ſeven or more of them, ſhall appoint to receive the ſame; and that four Times at leaſt in every Year, or as often as the ſaid Guardians or Governors, or any ſeven or more of them, ſhall require it, an Account, from the Book or Books to be kept by the ſaid Collector or Collectors, ſhall be fairly ſtated, and ſigned by the ſaid Collector or Collectors, and alſo verified upon Oath, if thereunto required by the ſaid Guardians or Governors, or any five or more of them, which Oath the ſaid Guardians and Governors, or any one or more of them, are and is hereby authoriſed and impowered to adminiſter, and delivered by him or them to ſuch Guardians or Governors as aforeſaid, or to any ſeven or more of them, who are hereby impowered to diſcharge the ſaid Collector or Collectors of all Monies which he or they ſhall have truly accounted for.

Collectors to receive the Rates, and to pay Money as Churchwardens, &c. ſhall appoint.

Accounts to be fairly ſtated four Times in the Year.

Penalty of 50l. on Officers for not diſcharging their Duty, &c.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Treaſurer, Clerk, Collector, or any other Officer or Servant, who ſhall or may hereafter be appointed by the ſaid Guardians or Governors in the Execution of this Act, or any Part thereof, ſhall exact, demand, take, or accept, any Fee or Reward whatſoever, other than ſuch Salaries and Rewards as ſhall be appointed, allowed, and approved of, by ſuch Guardians or Governors as aforeſaid, for or on account of any Thing done or to be done by virtue of this Act, or for forbearing to do any Thing ordered or directed by the Guardians or Governors for putting this Act in Execution, or on any Account whatſoever relating to the Execution thereof; or ſhall any way be concerned or intereſted in any Bargain made or to be made by ſuch Guardians or Governors, or any of them, for any of the Purpoſes intended by this Act; every Perſon ſo offending ſhall for ever be incapable of being employed under this Act, and ſhall, over and above, forfeit and pay the Sum of fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, within ſix Months next after the Offence committed; wherein no Protection, Eſſoin, Wager of Law, or more than one Imparlance, ſhall be allowed.

Treaſurers, Collectors, &c. to account for all Monies received;

XXV. And be it further enacted, That the Churchwardens and Overſeers of the Poor of the ſaid Pariſh for the Time being, and the Treaſurer or Treaſurers, Collector or Collectors, and all other Perſons who ſhall collect or receive any of the Monies ariſing by virtue of, or under, or in purſuance of, this Act, or otherwiſe, for the Benefit of the Poor of the ſaid Pariſh, by virtue of their reſpective Offices, ſhall, under their reſpective Hands, and in ſuch Manner, and at ſuch Times and Places, as the ſaid Guardians or Governors, or any five or more of them, ſhall direct, deliver to the ſaid Guardians or Governors, or any five or more of them, or to their Clerk for the Time being, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by virtue of their reſpective Offices, or of this Act, and alſo of all Monies which ſhall have been by them reſpectively received, and how much thereof ſhall have been paid and diſburſed, and for what Purpoſes, together with proper Vouchers for ſuch Payments; alſo a true Liſt of the Names of all Perſons who ſhall have neglected or refuſed to pay their reſpective Rates or Aſſeſſments, and of the Monies due from them reſpectively, and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands to the ſaid Guardians or Governors, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, at ſuch Times and Places as the ſaid Guardians or Governors, or any five or more of them, ſhall direct; and all the ſaid Officers and Perſons ſo accounting, as aforeſaid, ſhall, upon Oath, if thereunto required, verify their ſaid Accounts: And if any Churchwarden, Overſeer, Treaſurer, Collector, Officer, or Perſon, ſhall not make and render, or ſhall refuſe to verify upon Oath, any ſuch Accounts, or to produce the Vouchers relating to the ſame, or to make Payment, as aforeſaid; or ſhall not deliver to the ſaid Guardians or Governors, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, within ten Days after being thereunto required by any five or more of the ſaid Guardians or Governors, all Books, Papers, and Writings, in his or their Cuſtody or Power, relating to his or their Office or Offices, or to the Execution of this Act; or ſhall refuſe or neglect to pay ſuch Monies, as upon the Balance of his or their Account or Accounts ſhall appear to be in their reſpective Hands to the ſaid Guardians or Governors, or any five or more of them, or as they ſhall direct

and to make a Liſt of all Perſons who have refuſed to pay the Rates, &c.

Officers refuſing to account, to be ſued.

or

or appoint; then, and in any of the Caſes aforeſaid, the ſaid Guardians or Governors, or any five or more of them, may and are hereby authoriſed and impowered to bring, or cauſe to be brought, any Action or Actions againſt the Officer or Officers, Perſon or Perſons, ſo neglecting or refuſing, as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, reſpectively, or for the Delivery of the ſaid Books, Papers, or Writings; or if Complaint ſhall be made by the ſaid Guardians or Governors, or any five or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect, as aforeſaid, to any Juſtice of the Peace for the County of *Middleſex*, acting for the Diviſion of *Finſbury* aforeſaid, or any neighbouring Juſtice for the ſaid County, ſuch Juſtice may and is hereby authoriſed and required, by a Warrant or Warrants under his Hand and Seal, to cauſe the Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting, to be brought before him; and upon his or their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if, upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtice, that any of the Monies which ſhall have been collected or raiſed by virtue of this Act, ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, unaccounted for, ſuch Juſtice may, and is hereby authoriſed and required, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons: And if no Goods or Chattels of ſuch Officer or Officers, Perſon or Perſons, can be found ſufficient to anſwer and ſatisfy ſuch Money, and the Charges of Diſtreſs and Sale; or in caſe it ſhall appear to ſuch Juſtice, by the Confeſſion of the Party ſo offending, or by the Teſtimony of any credible Witneſs upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, ſhall be in the Cuſtody or Power of any ſuch Officer or Perſon, and he ſhall refuſe to deliver the ſame, as aforeſaid; or in caſe ſuch Perſon or Perſons ſhall refuſe to account upon Oath; then, and in any or either of the ſaid Caſes, ſuch Juſtice ſhall commit ſuch Offender to the common Gaol of the ſaid County, there to remain, without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment, as aforeſaid; or until he ſhall compound with the ſaid Guardians or Governors, or any five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Guardians or Governors, or any five or more of them, are hereby impowered to make), and until he ſhall deliver up ſuch Books, Papers, and Writings, as aforeſaid, or give Satisfaction in reſpect thereof to the ſaid Guardians or Governors, or any five or more of them.

Or if Complaint be made to the Juſtices,

they are to inquire into the Default, and grant Warrant for Diſtreſs.

For want of Diſtreſs, Offenders to be committed.

If the Treaſurer, Collector, &c. become Bankrupt, how Money in their Hands may be recovered.

XXVI. And be it further enacted, That if any Churchwarden, Overſeer, Treaſurer, Collector, or other Perſon appointed by virtue of this Act, ſhall happen to die, or become Bankrupt, before he or they ſhall have fully paid and ſatisfied all the Money by him or them received by virtue of this Act, then, and in every ſuch Caſe, the Executors or Adminiſtrators, Executrix or Adminiſtratrix, or other legal Repreſentative or Repreſentatives of ſuch Churchwarden, Overſeer, Treaſurer, Collector, or Perſon or Perſons poſſeſſing his or their Eſtate and Effects, ſhall, in the firſt place, out of ſuch Eſtate and Effects, pay unto the ſaid Guardians or Governors, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, all ſuch Sums of Money as were in the Hands of ſuch Churchwarden, Overſeer, Treaſurer, Collector, or Perſon, at the Time of his or their Death; and the Aſſignee or Aſſignees of his or their Eſtate and Effects, in caſe of Bankruptcy, ſhall, after paying to the petitioning Creditor or Creditors his, her, or their Coſts of ſuing out and proſecuting the Commiſſion againſt ſuch Bankrupt or Bankrupts, in the next place, pay unto the ſaid Guardians or Governors, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, all ſuch Sum or Sums of Money as were in the Hands of ſuch Churchwarden, Overſeer, Treaſurer, Collector, or other Perſon or Perſons, at the Time of ſuing out of any ſuch Commiſſion of Bankruptcy againſt him or them, or ſo much thereof as the ſaid Eſtate or Effects will extend to pay; and the Receipt of ſuch Perſon or Perſons ſhall be a good Diſcharge for the ſaid Money; and every Heir, Executor, and Adminiſtrator, Aſſignee or Aſſignees, or other Perſon, as aforeſaid, may, to any Action or Suit commenced and brought againſt him or them, plead or give in Evidence the Payment of the ſame, and ſhall be allowed ſuch Payment out of the Eſtate and Effects of ſuch Churchwarden, Overſeer, Treaſurer, Collector, or Perſon, prior to any Debt or Demand whatſoever: And in caſe of Nonpayment of the ſame by the Space of twenty-one Days after the ſame ſhall have been demanded in Writing, left at the uſual Place of Abode of ſuch Heir, Executor, or Adminiſtrator, Aſſignee or Aſſignees, it ſhall and may be lawful to and for the ſaid Guardians or Governors, or any five or more of them, to commence and proſecute one or more Action or Actions for the ſame, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt ſuch Heir, Executors, or Adminiſtrators, Aſſignee or Aſſignees, or other Perſon, as aforeſaid.

In caſe of Nonpayment for 21 Days after demanded, Executors to be proſecuted.

Perſons unable to pay the Rates may appeal to the Juſtices, who are impowered to relieve them.

XXVII. And be it further enacted, That if any Perſon or Perſons ſhall be unable to pay the Rate or Rates to be made in purſuance of this Act, or ſhall be overcharged, he, ſhe, or they, may, upon a Day to be fixed by two or more Juſtices of the Peace for the County of *Middleſex*, appear before them, and make his or their Objections thereto; which ſaid Juſtices are hereby impowered and required to hear and relieve them in ſuch Manner as to them ſhall ſeem juſt, two Days Notice in Writing of the Time and Place of hearing the ſame having been given to the Parties concerned, or left for them at their reſpective Places of Abode.

No Order of Guardians, &c. to be valid, unleſs made at a Meeting.

No Perſon to act as Guardian

XXVIII. And be it further enacted, That no Order or Determination of the ſaid Guardians or Governors ſhall be valid, unleſs the ſame ſhall be made at a Meeting in purſuance of this Act; nor ſhall any Guardian or Governor, appointed or elected by virtue or in purſuance of this Act, act as a Guardian or Governor in the Execution of any of the Powers given by this Act during the Time he ſhall hold any Office of Profit, or any Contract under the ſaid Guardians or Governors; nor ſhall any Churchwarden, or Overſeer of the Poor of the ſaid Pariſh, after the twenty-fourth Day of *June* next, provide, ſupply, ſerve,

ſerve, or furniſh, any Beds, Bedding, Clothes, Victuals, or other Thing, for the Uſe of the Poor in the Workhouſe of the ſaid Pariſh; but the ſame ſhall be bought and provided by the ſaid Guardians or Governors, or any five or more of them. while he holds any Office.

XXIX. Provided always, That nothing herein contained ſhall extend to prevent the Churchwardens, or Overſeers of the Poor, or either of them, from ordering the Perſon with whom ſuch Things ſhall be depoſited to deliver to any poor Perſon, not in the Workhouſe, Cloathing, or Victuals, for their immediate Relief, which Things ſuch Perſon is hereby required to deliver purſuant to every ſuch Order. Poor not in the Workhouſe may be ſupplied with Clothes, &c. for immediate Relief.

XXX. And be it further enacted and declared, That all the Powers and Authorities by this Act granted to or veſted in ſuch Guardians or Governors, ſhall and may, from Time to Time, be exerciſed by the major Part of them who ſhall attend any publick Meeting, to be holden as herein before mentioned, a ſufficient Number of Guardians or Governors, according to the ſeveral Directions hereby given, being preſent at ſuch publick Meeting; and all the Orders and Proceedings of the major Part of ſuch Guardians or Governors ſhall have the ſame Force and Effect as if done or made by all ſuch Guardians or Governors for the Time being. Powers veſted in Guardians, &c. may be exerciſed by the major Part attending publick Meetings, &c.

XXXI. And be it further enacted, That the ſaid Guardians or Governors, or any ſeven or more of them, ſhall and may, at any publick Meeting in purſuance of this Act, make ſuch Rules, Orders, and Regulations, for the better Diſpoſition of the Monies aforeſaid, and for the better relieving, maintaining, governing, employing, educating, and regulating the Poor of the ſaid Pariſh, as to them ſhall appear neceſſary or expedient, ſo as ſuch Rules and Regulations ſhall not be repugnant to the Laws of this Realm. Guardians, &c. may make Regulations, &c.

XXXII. Provided always, That no ſuch Rules, Orders, or Regulations, to be made by the ſaid Guardians or Governors at any publick Meeting as aforeſaid, ſhall be valid or in Force, unleſs the ſame ſhall be confirmed at the next Meeting of the ſaid Guardians or Governors, after the making ſuch Rules, Orders, or Regulations; and the ſame, when ſo made and confirmed, ſhall be of the ſame Force and Effect for the Purpoſes hereby intended, as if the ſame were enacted in the Body of this Act; and no Rules, Orders, or Regulations, ſo made and confirmed as aforeſaid, ſhall be afterwards repealed or altered, unleſs at a Meeting to be held for that Purpoſe, and at which Meeting a greater Number of the ſaid Guardians or Governors ſhall be preſent and concur therein than were preſent at the making or confirming ſuch Rules, Orders, or Regulations, as aforeſaid; nor ſhall any ſuch Repeal or Alteration be deemed effectual, unleſs the ſame ſhall be confirmed at the next ſubſequent Meeting of the ſaid Guardians or Governors. Orders and Regulations not to be in Force, unleſs confirmed at next Meeting; and not to be altered, unleſs at a Meeting for that Purpoſe, &c.

XXXIII. And be it further enacted, That the ſaid Guardians or Governors, or any five or more of them, ſhall and may, at any public Meeting, order and direct the ſaid Treaſurer or Treaſurers, from Time to Time, to pay ſuch Sum and Sums of Money as they ſhall think neceſſary for the Purpoſes of this Act; and the ſaid Treaſurer or Treaſurers are hereby authoriſed and required to pay the ſame from Time to Time accordingly; which Sum or Sums of Money ſo paid ſhall be allowed him or them in his or their Accounts reſpectively. Treaſurer to pay Monies according to the Order of the Guardians, &c.

XXXIV. And be it further enacted, That the ſaid Guardians or Governors, or any five or more of them, ſhall and are hereby impowered to keep, maintain, and employ, or cauſe to be kept, maintained, and employed, all ſuch Poor of the ſaid Pariſh in any Workhouſe or Workhouſes erected or to be erected in the ſaid Pariſh, and to purchaſe Materials for that Purpoſe, and to take the Benefit of the Work, Labour, and Service, of every ſuch Perſon or Perſons; to be applied towards the Purpoſes of this Act, and the Relief and Maintenance of the Poor of the ſaid Pariſh. Guardians Powers with reſpect to the maintaining and employing of the Poor.

XXXV. And be it further enacted, That the ſaid Guardians or Governors, or any five or more of them, ſhall, and they are hereby impowered to purchaſe, or contract and agree, from Time to Time, as they ſhall think fit, with any Perſon or Perſons, for all Proviſions, Neceſſaries, and Materials, of what Kind ſoever, which ſhall be brought into the ſaid Workhouſe, or for the Uſe of the Poor; and alſo to contract or agree for the lodging, keeping, maintaining, or employing, any or all ſuch Poor of the ſaid Pariſh (four Days previous Notice being given in one of the publick Newſpapers of the Time and Place of making ſuch Contract); and the ſaid Guardians or Governors, or any ſeven or more of them, ſhall pay, or order the Payment of, the Monies due, or to become due, upon ſuch Contracts and Agreements, to the Perſon or Perſons intitled to receive the ſame, out of the Monies to be raiſed and collected by Authority of this Act. Contracts may be entered into for Proviſions, Materials, &c. four Days Notice being given.

XXXVI. And be it further enacted, That all Monies raiſed and collected, and all Fixtures, Furniture, and other Things bought and provided for the Uſe of the Poor of the ſaid Pariſh, ſhall be, and the ſame are hereby veſted in the ſaid Guardians or Governors for the Time being, for the Purpoſes of this Act; who are hereby impowered to bring, or cauſe to be brought, any Action or Actions, or to prefer, or order the preferring, of any Bill or Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, take, or carry away, any or any Part of ſuch Things, the Property of which ſaid Monies and Things ſhall be laid in every ſuch Action or Indictment to be the Property of the ſaid Guardians or Governors; and every Action or Indictment ſo laid ſhall be held good in Law to all Intents and Purpoſes. Property of Monies, Furniture, &c. veſted in the Guardians.

XXXVII. And be it further enacted, That if any Perſon or Perſons ſhall knowingly buy, or receive into Pawn, any of the Clothes or Wearing Apparel, or any of the Victuals or Proviſions, of any of the Poor who ſhall be maintained, cloathed, or victualled, in the Workhouſe of the ſaid Pariſh; or ſhall knowingly buy or receive into Pawn any of the Goods or Materials carried into the ſaid Workhouſe, or any other Houſe or Place, in order to be wrought up, manufactured, or uſed by the Poor of the ſaid Pariſh, or any of the Goods and Furniture of the ſaid Workhouſe; the Perſon or Perſons ſo offending, and being thereof convicted, by his, her, or their own Confeſſion, or by the Oath of any one or more credible Witneſs or Witneſſes, before any Juſtice or Juſtices of the Peace for the ſaid County of *Middleſex*, acting for the Diviſion of *Finſbury* aforeſaid, or any neighbouring Juſtice or Juſtices of the ſaid County, ſhall, for Perſons taking Clothes or Materials belonging to the Workhouſe in pawn, to forfeit 40 s.

for every ſuch Offence, forfeit and pay the Sum of forty Shillings; one Moiety whereof ſhall go to the Informer, and the other to the Uſe of the Poor of the ſaid Pariſh: And if any Offender ſhall not, upon ſuch Conviction, pay the ſame, the ſaid Juſtice or Juſtices ſhall cauſe the Money ſo forfeited, by Warrant under his or their Hand and Seal, or Hands and Seals, to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, and the Overplus, (if any) after ſuch Forfeiture and Charges of the Diſtreſs are deducted and paid, ſhall be returned upon Demand to the Owners of ſuch Goods and Chattels; and in caſe ſufficient Diſtreſs cannot be found, it ſhall be lawful for ſuch Juſtice or Juſtices, and he and they is and are hereby authoriſed and required, by warrant under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Offender or Offenders to be committed to the Houſe of Correction of the ſaid County, there to be detained and kept to hard Labour for any Time not exceeding Twenty-eight Days, unleſs ſuch Forfeiture and all reaſonable Charges ſhall be ſooner paid and ſatisfied.

which may be levied by diſtreſs;

and for want of Diſtreſs, Offender to be committed.

XXXVIII. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act, be it enacted, That all and every Juſtice and Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the Form mentioned in the Schedule hereunto annexed, or in any other Words to the ſame Effect.

How Juſtices may proceed for the Conviction of Offenders.

XXXIX. And be it further enacted, That if any Perſon or Perſons, who ſhall be maintained in the Workhouſe or Workhouſes of the ſaid Pariſh, ſhall refuſe to work, or be guilty of profane Curſing and Swearing, or otherwiſe miſbehave himſelf or herſelf; that then, and in ſuch Caſe, it ſhall and may be lawful to and for the ſaid Guardians or Governors, or any five or more of them, to cauſe ſuch Perſon or Perſons ſo offending to be puniſhed in ſuch Workhouſe, either by moderate Correction, Confinement, diſtinguiſhing them in Dreſs, Diet, or ſuch other Method as may beſt tend to remedy ſuch Offences for the future; any Law, Statute, or Uſage to the contrary notwithſtanding.

How Perſons maintained in the Workhouſe refuſing to work, or guilty of Miſbehaviour, &c. may be puniſhed.

XL. And be it further enacted, That the ſeveral Laws relating to the Office of Churchwardens and Overſeers of the Poor, and for the Relief and providing for the Poor, ſhall ſtill continue in Force within the ſaid Pariſh, except in thoſe Inſtances where the ſame are otherwiſe altered or directed by this Act; any thing herein contained to the contrary notwithſtanding.

Laws relating to Churchwardens, &c. to continue in force, except where altered by this Act.

XLI. And be it further enacted, That any Inhabitant of the ſaid Pariſh ſhall, before any Juſtice or Juſtices of the Peace, or upon any Trial, Hearing, Examination, or otherwiſe, in, about, touching, or concerning this Act, or the Matters or Things herein contained, be, and be deemed, a competent Witneſs, notwithſtanding his or her being ſuch Inhabitant, or paying the Rates of the ſaid Pariſh; and that any Juſtice of the Peace of the ſaid County acting for the Diviſion of *Finſbury* aforeſaid, or any neighbouring Juſtice of the ſaid County, may act in the Execution of this Act, notwithſtanding he ſhall be an Inhabitant of the ſaid Pariſh, or pay the Rates thereof; any Law, Statute, or Uſage to the contrary notwithſtanding.

Inhabitants deemed competent Witneſſes.

XLII. And be it further enacted, That in all Caſes where Cognizance is given to any Juſtice or Juſtices of the Peace, or when Oaths are to be adminiſtered by this Act, it ſhall and may be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Perſon or Perſons, for his or their more certain Information in the Matters then depending; and in all Caſes where the ſaid Guardians or Governors, or any five or more of them, are by this Act impowered to bring or inſtitute, or cauſe to be brought or inſtituted, any Action or Actions at Law, or any Indictment or Indictments, the ſame ſhall and may be brought and inſtituted in the Name or Names of the Treaſurer or Clerk to the ſaid Guardians or Governors, or one of the Churchwardens or Overſeers of the Poor of the ſaid Pariſh for the Time being.

Juſtices may adminiſter Oaths.

XLIII. And be it further enacted, That it ſhall and may be lawful to and for the Churchwardens and Overſeers of the ſaid Pariſh, in all Caſes in their reſpective Offices, or relating to the Poor, where, by any Law now in being, or hereafter to be made, Appeal is or ſhall be given to them from the Paſs, Order, Conviction, or Determination of any Juſtice or Juſtices of the Peace for the County of *Middleſex*, acting in the Diviſion of *Finſbury* aforeſaid, or of any neighbouring Juſtice or Juſtices of the ſaid County, to appeal to the next General or Quarter Seſſions of the Peace, or Adjournment thereof, to be held for the ſaid County, at their Election, firſt giving eight clear Days Notice of ſuch Appeal to the Perſon or Perſons concerned therein, according to the Form or Effect in the ſaid Schedule mentioned, which Juſtices, in their ſaid Seſſions, may make ſuch Order therein, and give ſuch Coſts to either Party as they ſhall think reaſonable; and the ſaid Juſtices, in their ſaid Seſſions, may, for want of due Notice, or for any other juſt Cauſe, adjourn ſuch Appeal from Time to Time, as they ſhall think fit.

Churchwardens, &c. may appeal to the Quarter Seſſions;

giving eight Days Notice.

XLIV. And be it further enacted, That all Monies to become due and payable by virtue of this Act, or any Rate or Rates made in Purſuance thereof, ſhall and may be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of two or more Juſtices of the Peace for the County of *Middleſex*, acting for the Diviſion of *Finſbury* aforeſaid, or of any neighbouring Juſtice of the ſaid County, according to the Form or Effect in the ſaid Schedule mentioned (which Warrants ſuch Juſtices are hereby impowered and required to grant); and in caſe ſufficient Diſtreſs ſhall not be found, it ſhall and may be lawful to and for ſuch Juſtices, and they are hereby authoriſed and required, by Warrant under their Hands and Seals, according to the Form or Effect in the ſaid Schedule mentioned to cauſe ſuch Offender or Offenders to be committed to the common or other Gaol, or Houſe of Correction of the ſaid County, there to remain without Bail or Mainprize for any Time not exceeding one Calendar Month, unleſs ſuch Monies, and all reaſonable Charges, ſhall be ſooner fully paid and ſatisfied; and that when and as often as any Diſtreſs ſhall, by the Authority of this Act, be made for Nonpayment of any of the ſaid Rates or Monies hereby directed to be made, or any Part thereof, it ſhall and may be lawful to and for the Perſon or Perſons making ſuch Diſtreſs to raiſe and levy the reaſonable Charges of making and keeping ſuch Diſtreſs.

All Monies due for Rates may be levied by Diſtreſs.

If there be not ſufficient Diſtreſs, Offenders to be committed.

' XLV. And whereas it may happen, that many Perſons liable to, and who may be rated and aſſeſſed ' by virtue of this Act, may, before the Payment of the Sums which may be rated on them reſpectively, ' quit

How Rates, &c. may be levied from Perſons

'quit and leave their Grounds, Dwelling-houſes, Shops, Warehouſes, Coach-houſes, Stables, Cellars, 'Vaults, Buildings, Tenements, or Hereditaments, and remove out of the Limits aforeſaid, and thereby 'endeavour to avoid the Payment of the ſaid Rates and Aſſeſſments;' be it therefore enacted, That when any Perſon or Perſons, who hath or have been ſo rated and aſſeſſed, ſhall quit his or their Land, Ground, Houſe, Shop, Warehouſe, Coach-houſe, Stable, Cellar, Vault, Building, Tenement, or Hereditament, before he, ſhe, or they ſhall have paid the ſaid Rate or Aſſeſſment, and ſhall afterwards refuſe to pay the ſame when due, and demanded by the Collector or Collectors authoriſed and appointed to receive the ſame; that then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Collector or Collectors, or one of them, by Warrant under the Hands and Seals of two or more Juſtices of the Peace for the County of *Middleſex*, acting for the Diviſion of *Finſbury* aforeſaid, or of any neighbouring Juſtices of the ſaid County (which Warrant the ſaid Juſtices are hereby authoriſed and required to grant in any Place within the County of *Middleſex*, and ſuch Warrant being firſt backed or counterſigned by ſome Magiſtrate of the County, City, or Liberty where the Diſtreſs is to be made; which Warrant ſuch Magiſtrate is hereby required to back or counterſign), to diſtrain the Goods and Chattels of ſuch Perſon or Perſons ſo refuſing or neglecting, and to ſell the ſame, rendering the Overplus (if any be), after having deducted the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, to the Owner or Owners of ſuch Goods and Chattels reſpectively, upon Demand thereof made.

quitting Houſes, &c. and removing out of the Limits.

XLVI. Provided always, and be it further enacted, That the ſaid Guardians or Governors, or any five or more of them, may, if they think proper, bring, or cauſe to be brought, any Action or Actions of Debt, or ſpecial Action on the Caſe, in any of his Majeſty's Courts of Record at *Weſtminſter*, for all or any of the Penalties or Forfeitures againſt this Act, or for all or any of the Fines ſet or impoſed by virtue of, or in purſuance of, this Act, or any Part thereof; in which Action or Actions it ſhall be ſufficient for the Plaintiff to declare, that the Defendant is indebted to the Plaintiff in the Sum of ten Shillings (or ſuch other Sum as the Plaintiff ſhall ſuppoſe to be then due or forfeited,) for ſo much Money before then owing, (forfeited, or Fine ſet, as the Caſe may be) from or by the Defendant to the Plaintiff, by an Act paſſed in the fifteenth Year of the Reign of King *George* the Third, *For building a Workhouſe, and for the better Relief and Employment of the Poor within the Pariſh of* Saint James, Clerkenwell, *in the County of* Middleſex: And if the Plaintiff recovers in any ſuch Action, he ſhall have full Coſts; to be levied and recovered as other Monies upon Judgments are now by Law levied and recovered; in which Action and Actions no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Guardians may ſue by Way of Action for all Penalties, &c. againſt this Act.

XLVII. And for providing a proper Workhouſe for the Poor of the ſaid Pariſh, be it further enacted, That the ſaid Guardians or Governors, or any fifteen or more of them, (in conſequence of an Order for that Purpoſe to be made at a publick Meeting, and alſo confirmed at the next Meeting, as herein before mentioned) ſhall have full Power and Authority, and they are hereby authoriſed and required, at any Time after the paſſing of this Act, to treat, contract, and agree with the Owners and Occupiers of, and all other Perſons intereſted in, any Lands, Grounds, Tenements, or Hereditaments, within the ſaid Pariſh, for the purchaſing ſuch Lands, Grounds, Tenements, or Hereditaments, or any or either of them, or ſo much thereof as the ſaid Guardians or Governors, or any fifteen or more of them, ſhall think neceſſary for the Purpoſes of enlarging the preſent Workhouſe, or of building a new Workhouſe; and to purchaſe the ſame, and all Buildings thereon, in the Name of the then Churchwardens of the ſaid Pariſh (who are hereby enabled to accept and take a Conveyance thereof to them and their Succeſſors for ever); and upon Payment of ſuch Sum or Sums of Money as ſhall be agreed upon for ſuch Purchaſe or Purchaſes, to take Poſſeſſion thereof, and to cauſe all Buildings thereon, or ſo much thereof as they ſhall think proper, to be pulled down and carried away; and to pay the Purchaſe-monies, and all Expences attending ſuch Purchaſes, out of the Monies ariſing by virtue of this Act.

Guardians, &c. may purchaſe Lands, &c. for a Workhouſe.

XLVIII. And be it further enacted, That the ſaid Guardians or Governors, or any fifteen or more of them, ſhall and may, and they are hereby impowered and required to enlarge the preſent Workhouſe belonging to the ſaid Pariſh, or to build a new Workhouſe on the Ground which ſhall be ſo purchaſed as aforeſaid, or any Part thereof, for the Reſidence and Employment of the Poor of the ſaid Pariſh, and from Time to Time furniſh the ſame with Beds, Bedding, and other neceſſary Furniture and Materials, for the comfortable Support, Maintenance, and Employment of the Poor of the ſaid Pariſh.

Preſent Workhouſe to be enlarged, or a new one built.

XLIX. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politic, Corporate or Collegiate, Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt, Huſbands, Guardians, and Committees for Lunaticks and Idiots, Executors, Adminiſtrators, and Guardians, or other Truſtees whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks or Idiots, Femes-covert, or other Perſons whatſoever, and to and for all Femes-covert who are or ſhall be ſeiſed in their own Right, and to and for all and every Perſon and Perſons whomſoever who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any of the ſaid Lands, Tenements, or Hereditaments, which ſhall be thought neceſſary for the Purpoſes of this Act, to treat, ſell, and contract, with the ſaid Guardians or Governors, or any nine or more of them, and to convey to the ſaid Churchwardens, their Succeſſors or Aſſigns, or to any other Perſon or Perſons, and their Heirs in Truſt for them, all or any of the ſaid Lands, Tenements, or Hereditaments, Eſtates, and Intereſts, or any Part thereof; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by ſuch Perſons as aforeſaid, ſhall be good, valid, and effectual in Law, to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Perſon and Perſons conveying, but alſo to convey all Right, Title, Eſtate, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſons whomſoever, and all claiming or to claim, by, from, or under them, any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in

Bodies Politick, &c. impowered to ſell and convey Lands, &c.

and ſhall be indemnified, notwithſtanding Omiſſion of Form, &c.

any wiſe notwithſtanding: And all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, Truſtees, and all other Perſons whatſoever, ſhall be and are hereby indemnified for what they ſhall do by virtue or in purſuance of this Act, notwithſtanding any Omiſſion or Miſtake of Matter or Form whatſoever.

On Payment of Money for Lands, Owners to make Conveyances.

L. And be it further enacted and declared, That upon Payment of the Sum or Sums of Money ſo agreed to be paid for the Purchaſe of any ſuch Lands, Tenements, or Hereditaments, or for the Purchaſe of any Eſtate, or Intereſt therein, to the Perſon or Perſons intitled to receive the ſame, ſuch Perſon or Perſons ſhall make and execute, or procure to be made and executed, good, valid and legal Conveyances, Aſſignments, and Aſſurances in the Law, to the ſaid Churchwardens, of the ſaid Lands, Tenements, or Hereditaments, or of ſuch Eſtate or Intereſt for which ſuch Sum or Sums of Money ſhall be ſo paid, and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Aſſignments, and Aſſurances, and ſhall do all Acts, Matters, and Things, neceſſary to make a good, clear, and perfect Title to the ſaid Guardians or Governors: And in caſe the Perſon or Perſons to whom ſuch Sum or Sums of Money ſhall be agreed to be paid as aforeſaid, ſhall not be able to evince his or their Title to the Premiſes, to the Satisfaction of the ſaid Guardians or Governors, or any nine or more of them, and to make, or procure to be made, good, valid, and legal Conveyances, Aſſignments, and Aſſurances thereof; or in caſe ſuch Perſon or Perſons, to whom ſuch Sum or Sums of Money ſhall be payable, cannot be found; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Guardians or Governors, or any nine or more of them, to order the ſaid Sum or Sums of Money to be paid into the Bank of *England* in the Name and with the Privity of the Accomptant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in the Lands, Tenements, or Hereditaments (deſcribing them), ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery: And on the Application of any Perſon or Perſons making Claim to ſuch Sum or Sums of Money, or any Part thereof, by Motion or Petition, the ſaid Court of Chancery ſhall be and is hereby impowered, in a ſummary Way of Proceeding, or otherwiſe, as to the ſame Court ſhall ſeem meet, to order Diſtribution thereof, according to the reſpective Eſtate or Eſtates, Title or Intereſt, of the Perſon or Perſons making Claim thereto, and to make ſuch other Order in the Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable; and the Caſhier or Caſhiers of the Bank of *England*, who ſhall receive ſuch Sum or Sums, is and are hereby required to give a Receipt or Receipts for ſuch Sum or Sums (mentioning and ſpecifying for what Premiſes, and for whoſe Uſe, the ſame is or are received) to ſuch Perſon or Perſons who ſhall pay any ſuch Sum or Sums into the Bank of *England*, as aforeſaid: And immediately after ſuch Payment to ſuch Perſon or Perſons, or into the Bank of *England* as aforeſaid, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons to whom or to whoſe Credit ſuch Money ſhall be paid in, to, and out of the ſaid Lands, Tenements, Hereditaments, and Premiſes, ſhall veſt in the ſaid Churchwardens, and they ſhall be deemed in Law to be in the actual Poſſeſſion thereof, to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having any Eſtate in the Premiſes had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery and Seiſin, Fine and Recovery, or any other Conveyance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim, and Demand, of the Perſon or Perſons to whom or to whoſe Credit ſuch Payment ſhall have been made, but alſo ſhall extend to and be deemed and conſtrued to bar the Dower and Dowers of the Wife or Wives of ſuch Perſon or Perſons, and all Eſtates Tail, in Reverſion or Remainder, and the Iſſue or Iſſues of ſuch Perſon or Perſons, and every Perſon claiming under them, as effectually as a Fine and Recovery would have done if levied or ſuffered by the proper Parties in due Courſe of Law.

Where the Parties cannot make good Conveyances, &c. Money to be paid into the Bank.

On Application, Court of Chancery may order Diſtribution of Money, &c.

After Payment, the Lands to be veſted in Churchwardens.

Purchaſe-monies of Premiſes held in Truſt to be inveſted in other Purchaſes to the ſame Uſes.

LI. And be it further enacted, That the principal Monies ariſing by the Sale of any Lands, Tenements, Buildings, or Hereditaments, which ſhall be purchaſed for the Purpoſes contained in this Act, of any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, and other Truſtees, or from any Feme-covert, ſhall be paid to ſuch Perſons as they ſhall reſpectively nominate to receive the ſame, in Truſt, with all convenient Speed then afterwards to be reinveſted in the Purchaſe of other Meſſuages, Lands, Tenements, and Hereditaments, to be conveyed and ſettled to and upon, and ſubject to the like Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Houſes, Edifices, Lands, Tenements and Hereditaments, which ſhall be purchaſed of them reſpectively by the ſaid Guardians or Governors as aforeſaid, were reſpectively ſettled, limited, or aſſured, at the Time of ſuch Purchaſe, or ſo many thereof as at the Time of making ſuch Conveyances and Settlements ſhall be exiſting and capable of taking Effect.

Conveyances by Femes-covert, and inrolled within 12 Months, to be effectual.

LII. And be it further enacted, That the Conveyance of any ſuch Eſtate or Intereſt of any Feme-covert to the ſaid Churchwardens, or any Perſon or Perſons in Truſt for them, by Bargain and Sale, acknowledged by ſuch Feme-covert, and inrolled in one of his Majeſty's Courts of Law or Equity at *Weſtminſter* within twelve Calendar Months after the making thereof, ſhall as effectually and abſolutely convey the Eſtate and Intereſt of ſuch Feme-covert in the Premiſes, as any Fine or Fines, Recovery or Recoveries, would or could do, if levied or ſuffered thereof in due Form of Law: And further, that all Bargains and Sales whatſoever to be made of any ſuch Lands, Tenements, or Hereditaments, as ſhall be purchaſed by the ſaid Guardians or Governors, by virtue of and for the Purpoſes of this Act, ſhall have the ſame Force, Effect, and Operation in Law, to all Intents and Purpoſes, which any Fine or Fines, Recovery or Recoveries whatſoever, would have, if levied or ſuffered by the Bargainer or Bargainers, or any Perſon or Perſons ſeiſed of any Eſtate in the Premiſes in Truſt for or to the Uſe of ſuch Bargainer or Bargainers in any legal Manner or Form whatſoever.

Perſons having any Right in Lands, &c. to enter their Claims within 3 Months after Inrolment;

LIII. And be it further enacted, That all and every Perſon and Perſons whomſoever, having any Right, Title, Intereſt, Uſe, Property, Claim, or Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder, or Expectancy, in, to, or out of any Lands, Tenements, or Hereditaments, which, by virtue and for the Purpoſes of this Act, ſhall be purchaſed by and conveyed, or mentioned or intended to be conveyed,

veyed, to the Perſon or Perſons aforeſaid, or any Perſon or Perſons in Truſt for them, ſhall, within the Space of three Months, to be computed from the Date of the Inrolment of ſuch Bargain and Sale, enter a Memorial of ſuch their Right, Title, Intereſt, Uſe, Property, Claim, and Demand, in a Book to be for that Purpoſe prepared and kept by the Clerk appointed by the ſaid Guardians or Governors; which Book ſuch Clerk is hereby required to prepare and keep accordingly, and for which Entry he ſhall be intitled to ſuch Fee, and no other, as the Regiſter of the County of *Middleſex* is by Law intitled to for the Regiſtry of a Memorial containing the ſame Number of Words: And all and every Perſon or Perſons whomſoever not entering ſuch Right, Claim, and Demand, within ſuch Time, and in ſuch Manner, as aforeſaid, or having ſo entered the ſame, and not proſecuting ſuch their Right, Claim, or Demand, with Effect, within the Space of two Years, to be computed from the Time of ſuch Entry, ſhall be for ever barred of all Right, Title, Uſe, Equity, Property, Claim, or Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder, or Expectancy, in, to, upon, or out of the ſaid Premiſes, and every Part thereof; and the ſaid Churchwardens, and thoſe claiming by, from, or under them, ſhall be quieted in the Poſſeſſion of ſuch Lands, Tenements, Hereditaments, and Premiſes, any Law, Statute, Uſage, Matter or Thing whatſoever, to the contrary notwithſtanding.

and if not proſecuted within two Years, to be for ever debarred:

LIV. Provided nevertheleſs, and be it further enacted, That any Perſon or Perſons barred of any Right, Title, Eſtate, Intereſt, Claim, or Demand whatſoever, in, to, or out of the ſaid Lands, Tenements, and Hereditaments, by virtue of this Act, ſhall be at Liberty to bring any Action or Actions of Debt, for Money had and received to his or their Uſe, againſt any Perſon or Perſons, or the legal Repreſentative of any Perſon or Perſons who received the Purchaſe-money ariſing from ſuch Sale of the ſaid Lands, Tenements, Hereditaments, and Premiſes aforeſaid; and that, in every ſuch Caſe, the reſpective Plaintiffs, on Proof of ſuch Title as would have enabled them to recover ſuch Lands, Tenements, or Hereditaments, or any Part thereof, or any Eſtate or Intereſt in the ſame, ſhall recover the ſaid Purchaſe-money, or ſo much thereof as ſhall be equivalent to their Intereſt in the ſaid Premiſes, together with ſuch Intereſt as ſhall be equivalent to the meſne Profits of the Premiſes which they would have been intitled to recover in caſe this Act had not been made.

But may recover the Purchaſe-money from the Perſons receiving the ſame.

LV. And be it further enacted, That all and every Tenant at Will, or Leſſee for a Year, or other Perſon or Perſons, in Poſſeſſion of any ſuch Lands, Tenements, Hereditaments, and Premiſes, or any Part thereof, which ſhall be purchaſed by the ſaid Guardians or Governors as aforeſaid, and who ſhall have no greater Intereſt in the Premiſes than as Tenant at Will, or as Leſſee by Parole for a Year, or from Year to Year, ſhall, at the Expiration of ſix Calendar Months after Notice in Writing left upon the Premiſes, or ſo ſoon after as he or they ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſes to the ſaid Governors or Guardians, and Churchwardens, or any Perſon or Perſons authoriſed by them, or any nine or more of them, to take Poſſeſſion thereof; and in caſe any ſuch Perſon or Perſons ſhall refuſe to give ſuch Poſſeſſion, then it ſhall and may be lawful to and for the ſaid Guardians or Governors, or any nine or more of them, to iſſue their Precept or Precepts to the Sheriff of the ſaid County of *Middleſex*, to deliver Poſſeſſion of the Premiſes to ſuch Perſon or Perſons as ſhall, in ſuch Precept or Precepts, be nominated to receive the ſame; and the ſaid Sheriff is hereby required to deliver Poſſeſſion accordingly of the ſaid Premiſes, and to levy ſuch Coſts as ſhall accrue from the Iſſuing and Execution of ſuch Precept or Precepts, on the Perſon or Perſons ſo refuſing to give Poſſeſſion as aforeſaid, by Diſtreſs and Sale of his, her, and their Goods and Chattels.

Tenants to deliver Poſſeſſion after ſix Months Notice.

LVI. And be it further enacted, That all and every Perſon and Perſons, who ſhall have any Mortgage or Mortgages on ſuch Lands, Tenements, and Hereditaments, now being in Poſſeſſion thereof by virtue of ſuch Mortgage or Mortgages, ſhall, on the Tender of the Principal Money, and Intereſt due thereon, or a proportionable Part thereof, in Proportion to what Sum ſhall be left remaining on their reſpective Securities, together with three Months Intereſt of the ſaid Money, ſo paid by the ſaid Guardians or Governors, or any nine or more of them, or by ſuch Perſon or Perſons as they ſhall appoint, immediately aſſign ſuch Mortgage or Mortgages to the ſaid Guardians or Governors, or any nine or more of them, or to the ſaid Churchwardens, or their Succeſſors, or to ſuch Perſon or Perſons as they ſhall appoint in Truſt for them; or, in caſe ſuch Mortgagee or Mortgagees ſhall have Notice in Writing from the ſaid Guardians or Governors, or any nine or more of them, that they will pay off and diſcharge all or any particular Part of the Principal and Intereſt which ſhall be due on the ſaid Mortgage or Mortgages, in Proportion to the Lands or Hereditaments ſo purchaſed, at the End or Expiration of ſix Calendar Months, to be computed from ſuch Notice given; that then, at the End of the ſaid ſix Calendar Months, on Payment of the Principal and Intereſt ſo due, or the Purchaſe-money at which the ſaid Lands ſo to be purchaſed ſhall be valued, to ſuch Mortgagee or Mortgagees, ſuch Mortgagee or Mortgagees ſhall aſſign his, her, or their Intereſt in the Premiſes ſo purchaſed to the ſaid Guardians or Governors, or ſuch Perſon or Perſons as they, or any nine or more of them, ſhall appoint in Truſt for them: And in caſe ſuch Mortgagee or Mortgagees ſhall refuſe to aſſign as aforeſaid on ſuch Tender or Payment, that then all Intereſt on every ſuch Mortgage ſhall ceaſe and determine.

Mortgages, on Tender of Principal and Intereſt, to convey the Premiſes.

On Refuſal, Intereſt to ceaſe.

LVII. And be it further enacted, That upon Payment of the Principal Money and Intereſt due on any ſuch Mortgage, or ſuch Proportion as aforeſaid, into the Bank, at the End of Six Calendar Months from ſuch Notice as aforeſaid, for the Uſe of the Mortgagee or Mortgagees, the Caſhier or Caſhiers of the Bank ſhall give a Receipt or Receipts for the ſaid Money, in like Manner as is herein-before directed in Caſes of other Payments into the Bank; and thereupon all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, of the ſaid Mortgagee or Mortgagees, and of every Perſon or Perſons in Truſt for him or them, of and in ſuch purchaſed Lands, ſhall veſt in the ſaid Churchwardens, and their Succeſſors, and they ſhall be deemed to be in the actual Poſſeſſion of the Premiſes compriſed in ſuch Mortgage or Mortgages, of which ſuch Purchaſe ſhall be made, to all Intents and Purpoſes whatſoever.

On Payment of Money into the Bank, Premiſes veſted in the Guardians, &c.

Sums due to be charged on Money raiſed by this Act. Monies to be paid or tendered before Uſe be made of the Premiſes.

LVIII. And be it further enacted, That all Sums of Money to be paid purſuant to any ſuch Agreement, or on any ſuch Mortgage, ſhall be, and are hereby charged and chargeable upon all Monies which ſhall be raiſed or received for the Purpoſes of this Act, and ſhall be tendered to the Party or Parties intitled to the ſame, or Notice thereof ſhall be left at his laſt or uſual Place of Abode; and in caſe of Refuſal or Neglect to accept the ſame, ſuch Money ſhall be paid into the Bank of *England*, in the Name or Names of any Perſon or Perſons appointed by the ſaid Guardians or Governors, or any nine or more of them, for that Purpoſe, in Truſt for ſuch Perſon or Perſons as ſhall be intitled to receive the ſame, before the ſaid Guardians or Governors ſhall proceed to pull down any Erections or Buildings, or to uſe the Ground for any of the Purpoſes of this Act.

10 l. Penalty on Sheriff, &c. for making Default.

LIX. And be it further enacted, That the ſaid Guardians or Governors, or any nine or more of them, ſhall have Power, from Time to Time, to impoſe any reaſonable Fine, not exceeding the Sum of ten Pounds, on the ſaid Sheriff or Bailiff, or their reſpective Deputy or Deputies, or Agents reſpectively, making Default in the Premiſes, or refuſing to deliver Poſſeſſion as aforeſaid; and, from Time to Time, to levy ſuch Fine or Fines, by order of the ſaid Guardians or Governors, or any nine or more of them, by Diſtreſs and Sale of the Offender's Goods and Chattels, together with the reaſonable Charges of every ſuch Diſtreſs and Sale, rendering the Overplus (if any) to the Owner; and all ſuch Fines ſhall be applied for the Purpoſes of this Act.

Guardians may raiſe Money by Annuities, Bonds, &c.

LX. And be it further enacted, That the ſaid Guardians or Governors, or any nine or more of them, ſhall have Power, from Time to Time, to raiſe Money by Annuities, or upon Bond, or other Security, for the Payment of the Debt herein-before mentioned to have been contracted for the Maintenance of the Poor of the ſaid Pariſh, and for enlarging the preſent or building a new Workhouſe for the Reſidence and Employment of the Poor, and for the Purchaſe of Houſes and Lands for that Purpoſe, and for other the Uſes and Purpoſes in this Act mentioned and contained: And it ſhall and may be lawful to and for any Perſon or Perſons to contribute, advance, and pay into the Hands of the ſaid Guardians or Governors, or any nine or more of them, for the Uſes and Purpoſes in this Act mentioned, any Sum or Sums of Money not exceeding in the Whole the Sum of ſeven thouſand Pounds, for the abſolute Purchaſe of one or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of ſuch Contributor or Contributors reſpectively, or the natural Life of ſuch other Perſon or Perſons as ſhall be nominated by, or on Behalf of, ſuch Contributor or Contributors reſpectively, at the Time of Payment of his, her, or their reſpective Contribution-money, ſo as no Perſon pay for or upon one Life more than the Sum of three hundred Pounds.

7000 l. may be advanced by any Perſon for the Purchaſe of one or more Annuities.

Annuities, &c. to be charged upon the Rates.

LXI. And be it further enacted, That all and every the Annuity or Annuities ſo to be purchaſed under and by virtue of this Act, and alſo any Sum or Sums of Money to be raiſed upon Bond, or other Security, as aforeſaid, ſhall be, and are hereby charged upon, and ſhall be paid and payable, from Time to Time, out of the Monies ariſing by the Rates and Aſſeſſments in this Act mentioned; and all and every the Contributor and Contributors upon the Credit of this Act, duly paying the Conſideration or Purchaſe-money, in Manner aforeſaid, for any ſuch Annuity or Annuities as aforeſaid, or his, her, or their reſpective Executors, Adminiſtrators, or Aſſigns, ſhall have, receive, and enjoy, and be intitled, by virtue of this Act, to have, receive, and enjoy the reſpective Annuity or Annuities ſo to be purchaſed out of the Rates or Aſſeſſments by this Act appointed for the Payment thereof, during the Term of the natural Life of the Perſon to be nominated by each ſuch Purchaſer or Contributor, as before mentioned; and that all and every ſuch Purchaſer and Purchaſers, their Executors, Adminiſtrators, and Aſſigns, ſhall have good, ſure, abſolute, and indefeaſible Eſtates and Intereſts in the Annuity or Annuities ſo by him, her, or them, reſpectively to be purchaſed, according to the Tenor and true Meaning of this Act; and that none of the ſaid Annuities ſhall be ſubject or liable to the Tax charged, or to be charged, upon Land by Authority of Parliament: And that every Contributor upon this Act, for the Purchaſe of any ſuch Annuity or Annuities as aforeſaid, his, her, or their Aſſigns, upon Payment of the Conſideration of Purchaſe-money, ſhall have a Receipt or Receipts for the ſame, and alſo an Order on Parchment (which may be made without any Stamp) for Payment of the ſaid Annuity or Annuities, for and during the natural Life of the Perſon who ſhall be ſo nominated as aforeſaid, by Quarterly Payments, which Order ſhall be ſigned by the ſaid Guardians or Governors, or any five or more of them, and after ſigning thereof, the ſame ſhall be firm, valid, and of good Effect in the Law, according to the true Purport and Meaning of this Act.

Annuities deemed indefeaſible Eſtates,

and not to be ſubject to the Land Tax.

Annuities may be aſſigned.

LXII. And be it further enacted, That it ſhall and may be lawful to and for any Purchaſer or Purchaſers of any ſuch Annuity or Annuities as aforeſaid, and his, her, or their Executors, Adminiſtrators, or Aſſigns, at any Time or Times, by Writing or Writings, under his, her, or their Hand or Hands, to aſſign ſuch Annuity or Annuities, or any Part thereof, or Intereſt thereon, to any Perſon or Perſons whatſoever, and ſo *toties quoties*; and a Memorandum or Entry of all ſuch Orders and Aſſignments ſhall be made in a Book or Books, to be kept as herein-after mentioned, at the Charge of the ſaid Guardians or Governors, for which Entry or Memorandum two Shillings and Sixpence ſhall be paid, and no more; and no ſuch Aſſignment ſhall be deemed valid, unleſs ſuch Memorandum or Entry ſhall be firſt made, as aforeſaid.

Annuities, &c. to be entered in Books.

LXIII. And be it further enacted, That a Book or Books ſhall be prepared and kept by the ſaid Guardians or Governors, or by ſuch Perſon or Perſons as they, or any five or more of them, ſhall appoint, wherein ſhall be fairly entered, from Time to Time, an Account of what Monies ſhall have been borrowed, aſſeſſed, raiſed, levied, and paid, by virtue of this Act, and how the ſame ſhall have been applied, and the Name or Names of the Annuitant or Annuitants, and what Sum or Sums he, ſhe, or they paid for ſuch Annuity or Annuities reſpectively, and what he, ſhe, or they, is or are to receive for the ſame; which Book or Books the ſaid Annuitants, or any of them, and all Perſons lending Money on the Credit of

of this Act, or contributing to the ſaid Rates or Aſſeſſments, may at all convenient Times peruſe and inſpect without Fee or Reward.

Guardians may let or ſell Overplus Lands.

LXIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Guardians or Governors, or any nine or more of them, to let, ſell, and diſpoſe of ſo much of the ſaid Lands and Hereditaments, ſo to be purchaſed as aforeſaid, as ſhall not be neceſſary or uſed for enlarging the preſent Workhouſe, or building a new one, for the beſt Price that can be got for the ſame; and in caſe a new Workhouſe ſhall be erected, the ſaid Guardians or Governors, or any nine or more of them, as aforeſaid, may alſo let or ſell the old Workhouſe, and the Land thereunto belonging; and the Money ariſing by any or either of thoſe Ways or Means ſhall be applied for the Purpoſes of this Act; and the then Churchwardens of the ſaid Pariſh are hereby authoriſed and required to leaſe and convey ſuch Lands and Hereditaments accordingly.

Governors, &c. to defray their own Expences.

LXV. And be it further enacted, That the ſaid Guardians or Governors ſhall, at all their Meetings under this Act, pay and defray their own Expences.

Diſtreſs not to be deemed unlawful for want of Form.

LXVI. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Default or want of Form in any Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damage in an Action on the Caſe.

Plaintiff not to recover, if Tender of Amends be made.

LXVII. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action for any Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed, or cauſed to be committed, any ſuch Irregularity, Treſpaſs, or wrongful Proceedings, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he or they ſhall ſee fit; whereupon ſuch Proceedings or Orders and Judgments ſhall be had, made, and given, in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Perſons thinking themſelves aggrieved may appeal to the Quarter Seſſions.

LXVIII. And be it further enacted, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved by any Matter or Thing done in purſuance of this Act, or by any Juſtice or Juſtices of the Peace acting therein, ſuch Perſon and Perſons ſhall and may appeal to the Juſtices of the Peace at any General or Quarter Seſſions of the Peace to be holden for the ſaid County, or any Adjournment thereof, within two Months next after the Cauſe of ſuch Complaint ſhall ariſe, ſuch Appellant firſt giving, or cauſing to be given, ten Days Notice in Writing to the Clerk or Treaſurer to the ſaid Guardians or Governors for the Time being, or to the Juſtice or other Perſon by whoſe Act or Acts ſuch Perſon or Perſons ſhall think himſelf, herſelf, or themſelves, aggrieved, of his, her, or their Intention to bring ſuch Appeal, and within two Days next after ſuch Notice entering into Recognizance before ſome Juſtice of the Peace for the ſaid County, with two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at ſuch General or Quarter Seſſions, or Adjournment thereof; which ſaid Juſtices at or in ſuch Seſſions, upon due Proof of Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt as the ſaid Juſtices ſhall think proper; and the Determination of ſuch Juſtices ſhall be final, binding, and concluſive: And on all Appeals from Rates, the Juſtices ſhall amend the ſame in ſuch Manner only as ſhall be neceſſary for giving Relief, without altering ſuch Rates with reſpect to other Perſons mentioned in the ſame; but if, upon Appeal from the whole Rate, it ſhall be found neceſſary to ſet aſide the ſame, then they ſhall order a new Rate to be made.

Juſtices Powers concerning Appeals from Rates.

Writings not to be charged with Stamp-duty.

LXIX. And be it further enacted, That no Nomination, Contract, Bond, Warrant, Judgment, or other Writing whatſoever, under the Hand and Seal, or Hands and Seals, of, or only ſigned by, any Guardian or Guardians, Governor or Governors, or Juſtice or Juſtices of the Peace, or exhibited before them, or under the Hand and Seal, or Hands and Seals, of, or only ſigned by, any Perſon or Perſons whatſoever, relating to the Execution of this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Proceedings to be entered in Books.

LXX. And be it further enacted, That all Orders and Proceedings of the ſaid Guardians or Governors, at their Meetings, ſhall be entered in a Book or Books, to be kept for that Purpoſe; and ſuch Orders and Proceedings, ſo entered, ſhall be ſigned by the Clerk or Clerks to the ſaid Truſtees, and ſuch Orders ſhall be deemed and taken to be original Orders; which ſaid Book or Books ſhall and may be produced and read in Evidence in all Courts whatſoever.

Proceedings not to be quaſhed for want of Form.

LXXI. And be it further enacted, That no Proceedings to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order made, or other Matter or Thing to be done or tranſacted, in, or relating to, the Execution of this Act, ſhall be vacated or quaſhed for want of Form, or be removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary notwithſtanding.

Limitation of Actions.

LXXII. And be it further enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons acting under the Direction and Authority of the ſaid Guardians and Governors, for any Thing done in purſuance of this Act, until twenty Days Notice ſhall be thereof given in Writing to the Clerk to the ſaid Guardians or Governors; or after ſufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved; or after three Calendar Months next after the Fact committed for which

ſuch

ſuch Action or Actions, Suit or Suits, ſhall be ſo brought; and every ſuch Action ſhall be brought, laid, and tried, in the County of *Middleſex*, and not in any other County or Place; and the Defendant or Defendants in ſuch Actions and Suits, and every of them, may plead the General Iſſue, and give this Act, and the ſpecial Matter, in Evidence, at any Trial or Trials which ſhall be had thereupon, and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought, was done in purſuance and by the Authority of this Act: And if ſuch Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was brought before twenty Days Notice thereof given as aforeſaid, or that ſufficient Satisfaction was made or tendered as aforeſaid, or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be laid in any other County or Place than as aforeſaid, then the Jury or Juries ſhall find for the Defendant or Defendants therein; and if a Verdict ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions, or if, upon any Demurrer or Demurrers in ſuch Action or Actions, Judgment ſhall be given for the Defendant or Defendants therein; then, and in any of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have double Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants may have for his, her, or their Coſts, in any other Caſes by Law.

General Iſſue.

Double Coſts.

Expences of this Act how to be paid.

LXXIII. And be it further enacted, That the Charges and Expences of paſſing this Act, and other Charges and Expences incident thereto, ſhall be borne, paid, and defrayed, out of the Monies remaining in or coming to the Hands of the Churchwardens or Overſeers of the Poor of the ſaid Pariſh, or out of the firſt Monies that ſhall be raiſed by the Rates to be made by virtue of this Act, or out of any Money to be borrowed on the Credit thereof.

Publick Act.

LXXIV. And be it further enacted, That this Act ſhall be taken and allowed in all Courts of Juſtice as a Publick Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without the ſame being ſpecially pleaded.

The SCHEDULE referred to, containing the Form of Proceedings.

Warrant of Diſtreſs for Nonpayment of the Rates, &c.

'*Middleſex*, *To wit*. To the Churchwardens and Overſeers of the Poor of the Pariſh of *Saint James*, '*Clerkenwell*, in the County of *Middleſex*, and to all Conſtables, Headboroughs, and other 'Peace Officers, for the ſame County.

'WHEREAS, in purſuance and by Authority of an Act of Parliament, made in the fifteenth Year of 'the Reign of King *George* the Third, "For building a Workhouſe, and for the better Relief and "Employment of the Poor, within the Pariſh of *Saint James*, *Clerkenwell*, in the County of *Middleſex*," 'the under-mentioned Perſons, now or late Inhabitants, Holders, Landlords, Tenants, Occupiers, or 'Enjoyers of Lands, Houſes, Shops, Warehouſes, Coach-houſes, Stables, Cellars, Vaults, or other 'Buildings, Tenements, or Hereditaments, or Part of ſome Building or Tenement, within the ſaid Pariſh 'of *Saint James*, *Clerkenwell*, were and are truly rated and aſſeſſed, or liable to pay the Rate and Rates 'duly made for the Purpoſes of the ſaid Act: And whereas the ſaid Perſons have refuſed or neglected to 'pay the ſeveral Sums of Money at and againſt their Names hereunto reſpectively ſet down, for Money 'due from them, for or towards the Purpoſes in the ſaid Act mentioned, and the ſaid ſeveral Sum and 'Sums of Money are ſtill remaining due, in arrear, and unpaid, as appeareth upon Oath to us, two of 'his Majeſty's Juſtices of the Peace for the County of *Middleſex*; and the ſaid ſeveral Sums having been 'demanded, and neglected to be paid, and the ſaid ſeveral Perſons having been ſummoned to appear before 'us, to anſwer the Premiſes, as alſo appeareth to us, the ſaid Juſtices, upon Oath, and they nor either of 'them having ſhewn any ſufficient Cauſe: Theſe are therefore, in his Majeſty's Name, to will and re'quire you, or either of you, forthwith to levy the ſaid ſeveral Sums of Money due from the ſaid Perſons, 'and hereunder joined to or ſet againſt their Names reſpectively, by Diſtreſs and Sale of their reſpective 'Goods and Chattels (ſuch Goods and Chattels being kept by the Space of five Days before the ſame are 'ſold), rendering to them reſpectively the Overplus (if any be), the reaſonable Charges of ſuch Diſtreſs, 'Sale, and Keeping, being firſt deducted; and if no ſufficient Diſtreſs can be had or taken, that then 'you certify the ſame to us, to the End ſuch further Proceedings may be had therein as to Law doth ap'pertain. And we do hereby ſtrictly charge and command all and ſingular the Conſtables, Headboroughs, 'and other his Majeſty's Peace Officers for the ſaid County of *Middleſex*, to be aiding and aſſiſting in all 'Things relating to the Premiſes.

'Given under our Hands and Seals this Day of in the Year of our Lord

Perſons Names.	*Sums due.* £. s. d.
A. B.	— — — — — — —
C. D.	— — — — — — —
E F. the Landlord for divided	— — — — — —
G. H. &c.	— — — — — —

Warrant

Warrant for Want of Diſtreſs of Goods.

'*Middleſex*, *To wit.* To all Conſtables, Headboroughs, and other Peace Officers for the County of *Mid-*
'*dleſex*, and alſo to the Keeper of *Newgate*, or of *(as the Caſe may be.)*

'WHEREAS, in purſuance and by Authority of an Act of Parliament, made in the fifteenth Year of the Reign of King *George* the Third, "For building a Workhouſe, and for the better Relief "and Employment of the Poor, within the Pariſh of *Saint James*, *Clerkenwell*, in the County of *Mid-*"*dleſex*," now or late an Inhabitant, Holder, Landlord, Tenant, Occupier, or 'Enjoyer of Land, Houſe, Shop, Warehouſe, Cellar, Vault, or other Building, Tenement, or Here-'ditament, or Part of ſome Building or Tenement, within the ſaid Pariſh, was and is truly rated and 'aſſeſſed, or liable to pay the Sum of for and towards the Rate lately made 'in purſuance of the ſaid Act: And whereas the ſaid refuſed or neglected to 'pay the ſaid Sum of Money to the Overſeer of the Poor, or to the Collector of the Rates of the ſaid Pa-'riſh, although the ſame was demanded, as appeared to us, two of his Majeſty's Juſtices of the Peace for 'the ſaid County, upon Oath, whereupon we the ſaid Juſtices granted our Warrant, bearing Date the 'Day of directed to to levy the ſaid 'Sum of on the ſaid by Diſtreſs and Sale 'of his Goods and Chattels, rendering to him the Overplus (if any): And whereas 'one of the Conſtables or Headboroughs of the County of *Middleſex*, to whom the ſaid 'Warrant was ſo delivered to be executed, hath made a Return of the ſaid Warrant, and certified to us, 'That, upon Inquiry and Search, it appeareth unto him, that the ſaid 'had not any Goods or Chattels whereof a ſufficient Diſtreſs could be had or taken to levy the ſaid Sum of 'and the ſaid Sum is ſtill due and unpaid, as appeareth alſo to us upon Oath: 'Theſe are therefore, in his Majeſty's Name, to will and require you, and every of you, to apprehend 'the ſaid and him ſafely to convey and deliver to the Keeper of *Newgate*, 'or the Keeper of (as the Juſtices ſhall think proper) or his Deputy, together 'with this Warrant: And we do alſo hereby command you the ſaid Keeper, or Deputy Keeper, to re-'ceive the ſaid into your ſaid Gaol, and him ſafely keep, without Bail or 'Mainprize, for Calendar Months (or other Time), unleſs ſuch Money, and all reaſon-'able Charges, ſhall be ſooner paid.

'Given under our Hands and Seals, this Day of

Notice of Appeal.

'IN purſuance of an Act of Parliament, made and paſſed in the fifteenth Year of the Reign of King 'George the Third, "For building a Workhouſe, and for the better Relief and Employment of the "Poor, within the Pariſh of *Saint James*, *Clerkenwell*, in the County of *Middleſex*," we do hereby give 'you Notice, That we do intend to appeal to the next Seſſions of the Peace, to be holden *(if by Ad-'journment, then thoſe Words to be added)* for the County of *Middleſex*, againſt the Paſs, Order, Con-'viction, or Determination *(as the Caſe may be)* of two of his 'Majeſty's Juſtices of the Peace for the County of *Middleſex*, whereby they have *(ſtating the Matter in-'tended to be appealed againſt.)*

'Dated the Day of

Form of Conviction.

'BE it remembered, That on the Day of in the 'Year of the Reign of King *George* the Third, is convicted 'before of his Majeſty's Juſtices of the Peace for the County of '*Middleſex*, by virtue of an Act, made in the fifteenth Year of the Reign of King *George* the Third, "For building a Workhouſe, and for the better Relief and Employment of the Poor, within the Pariſh "of *Saint James*, *Clerkenwell*, in the County of *Middleſex*," of *(ſpecifying the Offence.)*

'Given under our Hands and Seals, *(or my Hand and Seal,)* the Day and Year aforeſaid.'

CAP. XXIV.

An Act for incorporating certain Perſons, for the Relief of poor Widows and Children of Clergymen within the County of *Huntingdon*.

'WHEREAS within the County of *Huntingdon* are many ſmall Eccleſiaſtical Benefices, by reaſon whereof it frequently happens that Clergymen of the ſaid County die leaving their Widows and 'Children in diſtreſſed Circumſtances: And whereas divers charitable and well-diſpoſed Perſons have 'voluntarily ſubſcribed towards the Relief and Support of ſuch poor Widows and Children: And whereas 'ſuch Subſcriptions might be enlarged, and many other Perſons induced to become Subſcribers to the 'Charity, by means whereof a more ample and permanent Proviſion might be made for ſuch poor Wi-'dows and Children, if proper Perſons were incorporated, with Powers to receive, manage, and diſpoſe 'of, ſuch charitable Donations, and to take and hold Lands, Tenements, and Hereditaments, for the 'Benefit of the ſaid Charity;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spi-ritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, Preamble.

Governors appointed;

ſame, That the Moſt Noble *George* Duke of *Manchester*, *John* Earl of *Sandwich*, *Robert* Earl of *Harborough*, the Right Honourable *John Montagu*, commonly called *Lord Viſcount Hinchingbroke*, the Right Honourable *Peter* Earl of *Ludlow* in the Kingdom of *Ireland*, *John* Lord Biſhop of *Lincoln*, and the Biſhop of *Lincoln* for the Time being, the Right Honourable *Joſhua John Proby* Lord *Carysfort* in the Kingdom of *Ireland*, Sir *Robert Bernard* Baronet, Sir *Charles Cope* Baronet, *Nicolas Bonfoy*, *Charles Greene*, and *Richald Reynolds*, Eſquires, *George Raitt* Doctor of Phyſick, the Reverend *William Watſon* his Majeſty's Profeſſor of Divinity in the Univerſity of *Cambridge*, and the Profeſſor of Divinity in the ſaid Univerſity for the Time being, the Reverend *Michael Tyſon* Clerk, Archdeacon of *Huntingdon*, and the Archdeacon of *Huntingdon* for the Time being, and all Perſons who have already ſubſcribed and paid at one Payment, or who ſhall at any Time hereafter ſubſcribe and pay at one Payment, the Sum of twenty Guineas, and alſo all Perſons during the Time they ſhall annually ſubſcribe and pay the Sum of one Guinea or more to the ſaid Charity, ſhall be and are hereby appointed Governors of the ſaid Charity; and the ſaid Governors ſhall be one Body Politick and Corporate in Deed and in Name, and ſhall be called *The Governors of the Charity for the Relief of poor Widows and Children of Clergymen within the County of* Huntingdon; and by the ſame Name ſhall have perpetual Succeſſion, and a Common Seal, with Power to change, break, alter, and make new, their ſaid Common Seal from Time to Time at their Pleaſure, or as they ſhall ſee Cauſe; and the ſaid Governors, and their Succeſſors, by the ſame Name ſhall and may ſue and implead, and be ſued and impleaded, anſwer and defend, and be anſwered and defended, in all or any Court or Courts of Record, or any other Places of Judicature within this Realm, and ſhall and may do and execute all and ſingular other Matters and Things by the Name aforeſaid, in as full and ample Manner and Form, to all Intents and Purpoſes whatſoever, as any other Perſon or Perſons, Body or Bodies Politick or Corporate, within this Realm, can or may in any wiſe lawfully do; and that the ſaid Governors, and their Succeſſors, by the Name aforeſaid, ſhall be able and capable in Law to take, hold, receive, enjoy, poſſeſs, and retain, to them and their Succeſſors, all ſuch Sum and Sums of Money as hath or have been paid, ſubſcribed, given, deviſed, or bequeathed, or which remain undiſpoſed of, or ſhall at any Time or Times hereafter be paid, given, deviſed, or bequeathed, by any Perſon or Perſons whomſoever, to and for the charitable Purpoſes in this Act mentioned; and that they and their Succeſſors, by the Name aforeſaid, ſhall and may at any Time hereafter, without Licence in Mortmain, purchaſe, receive, take, hold, and enjoy, for the Purpoſes aforeſaid, any Manors, Lands, Rents, Tenements, Annuities, and Hereditaments, of what Nature or Kind ſoever, or any Eſtate or Intereſt ariſing or derived out of any Lands, Tenements, or Hereditaments, to them and their Succeſſors, in Fee and Perpetuity, or for Life or Lives, or for Term of Years, or otherwiſe, not exceeding the yearly Value of five hundred Pounds beyond Reprizes, and alſo all Manner of Goods, Chattels, and Things whatſoever; and alſo to let, ſell, alien, aſſign, and diſpoſe of the ſame Manors, Meſſuages, Lands, Tenements, and Hereditaments, Goods, Chattels, and Things, at their Will and Pleaſure.

who are to form one Body Politick and Corporate;

and are impowered to receive Money for the Purpoſes of this Act;

and to hold Lands, &c. not exceeding 500 l. per Annum.

Preſident, Vice-Preſidents, Treaſurers, and Committees, appointed;

II. And be it further enacted by the Authority aforeſaid, That the Biſhop of *Lincoln* for the Time being ſhall be and is hereby appointed Preſident of the ſaid Corporation; and that the ſaid *Michael Tyſon*, Archdeacon of *Huntingdon*, and *George Raitt*, ſhall be and they are hereby appointed Vice-Preſidents of the ſaid Corporation; and that the ſaid *Richard Reynolds* and *Peter Peckard* ſhall be and are hereby appointed Treaſurers of the ſaid Corporation; and that the ſaid Biſhop of *Lincoln*, *William Watſon*, *Michael Tyſon*, *George Raitt*, *Richard Reynolds*, *Peter Peckard*, *Benjamin Addenbroke* Clerk, *Robert Hodgſon* Clerk, *John Trollope* Clerk, and *Reade Peacock* Gentleman, ſhall be and they are hereby appointed a Committee for tranſacting and managing the Affairs of the ſaid Corporation; and the ſaid Vice-Preſidents, Treaſurers, and Committee, ſhall continue in their reſpective Offices for the Space of twelve Calendar Months only, unleſs they ſhall be again elected thereunto, as herein is mentioned; and the ſaid Preſident, or, in his Abſence, one or both of the Vice-Preſidents, or one or both of the Treaſurers, with any four or more of the ſaid Governors, or, in the Abſence of the Preſident and of all the Vice-Preſidents and Treaſurers, any five or more of the ſaid Governors, ſhall compoſe a General Court; and that the Officers herein before named, and Governors, ſhall aſſemble and meet together in the Church of *All Saints* in the Town of *Huntingdon*, on *Tueſday* the thirteenth Day of *June*, one thouſand ſeven hundred and ſeventy-five, for the Purpoſe of holding the firſt General Court, and ſhall then, and from Time to Time, be adjourned to ſuch Times and Places as the ſaid General Court ſhall think neceſſary for the due Execution of this Act; and a General Court of the ſaid Governors ſhall be holden annually upon the ſecond *Tueſday* after *Eaſter Sunday*, or oftener, if Occaſion ſhall require, upon Notice thereof given by the Order of any three or more of the ſaid Governors, by publiſhing the Time and Place of holding ſuch General Court in the *Cambridge Chronicle*, or ſome other publick News-paper, fourteen Days at leaſt before the holding of every ſuch General Court; and at every ſuch annual General Court the Vice-Preſidents, Treaſurers, and Committee (which Committee ſhall conſiſt of ſuch Number of Governors as ſuch annual General Court ſhall think neceſſary), and other Officers and Servants, ſhall be elected for the Year enſuing; and the ſaid Governors aſſembled at any General Court ſhall have full Power and Authority, in the Name of the ſaid Corporation, to do, manage, tranſact, and determine, all ſuch Matters and Things as ſhall to them, or any five or more of them, at any ſuch Courts, appear to be neceſſary or proper; and, for the better carrying this Act into Execution, any ſuch General Court may delegate ſuch Powers and Authorities to the ſaid Committee as they ſhall think proper.

who are to continue in their reſpective Offices one Year only.

First General Court to be held on 13th June, 1775.

A General Court to be held annually,

when Vice-Preſidents, &c. are to be choſen.

Governors may diſpoſe of the Cuſtody of the Common Seal, and make Bye-laws, &c.

III. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Governors, at any of their General Courts (but at no other Time), to diſpoſe of the Cuſtody of the ſaid Common Seal, and order and direct the Uſe and Application thereof; and to make, ordain, and conſtitute ſuch and ſo many Bye-laws, Conſtitutions, and Ordinances, as to them ſhall ſeem neceſſary and convenient, for the better governing, regulating, ordering, and managing the Buſineſs of the ſaid Corporation, and of the Officers, Servants, and Perſons employed in and about the Affairs of the ſaid Corporation, and from Time to Time to

to alter or amend all or any ſuch Bye-laws, Conſtitutions, and Ordinances, and to order and direct ſuch Bye laws, Conſtitutions, and Ordinances ſo made to be obſerved, and put in Execution accordingly, at their Will and Pleaſure, provided they are not contrary or repugnant to Law; but no Bye-law, Conſtitution, or Ordinance, which ſhall be made or altered, or any Rule or Order which ſhall be made by the ſaid Governors by virtue of this Act, ſhall be binding, or have any Force or Effect, until the ſame ſhall have been agreed to and confirmed by the next ſucceeding annual General Court.

Governors to elect Vice Preſident, &c. in caſe of Vacancy.

IV. And be it further enacted, That in caſe of the Death or Reſignation of a Vice Preſident or Treaſurer of the ſaid Corporation, it ſhall and may be lawful to and for the ſaid Governors, or any five or more of them, at any General Court, from Time to Time, to nominate and appoint ſome other Perſon in the Room of ſuch Vice Preſident or Treaſurer.

All Queſtions in the General Court ſhall be decided by Vote.

V. And be it further enacted, That all Queſtions at any General Court, or at any Meeting of any Committee relating to the Execution of this Act, ſhall be decided by Vote, in all which Queſtions the Preſident or Chairman ſhall be allowed to vote; and in caſe of an Equality of Votes, the Preſident or Chairman ſhall have the caſting Vote; and upon Demand of any three Members or Governors of the ſaid Corporation preſent at ſuch General Court or Meeting of any Committee, the Queſtion or Queſtions then propoſed ſhall be determined by Ballot, to be immediately proceeded upon and completed.

Governors may appoint new Officers;

or ſuſpend ſuch as they ſhall think fit.

VI. And be it further enacted, That the ſaid Governors, or any five or more of them, at a General Court, ſhall have Power, from Time to Time, and at all Times, to appoint ſuch other Officers and Perſons as they ſhall think neceſſary to employ for the Purpoſes and in the Execution of this Act, and from Time to Time to ſuſpend or remove all ſuch Officers and other Perſons, or any of them, as they ſhall think fit, and appoint others in caſe of Death or ſuch Suſpenſion or Removal; and may, out of the Monies to be received for the Purpoſes of this Act, make ſuch Allowances to ſuch Officers and other Perſons for their Services as to the ſaid Governors, or any five or more of them, at a General Court, ſhall ſeem reaſonable; and that it ſhall and may be lawful to and for the ſaid Committee ſo appointed, or to be elected as aforeſaid, or any three or more of them, at any Meeting, to ſuſpend or remove any ſuch Officers and other Perſons, and to appoint others in caſe of Death, or ſuch Suſpenſion or Removal, until a General Court ſhall be held; and the ſaid Governors, or any five or more of them, at any General Court, may confirm ſuch Appointments, or may remove ſuch Officers or other Perſons, and appoint others in their Room; and all Officers and other Perſons, ſo appointed, ſhall, from Time to Time (when thereunto required by the ſaid Committee, or any three or more of them), make and render to the ſaid Committee, or any three or more of them, a true, exact, and perfect Account in Writing, under their reſpective Hands upon Oath, to be taken before two or more of the ſaid Committee (which Oath any two of the ſaid Committee are hereby impowered to adminiſter), of all Monies which he or they, and every of them reſpectively, ſhall have received, paid, and diſburſed, by reaſon of their reſpective Offices; and in caſe any Money ſo received ſhall remain in their or any of their Hands, the ſame ſhall be paid to the ſaid Committee, or any three or more of them, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame: And in caſe any ſuch Officer or other Perſons ſhall not make and render, or ſhall refuſe to verify upon Oath, any ſuch Account, or to make ſuch Payment as aforeſaid; then, any one or more Juſtice or Juſtices of the Peace for the County of *Huntingdon* ſhall and may make Inquiry of and concerning ſuch Default in a ſummary Way, as well by Confeſſion of the Parties themſelves, as by the Teſtimony of one or more credible Witneſs or Witneſſes upon Oath (which Oath any ſuch Juſtice or Juſtices is and are hereby authoriſed and impowered to adminiſter); and if any ſuch Officer or Perſon ſhall be convicted of all or any of the Offences aforeſaid, ſuch Juſtice or Juſtices ſhall, upon ſuch Conviction, commit the Party offending to the Common Gaol of the County of *Huntingdon*, there to remain, without Bail or Mainprize, until he ſhall have made a true and perfect Account and Payment as aforeſaid, or until he ſhall have compounded and agreed with the ſaid Committee, or any three or more of them, and have paid ſuch Compoſition-money; which Compoſition the ſaid Committee, or any three or more of them, are hereby impowered to make and receive.

Committee veſted with like Powers.

Officers to account to the Committee upon Oath.

On Default thereof, to be committed.

'VII. And whereas the Reverend *James Orem*, late Rector of *Connington* and *Denton*, in the ſaid 'County of *Huntingdon*, deceaſed, did, by his Laſt Will and Teſtament, bearing Date the thirtieth Day 'of *May* one thouſand ſeven hundred and ſixty-nine, give and deviſe to the Reverend *Benjamin Addenbroke* 'of *Folkſworth*, in the ſaid County of *Huntingdon*, and to *Alexander Arbuthnot* of *Cheapſide*, *London*, Haber-'daſher (his Executors therein after appointed), the Sum of four thouſand Pounds, three *per Centum* 'reduced Bank Annuities, Part of the Stock or Fund of that Denomination which was then ſtanding in 'the Name of the ſaid *James Orem*, in the Books kept at the Bank of *England*; upon Truſt, nevertheleſs, 'that his ſaid Executors, and the Survivor of them, and the Executors, Adminiſtrators, and Aſſigns of 'ſuch Survivor, ſhould pay, apply, and diſpoſe of the whole Dividends, Intereſt, and Produce thereof, 'as the ſame ſhould ariſe and become due, to and for the Uſe and Benefit of his Siſters-in-law, *Mary* '*Gardner* and *Beatrix Shaw*, equally Share and Share alike, for and during their joint Lives; and from 'and after the Deceaſe of one of them the ſaid *Mary Gardner* and *Beatrix Shaw*, to pay the whole Divi-'dends, Intereſts, and Produce of the ſaid Sum of four thouſand Pounds, as the ſame ſhould ariſe and 'become due, to the Survivor of them, for and during the Term of her natural Life; and from and after 'the Deceaſe of the longer Liver of them the ſaid *Mary Gardner* and *Beatrix Shaw*, the ſaid Teſtator 'willed, that the Sum of two thouſand Pounds reduced Bank Annuities (Part of the ſaid Sum of four 'thouſand Pounds reduced Bank Annuities) ſhould be transferred by his ſaid Executors, to and in the 'Name of the Reverend *Charles Jenner* Doctor in Divinity, ſince deceaſed, the then Archdeacon of the 'County of *Huntingdon*, and in caſe of his Death, to his Succeſſor for the Time being, to whom the ſaid 'Teſtator gave and bequeathed the ſame, and the Intereſt and Produce thereof, upon the Truſts, and to 'and for the ſeveral Uſes, Intents, and Purpoſes therein after expreſſed concerning the ſame; (that is to 'ſay),

'ſay), As to the Sum of one thouſand Pounds (Part of the ſaid two thouſand Pounds reduced Bank 'Annuities) upon Truſt, that he the ſaid *Charles Jenner*, and his Succeſſors for the Time being, Arch-'deacons of *Huntingdon*, ſhould pay, apply, and diſpoſe of the Intereſt, Dividends, and Produce of the 'ſaid Sum of one thouſand Pounds reduced Bank Annuities, as the ſame ſhould become due, and be re-'ceived, as an Increaſe or Augmentation of the annual Subſcription, which was then carried on by the 'Gentlemen and Clergy of the ſaid County of *Huntingdon*, for the Benefit of diſtreſſed Widows and Or-'phans of ſuch Clergymen as were at any Time theretofore poſſeſſed of a Living or Benefice in the ſaid 'County; and if the ſaid Subſcription ſhould fail or be diſcontinued, then upon this further Truſt, that 'the ſaid *Charles Jenner*, and the ſucceeding Archdeacons of *Huntingdon* for the Time being, ſhould pay, 'apply, and diſpoſe of the Intereſt, Dividends, and Produce of the ſaid one thouſand Pounds reduced 'Bank Annuities, as the ſame ſhould ariſe and become due, to ſuch three neceſſitous and diſtreſſed Wi-'dows of Clergymen, who ſhould have been reſident in the ſaid County, as the ſaid Archdeacon and his 'Succeſſors for the Time being ſhould think fit, to be equally divided between them; and if at any Time 'there ſhould not be three ſuch Widows living in the ſaid County, then upon Truſt to pay and apply 'the Intereſt, Dividends, and Produce of the ſaid one thouſand Pounds reduced Bank Annuities, or ſo 'much thereof as ſhould not be diſpoſed of to the Widows of Clergymen in Manner before directed, to 'ſuch neceſſitous Maiden Daughters of deceaſed beneficed Clergymen who ſhould have lived in the ſaid 'County, in ſuch Shares and Proportions as he the ſaid *Charles Jenner*, and the ſucceeding Archdeacons 'of *Huntingdon* for the Time being, ſhould think fit: And whereas the ſaid *Beatrix Shaw* is now the 'only ſurviving Siſter-in-law of the ſaid Teſtator, the ſaid *Mary Gardner* being long ſince dead: And 'whereas the Reverend *Michael Tyſon* (the preſent Archdeacon of *Huntingdon*) is deſirous of reſigning 'the ſaid Truſt to the Governors of the ſaid Charity incorporated by this Act, in caſe he ſhall be enabled 'ſo to do;' be it therefore further enacted by the Authority aforeſaid, That the ſaid one thouſand Pounds reduced Bank Annuities ſhall, from and immediately after the Death of the ſaid *Beatrix Shaw*, be tranſ-ferred by the Executors of the ſaid *James Orem* deceaſed, unto, and the ſame ſhall be and is hereby veſted for ever in, the Governors of the Charity for the Relief of the poor Widows and Children of Clergymen within the ſaid County of *Huntingdon*, incorporated by this Act, and the Intereſt, Dividends, and Pro-duce, which ſhall, after ſuch Transfer, ariſe therefrom, ſhall be paid and applied by the ſaid Governors, to and for the charitable Purpoſes in the ſaid Will mentioned, and to no other Uſe, Truſt, Intent, or Purpoſe whatſoever; and that after ſuch Transfer ſhall be made as aforeſaid, the Executors under the Will of the ſaid *James Orem* ſhall be diſcharged from ſo much of the Truſts in the ſaid Will as relates to the ſaid one thouſand Pounds.

Archdeacon of Huntingdon diſcharged from the Truſt of a Legacy given by the late Reverend Mr. Orem.

The Names of Subſcribers ſhall be entered in a Book, with the Sums ſubſcribed, &c.

VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Governors ſhall, from Time to Time, cauſe to be entered in a Book, to be kept for that Purpoſe, the Names of the Perſons who ſhall ſubſcribe or contribute, give, deviſe, or appoint, any Money, or any Real or Perſonal Eſtate, or other Matters or Things whatſoever, towards the Charity hereby eſtabliſhed, with the Sums of Money, Goods, Chattels, Eſtates, or other Things, by them reſpectively contributed, given, limited, appointed, or deviſed, to the End that a perpetual Memorial may be made of the Benefactions of all ſuch well-diſpoſed Perſons: And the Treaſurers of the ſaid Corporation, and each of them for the Time being, ſhall have full Power and Authority, from Time to Time, upon receiving any Money or other Profits for the Purpoſes aforeſaid, to give proper Receipts and Acquittances for the ſame; and all ſuch Receipts and Acquittances ſhall be a good and ſufficient Diſcharge to the Perſon or Perſons to whom they ſhall be given, for all ſuch Money, or other Matters therein ſpecified.

Expences of this Act how to be paid.

IX. And be it further enacted by the Authority aforeſaid, That the Charges and Expences of pro-curing and obtaining this Act ſhall be, in the firſt place, paid out of any Monies already ſubſcribed or given for the charitable Purpoſes herein before mentioned, or which ſhall hereafter be ſubſcribed, given, or bequeathed, to the ſaid Corporation for the Benefit of the ſaid Charity.

Limitation of Actions.

X. And be it further enacted, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Matter or Thing done in purſuance of this Act, then, and in every ſuch Caſe, the Action or Suit ſhall be brought within ſix Calendar Months next after the Cauſe of Action ſhall ariſe, and not afterwards; and ſhall be laid and brought in the County of *Huntingdon*, and not elſewhere; and the

General Iſſue.

Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act, and the ſpecial Matter, in Evidence, at any Trial to be had thereupon: And if it ſhall appear to be done in purſuance of this Act, or that ſuch Action or Suit ſhall be brought after the Time limited in that Behalf, or in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit after the Defendant ſhall have appeared; or if upon Demurrer Judgment be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have for Coſts in other Caſes by Law.

Treble Coſts.

Publick Act.

XI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act; and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons, without ſpecially pleading the ſame.

CAP.

CAP. XXV.

An Act for taking down the Common Gaol of the County of *Hertford*, and for building a New Gaol in a more commodious Situation.

Preamble.

'WHEREAS the Common Gaol of the County of *Hertford* is ſituate near the Middle of the Town of *Hertford*, and ſo cloſely encompaſſed by Buildings, that it is impoſſible to accommodate the unhappy Perſons confined therein with a ſufficient Supply of freſh Air, from which Circumſtance the ſaid Gaol is generally unhealthy, and frequently viſited with a malignant Fever called the Gaol Diſtemper, the fatal Effects whereof have ſometimes extended beyond the Limits of the ſaid Gaol; and it is expedient that the ſaid Gaol ſhould be taken down, and a new one erected in a more airy Situation, in order to prevent the fatal Conſequences attending the ſaid Diſtemper; but the ſame cannot be done without the Aid of an Act of Parliament;' may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the Juſtices of the Peace for the ſaid County of *Hertford*, at their next General or Quarter Seſſions of the Peace to be holden for the ſaid County after the paſſing of this Act, or at any other ſubſequent Quarter Seſſions, or the greater Number of ſuch Juſtices aſſembled at any ſuch Seſſions, and they are hereby impowered to treat, contract, and agree, with the Owners or Proprietors of, or Perſons intereſted in, any Houſes, Buildings, Lands, Tenements, or Hereditaments, within or near to the ſaid Town of *Hertford*, which they the ſaid Juſtices ſo aſſembled, or the greater Number of them, ſhall adjudge neceſſary for the Purpoſes of this Act, for the Purchaſe thereof, at ſuch Price or Prices as to the ſaid Juſtices ſo aſſembled, or the greater Number of them, ſhall ſeem reaſonable.

Juſtices impowered to purchaſe Lands, &c. for the Purpoſes of this Act.

II. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for all Huſbands, Guardians, Truſtees, Committees, Executors, or Adminiſtrators, for or on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, or Femes-covert, and for every other Perſon or Perſons whomſoever, who are or ſhall be ſeiſed or poſſeſſed of or intereſted in any ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, to contract for and ſell, and convey the ſame, to the Juſtices of the Peace of and for the ſaid County for the Time being, for ſuch Sum and Sums of Money as ſhall be agreed upon; and that all ſuch Contracts, Bargains, Sales, and Conveyances ſhall, without any Fine or Fines, Recovery or Recoveries, be good and valid in the Law to all Intents and Purpoſes, not only to convey all the Eſtate, Right, Title, and Intereſt, of the Perſon and Perſons conveying, but all the Eſtate, Right, Title, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſon or Perſons whomſoever, and all claiming or to claim by, from, or under them, or any of them, any Law, Statute, Uſage, or any other Matter or Thing to the contrary thereof in any-wiſe notwithſtanding; and that all Perſons ſo contracting, agreeing, and conveying, as aforeſaid, ſhall be indemnified for what they ſhall do by virtue and in purſuance of this Act.

Guardians, &c. impowered to contract for, or ſell and convey Houſes, Lands, &c.

and indemnified therein.

III. And be it further enacted, That upon Payment of the Sum or Sums ſo agreed or contracted for the Purchaſe of any ſuch Houſes, Buildings, Tenements, or Hereditaments, or legal Tender thereof, to the Parties concerned reſpectively, which Sum or Sums of Money the ſaid Juſtices aſſembled at their General or Quarter Seſſions as aforeſaid, or the greater Number of them ſo aſſembled, are hereby authoriſed to order to be paid out of the Monies to be raiſed by this Act, ſuch of the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments, for which ſuch Value or Recompence ſhall have been contracted or agreed on, as aforeſaid, ſhall, from thenceforth, by virtue of this Act, be veſted in the Juſtices of the Peace of and for the ſaid County of *Hertford*; and it ſhall and may be lawful for the ſaid Juſtices, or the greater Number of them, ſo aſſembled as aforeſaid, to order and direct ſuch Houſes or Buildings to be taken down, and to contract and agree with any Perſon or Perſons for the taking down the ſame; and to ſell and diſpoſe of the Materials to ſuch Perſon or Perſons who ſhall be willing to purchaſe the ſame, for ſuch Price or Prices as to them the ſaid Juſtices, ſo aſſembled as aforeſaid, or the greater Number of them, ſhall ſeem meet; and to apply the Monies to ariſe thereby for the Purpoſes of this Act, in ſuch Manner as to the ſaid Juſtices, ſo aſſembled as aforeſaid, or the greater Number of them, ſhall ſeem meet; and this Act ſhall be ſufficient to indemnify, as well the ſaid Juſtices as all other Perſons intereſted, their Heirs, Executors, Adminiſtrators, and Aſſigns, againſt all and every other Perſon and Perſons, to all Intents and Purpoſes whatſoever.

Upon Payment of Purchaſe-money Juſtices to be veſted in the Premiſes.

Juſtices impowered to take down Houſes, and ſell Materials;

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Juſtices to cauſe to be built and finiſhed, upon any Lands or Grounds, or the Scite or Scites of any Houſe or Houſes, or other Buildings ſo to be purchaſed as aforeſaid, a convenient Gaol, for the Confinement of Criminals, Debtors, and others, and alſo a proper Place for the Reſidence of the Gaoler, and ſuch other Buildings and Conveniencies as ſhall be adjudged requiſite by the ſaid Juſtices at their Quarter Seſſions, for the ſafe keeping of ſuch Perſons as ſhall be committed to the ſame, either for Debt, Felony, or any other Offence; which Gaol, when built and finiſhed, is hereby declared to be a Publick and Common Gaol for the ſaid County, and ſhall, from Time to Time, be maintained, ſupported, and repaired, by ſuch Ways and Means as other Gaols in this Kingdom are by Law to be ſupported and maintained; and the Sheriff of the ſaid County for the Time being ſhall have the keeping thereof, and ſhall have Power, when the ſaid Gaol is made fit for the Reception and ſafe keeping of Priſoners, to remove thither all ſuch Priſoners as ſhall then be in his Cuſtody, which Removal ſhall not be deemed or taken to be an Eſcape.

and to build a new Gaol, &c.

Sheriff to have the keeping thereof, and to remove Priſoners thither.

Until a new Gaol be built Sheriff to remove Priſoners from the old Gaol to the Houſe of Correction.

'V. And to the End that the Materials of the ſaid old Gaol may be applied towards the Building of the 'ſaid new Gaol,' be it further enacted by the Authority aforeſaid, That until the ſaid new Gaol ſhall be fit for the Reception and ſafe keeping of ſuch Priſoners, it ſhall and may be lawful for the Sheriff of the ſaid County for the Time being to remove ſuch Priſoners to, and confine them in, the Houſe of Correction at *Hertford*, or ſuch other Place as the ſaid Juſtices, ſo aſſembled as aforeſaid, ſhall approve of; and that after ſuch Removal or Removals, it ſhall and may be lawful to and for the ſaid Juſtices, at their ſaid General Quarter Seſſions, to cauſe the preſent Gaol to be taken down, and the Ground or Scite thereof, or thereto belonging, to ſell or otherwiſe diſpoſe of, and the Materials thereof, or any Part thereof, either to uſe in or about the building or finiſhing ſuch new Gaol, or to ſell or otherwiſe diſpoſe of, and the Money ariſing by any ſuch Sale or Sales to apply towards the Expence and Charge of building and finiſhing ſuch new Gaol; which Removal or Removals ſhall not be deemed or taken to be an Eſcape.

Juſtices impowered to take down the old Gaol, and diſpoſe of Materials.

How Money for the Purpoſes of this Act is to be raiſed,

VI. And be it further enacted, That in order to raiſe the Sum of Money which ſhall be neceſſary for the Purpoſes of this Act, all and every the Meſſuages, Lands, Tithes Appropriate and Impropriate, Tenements and Hereditaments, lying and being in the ſaid County of *Hertford* (except as after is excepted), ſhall be, and are hereby made chargeable and liable to the Payment of ſo much of the Money which ſhall be neceſſary for the Purpoſes of this Act, to be raiſed and paid according to the yearly Value of ſuch Meſſuages, Lands, Tithes Appropriate and Impropriate, Tenements and Hereditaments, ſuch yearly Value to be aſcertained by the Poor's Rates of the reſpective Pariſhes and Places in which the ſame are reſpectively lying or being, in the Manner herein after mentioned; which ſaid Money ſo as aforeſaid being Part of the Money which ſhall be neceſſary for the Purpoſes of this Act, is hereby directed to be raiſed within the Space of four Years from the paſſing of this Act; but it is hereby provided, that the ſame in the Whole ſhall not exceed the Sum of Eight-pence in the Pound of ſuch yearly Value, and that no greater Proportion thereof be raiſed in any one Year than Three-pence.

Liberty of St. Alban to be aſſeſſed as well as the County; 500l. to be raiſed therein;

'VII. And whereas the Liberty of *Saint Alban* is in the ſaid County of *Hertford*, and Juſtices of 'the Peace are appointed for the ſaid Liberty by a ſeparate Commiſſion of the Peace, diſtinct from the 'Commiſſion of the Peace for the County of *Hertford* at large, and the ſaid Liberty doth not contribute 'to pay to the County Rates made for the ſaid County at large; nevertheleſs the ſaid Liberty will re-'ceive a joint Benefit from the ſaid new Gaol with the reſt of the ſaid County of *Hertford*, and therefore 'the Lands and Tenements within the ſaid Liberty ſhould be charged and rated towards raiſing the Money 'which will be neceſſary for the Purpoſes of this Act;' be it therefore further enacted, That all and every the Meſſuages, Lands, Tithes Appropriate and Impropriate, Tenements and Hereditaments, lying and being in the ſaid Liberty of *Saint Alban*, (except as herein-after is excepted) ſhall be, and are hereby made chargeable and liable to the Payment of five hundred Pounds towards the Money which ſhall be neceſſary for the Purpoſes of this Act; to be raiſed and paid according to the yearly Value of ſuch Meſſuages, Lands, Tithes Appropriate and Impropriate, Tenements and Hereditaments, ſuch yearly Value to be aſcertained by the Poor's Rate of the reſpective Pariſhes and Places in which the ſaid Meſſuages, Lands, Tithes Appropriate and Impropriate, Tenements and Hereditaments, are reſpectively lying or being; and that, notwithſtanding any Matter or Thing in this Act contained, the ſaid Sum of Money herein-before directed to be raiſed in the ſaid Liberty of *Saint Alban*, ſhall, and is hereby directed to be raiſed in the ſaid Liberty, in ſuch Manner and Proportion as to the Juſtices of the Peace of the ſaid Liberty, in Quarter Seſſion aſſembled, or the greater Number of them ſo aſſembled, ſhall ſeem meet, ſo that the ſame be paid by the Treaſurer of the ſaid Liberty for the Time being into the Hands of the Treaſurer of the ſaid County of *Hertford* for the Time being, within the Time herein-before mentioned for raiſing and paying the Money herein-before directed to be raiſed and paid for the Purpoſes of this Act in the reſt of the ſaid County of *Hertford*.

in ſuch Manner as Juſtices ſhall direct.

This Act not to prejudice the Rights of the Earl of Saliſbury.

VIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to extinguiſh, reſtrain, or otherwiſe prejudice the Rights and Juriſdiction of an ancient Hundred Court, held by the Right Honourable *James* Earl of *Saliſbury*, and his Predeceſſors, for the Hundred of *Caſhio* or Liberty of *Saint Alban*, or to take away or abridge any Juriſdiction, Authority, Privileges, or Immunities, which the ſaid *James* Earl of *Saliſbury*, his Heirs or Aſſigns, enjoy, or ought to enjoy, as Lords of the Hundred of *Caſhio*, or Liberty of *Saint Alban*, by virtue of any Law, Uſage, Cuſtom, Preſcription, Grant, or Charter; any thing in this Act contained to the contrary thereof in any-wiſe notwithſtanding.

Churchwardens, &c. to collect Monies neceſſary for the Purpoſes of this Act, and to pay the ſame to the High Conſtables.

IX. And be it further enacted, That for the more eaſy collecting the Monies which ſhall become neceſſary for the Purpoſes of this Act, the Churchwardens and Overſeers of the Poor for the Time being, of each and every Pariſh and Place in the County of *Hertford*, ſhall, and they are hereby required, out of the Monies collected, or to be collected, for the Relief of the Poor of ſuch Pariſh or Place, to pay unto the High Conſtables of the reſpective Hundreds or Diviſions of the ſaid County at large ſuch reſpective Sums of Money as the yearly Value of all and every the Houſes, Buildings, Lands, Tenements, or Hereditaments, in every ſuch Pariſh or Place reſpectively (except as herein-after is excepted), ſhall amount unto, after ſuch Rate in the Pound as the Juſtices aſſembled for the ſaid County of *Hertford*, in the General or Quarter Seſſions, or the greater Number of them ſo aſſembled, ſhall order and direct; ſuch Payments to be made within the Space of thirty Days after Demand made thereof in Writing on ſuch Churchwardens and Overſeers of the Poor, or any of them, or left at their or any of their Dwelling-Houſe or Houſes by the ſaid High Conſtable or Conſtables of the reſpective Hundreds or Diviſions; which Demand the reſpective High Conſtables are hereby required to make within twenty-one Days next after Notice to them reſpectively given of ſuch Order of Seſſion; and in caſe ſuch Churchwardens and Overſeers of the Poor, or any of them, ſhall neglect or refuſe to pay any Sum or Sums of Money hereby made payable by them as aforeſaid (after Demand made as aforeſaid), the reſpective High Conſtables ſhall, and they

In caſe of Neglect or Refuſal, to be levied by Diſtreſs.

they are hereby impowered to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of ſuch Churchwardens and Overſeers ſo refuſing or neglecting, in ſuch Manner as is directed by the Act of Parliament, made in the twelfth Year of his late Majeſty King *George* the Second, intituled, *An Act for the more eaſy aſſeſſing, collecting and levying of County Rates*, with reſpect to the Nonpayment of the Sums of Money thereby aſſeſſed and made payable by Churchwardens and Overſeers of the Poor; and the reſpective High Conſtables of the ſaid County are hereby required to pay over the ſaid Monies which ſhall be ſo received by them, within fourteen Days after the Receipt of the ſame, unto the Treaſurer of the County of *Hertford* for the Time being.

'X. And to the Intent that the yearly Value of all and every the Houſes, Buildings, Lands, Tene-
'ments, or Hereditaments, to be charged towards the Payment of the Money to be raiſed for the Purpoſes
'and by virtue of this Act, may be aſcertained,' be it further enacted, That the yearly Value of the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments, ſhall, for the Purpoſes of this Act, be deemed and taken to be the ſame as they are mentioned to be in the Rates made for the Relief of the Poor of the reſpective Pariſhes and Places where the ſaid Houſes, Buildings, Lands, Tenements, or Hereditaments, are reſpectively lying; and that the Churchwardens and Overſeers of the Poor reſpectively of each and every Pariſh and Place in the County of *Hertford* ſhall, upon Demand, produce and ſhew to the ſaid reſpective High Conſtables, and alſo to one or more of his Majeſty's Juſtices of the Peace of the ſaid County who ſhall require the ſame, ſuch reſpective Poor's Rates; and in caſe of Neglect or Refuſal ſo to do, ſuch Churchwardens and Overſeers ſhall forfeit and pay the Sum of forty Pounds; to be levied in the ſame Manner as the Monies made payable by this Act from Churchwardens and Overſeers of the Poor, in caſe of Nonpayment of the ſame, are to be levied: And in caſe any of the ſaid Churchwardens and Overſeers of the Poor, with Intent to leſſen the Monies intended to be raiſed by virtue of this Act, ſhall, in any of the Poor's Rates, fraudulently value their or any other Tenements at a leſſer Value than they have been uſually valued at in the reſpective Poor's Rates; then, and in ſuch Caſe, every Churchwarden and Overſeer ſo offending, ſhall, for every ſuch Offence, forfeit and pay the Sum of forty Pounds; to be recovered in the Manner herein-after directed.

Monies to be raiſed according to the Poor's Rate.

Churchwardens, &c. to produce Poor's Rates to High Conſtables, &c.

In caſe of Refuſal, or producing fraudulent Account, to forfeit 40l.

XI. And be it further enacted, That the Churchwardens and Overſeers of the Poor of the ſeveral Pariſhes and Places in the ſaid County of *Hertford* ſhall, for the Monies which ſhall be raiſed and collected for the Purpoſes and in purſuance of this Act, give Receipts to the reſpective Tenants and Occupiers of the ſaid Houſes, Buildings, Lands, Tenements, and Hereditaments, paying the ſame, who, upon producingſuch Receipts, ſhall be intitled to deduct ſuch Monies as have been ſo paid by them, and ſpecified in ſuch Receipts, out of the Rent which ſhall become due to their reſpective Landlords.

Churchwardens, &c. to give Receipts.

XII. Provided always, That no Parſon, Vicar, or Curate, for or in reſpect to his Parſonage, or Vicarage Houſe, or of his Tithes or Glebe Lands not being Impropriate, or his or their Tenant or Tenants, ſhall be liable to contribute or pay any Sum or Sums of Money for the Purpoſes of this Act, in reſpect of ſuch Tithes or Glebe Lands, but the ſame are hereby exempted from ſuch Payment; and that in caſe any ſuch Parſon, Vicar, or Curate, or their reſpective Tenant or Tenants, ſhall, for or in reſpect of any ſuch Parſonage or Vicarage Houſe, Tithes or Glebe Lands not being Impropriate, out of the groſs Sum which ſhall have been paid by the Churchwardens and Overſeers of the Poor to the High Conſtable as aforeſaid, happen to have paid any Sum or Sums of Money for the Purpoſes of this Act; that then, and as often as ſuch Caſe ſhall happen, the Churchwardens and Overſeers of the Poor ſhall, out of the ſucceeding Poor's Rate, repay ſuch laſt mentioned Sum or Sums of Money to ſuch Parſon, Vicar, or Curate, or ſuch reſpective Tenant or Tenants who ſhall have happened ſo to have paid the ſame, or ſhall permit and ſuffer every ſuch Parſon, Vicar, or Curate, or their reſpective Tenant or Tenants, to deduct ſuch Sum and Sums of Money out of ſuch laſt-mentioned Poor's Rate.

Exemption of the Clergy.

XIII. Provided always, and be it enacted, That nothing in this Act ſhall extend, or be conſtrued to extend, to charge or make liable any Meſſuages, Lands, Tithes Appropriate or Impropriate, Tenements, or Hereditaments, lying or being within the Borough of *Saint Alban*, with or to the Payment of any Money for the Purpoſes of this Act.

Borough of St. Alban not liable to any Expences in virtue of this Act.

XIV. And, in order to aſcertain what Proportion of the ſaid Rates ſhall be raiſed in any one Year, be it further enacted, That the Juſtices of the Peace for the County of *Hertford*, or the greater Number of them, in their General Quarter Seſſions of the Peace aſſembled, ſhall have Power to aſcertain and determine the ſame by Order of Seſſions.

Juſtices to aſcertain what Sums ſhall be raiſed in any one Year.

XV. And be it further enacted by the Authority aforeſaid, That all ſuch Charges and Expences as ſhall have been ſuſtained or expended in or about procuring this preſent Act of Parliament, ſhall (in the firſt Place) be ſatisfied and paid out of the Monies to be raiſed by virtue or in purſuance of this Act; and that after ſuch Charges and Expences, and the Charges of erecting, completing, and finiſhing the ſaid Gaol and Buildings, and all Debts incurred thereby, and all other Monies to be paid in purſuance of this Act, ſhall be fully paid and ſatisfied, the Surplus of the Monies to be raiſed and levied by virtue of this Act ſhall, by Order of the ſaid Juſtices, aſſembled in their General or Quarter Seſſions as aforeſaid, be paid into the publick Stock of the ſaid County, and be deemed and taken, and ſhall and may be applied and paid, as Part of the common Stock to and for ſuch Uſes as the County Stock can or may be applied.

How Surplus Monies are to be applied.

XVI. Provided always, and be it further enacted, That in caſe all the Charges and Expences of obtaining and paſſing this Act ſhall not be paid within ſix Months next after the paſſing of the ſame, the Treaſurer of the ſaid County of *Hertford* ſhall, and is hereby required, within one Month after the Expiration of the ſaid ſix Months, to pay and defray all ſuch Charges and Expences; and the ſaid Juſtices are hereby authoriſed and required to allow the ſame in the ſaid Treaſurer's Accounts.

Treaſurer of the County to pay the Expences of obtaining this Act, if not paid within ſix Months.

XVII. And be it enacted by the Authority aforeſaid, That ſome Time in the Month of *October*, in every Year, a fair and juſt Account ſhall be made out of all the Monies received and paid by virtue and in

Accounts to be made out annually.

in purſuance of this Act, and how, and to whom, and when, and for what Purpoſes, the ſame have been laid out, paid, and expended; a Copy or Duplicate of which Account, ſigned by the ſaid Juſtices, or the major Part of them, ſo aſſembled as aforeſaid, ſhall be depoſited with the Clerk of the Peace of the ſaid County for the Time being, to be kept among the Records of the Seſſions of the Peace, who ſhall permit any Perſon ſo rated or aſſeſſed, as aforeſaid, to inſpect the ſame at all ſeaſonable Times, paying Six-pence for ſuch Inſpection; and ſhall upon Demand forthwith give Copies of the ſame, or any Part thereof, to ſuch Perſon, paying at the Rate of one Shilling for every one hundred Words, and ſo in Proportion for any greater or leſs Number.

How Fines ſhall be levied and applied.

XVIII. And be it further enacted, That all pecuniary Fines, Penalties, and Forfeitures, hereby inflicted or authoriſed to be impoſed, ſhall be recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by a Warrant or Warrants under the Hand and Seal, or Hands and Seals, of any one or more Juſtice or Juſtices of the Peace for the ſaid County of *Hertford*; and in caſe ſufficient Diſtreſs ſhall not be found, it ſhall and may be lawful for any Juſtice or Juſtices to commit ſuch Offender or Offenders to the Common Gaol, or Houſe of Correction, of the ſaid County, there to remain, without Bail or Mainprize, for any Time not exceeding three Months, or until the ſaid Fines, Penalties, or Forfeitures, ſhall be paid; and that all ſuch Fines, Penalties, and Forfeitures, ſhall be paid into the Hands of the Treaſurer of the ſaid County, and be applied for the Purpoſes of this Act.

Perſons aggrieved may appeal to the Quarter Seſſions.

XIX. Provided always, and be it further enacted, That all Perſons who ſhall apprehend themſelves overcharged or otherwiſe aggrieved by any Aſſeſſment or other Act to be made or done by virtue of this preſent Act, may appeal to the Juſtices of the Peace, aſſembled at their next Quarter Seſſions held for the ſaid County, after Demand of the Monies aſſeſſed, or after ſuch other Act done, who ſhall and may make ſuch Order therein as to them, or the major Part of them, then and there preſent ſhall ſeem meet.

Limitation of Actions.

XX. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action or Suit ſhall be brought and commenced within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the County of *Hertford*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon: And if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue ſuch Action or Suit, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedy for ſuch Coſts as any other Defendant or Defendants hath or have for Coſts in any other Caſes by Law.

General Iſſue.

Treble Coſts.

Publick Act.

XXI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Publick Act; and all Judges, Juſtices, and other Perſons, ſhall take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. XXVI.

An Act for appointing Commiſſioners for putting in Execution an Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-five.*

CAP. XXVII.

An Act for admeaſuring Waggons and other Carriages uſed in loading Coals on Board Ships at the ſeveral Ports of this Kingdom, in the ſame Manner as at the Ports of *Newcaſtle* and *Sunderland.*

Preamble. Act 6 & 7 Gul. III.

Act 11 Geo. II. recited.

'WHEREAS by an Act of Parliament, made in the ſixth and ſeventh Years of the Reign of his late Majeſty King *William* the Third, intituled, *An Act for the better Admeaſurement of Keels and Keel Boats in the Port of* Newcaſtle, *and the Members thereunto belonging*; and by another Act, made in the eleventh Year of the Reign of his late Majeſty King *George* the Second, Keels, and all other Carriages uſed for the Carriage of Coals in the Ports of *Newcaſtle upon Tyne* and *Sunderland*, upon the River *Wear*, and all other Places within the Counties of *Northumberland* and *Durham*, are to be admeaſured and marked, as in and by the ſaid firſt-recited Act is directed: And whereas the ſaid Admeaſurement of Keels and other Carriages, uſed for the Conveyance of Coals, in order to be ſhipped from thoſe Ports, hath been found by Experience to tend greatly to the Accommodation of Trade, and the Security of the Publick Revenue; and it is expedient that the Carriages uſed in loading Coals on Board Ships or Veſſels in other Parts of *Great Britain* ſhould be alſo admeaſured and marked, in order that the Coal Trade throughout the Kingdom may be put upon a more equal Footing, and the Duties payable to his Majeſty thereon may be more effectually ſecured and collected;' may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted, by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-five, it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, by his or their Commiſſion or Commiſſions iſſuing out of the Court of Exchequer in *England* or *Scotland* reſpectively, to nominate and appoint Commiſſioners for the admeaſuring and marking all Keels, Boats, Waggons, Barrows, Carts, and Coups, and all other Veſſels or Carriages whatſoever, which now are or hereafter may be uſed in the Carriage of Coals, in order to be laden on Board any Ship or Veſſel for Exportation to foreign Parts, or to be carried Coaſtwiſe from any other Port or Place of this Realm, in the ſame Manner as ſuch Commiſſioners are appointed in purſuance of the ſaid firſt-recited Act for admeaſuring and marking

After July 5, 1775, his Majeſty, &c. to appoint Commiſſioners for admeaſuring and marking all Keels, Boats, Waggons, &c. uſed for carrying Coals, &c. as by Act 6 & 7 Gul. III.

ing of Keels and other Carriages uſed for the Carriage of Coals in the ſaid Ports of *Newcaſtle* and *Sunderland*; which Commiſſioners, ſo to be appointed in purſuance of this Act, or any three or more of them, ſhall cauſe all Keels, Boats, Waggons, Barrows, Carts, and Coups, and all other Veſſels and Carriages whatſoever, ſo uſed as aforeſaid, at every other Port in this Kingdom, to be admeaſured, weighed, numbered, and marked, at ſuch Times and Places, and by ſuch Perſon and Perſons, as the ſaid Commiſſioners ſhall reſpectively direct and appoint for that Purpoſe, in the Manner hereafter expreſſed; that is to ſay, all Keels, Boats, Waggons, Barrows, Carts, and Coups, and all other Veſſels and Carriages whatſoever, uſed as aforeſaid in the Carriage of ſuch Coals as are uſually ſold by the Chalder, ſhall be meaſured with good middling Coals, by the Buſhel commonly called *the Coal Buſhel*, made round, with a plain and even Bottom nineteen Inches and an half from Outſide to Outſide, and to contain one *Wincheſter* Buſhel and one Quart of Water, according to the Standard for the *Wincheſter* Buſhel, deſcribed by an Act of Parliament made in the thirteenth Year of the Reign of his late Majeſty King *William* the Third, for ſettling a Duty upon Malt, allowing thirty-ſix Buſhels heaped up to one Chalder, and all Keels, Boats, Waggons, Barrows, and all other Veſſels and Carriages uſed as aforeſaid in the Carriage of ſuch Coals as are uſually ſold by Weight, ſhall be meaſured by the Ton, containing twenty hundred Weight, each hundred Weight to contain one hundred and twelve Pounds Weight Avoirdupoiſe; and every ſuch Waggon, Cart, Coup, or other Land Carriage, ſo admeaſured as aforeſaid, ſhall be numbered, marked, and nailed, on the Head and each Side thereof; and each and every Keel, Boat, or other Veſſel or Water Carriage ſo uſed as aforeſaid in the Carriage of ſuch Coals as are uſually ſold by Weight, ſhall be admeaſured by a dead Weight of Lead or Iron, allowing twenty hundred Weight Avoirdupoiſe to the Ton; and every ſuch Keel, Boat, or other Veſſel or Carriage, ſo uſed as aforeſaid in the Carriage of any Coals by Water, whether uſually ſold by the Chalder or by Weight, ſo admeaſured as aforeſaid, ſhall be numbered, marked, and nailed, on each Side of the Stem and Stern and Midſhip thereof, or in ſuch other Manner as the ſaid Commiſſioners ſhall reſpectively direct, to denote what Quantity of Coals each reſpective Carriage will hold and carry up to the Mark ſo ſet thereon; and the ſeveral and reſpective Duties due and payable to his Majeſty, his Heirs and Succeſſors, for and upon ſuch Coals, ſhall be charged, collected, and paid for the ſame, according to the Quantity of Coals ſuch Keels, Boats, Waggons, Barrows, Carts, Coups, or other Veſſels or Carriages, ſhall reſpectively contain up to the Mark ſo ſet thereon; any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

The Dimenſions of the Buſhel.

Keels, Boats, Waggons, &c. to be meaſured by the Ton, containing 20 Cwt. &c.

Waggons, Carts, Keels, &c. to be numbered and marked, and in what Manner.

His Majeſty's Duties to be paid according to the Quantity ſuch Keels, Boats, &c. ſhall contain.

II. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners appointed in purſuance of this Act, or any three of them, ſhall give three Days Notice of the Time and Place of ſuch Admeaſurement to the Owner or Owners of ſuch Keels, Boats, Waggons, Barrows, Carts, Coups, or other Veſſels or Carriages; and if after ſuch Notice given, any Keel or other Carriage whatſoever ſhall be uſed or employed in the Carriage or Removal of any Coals, in order to be laden on Board any Ship or Veſſel for Exportation to foreign Parts, or to be carried Coaſtwiſe in this Kingdom, before the ſame ſhall be meaſured, numbered, marked, and nailed, as aforeſaid, every ſuch Keel, Boat, Waggon, Barrow, Cart, Coup, or other Veſſel or Carriage, together with the Coals which ſhall be laden thereon, ſhall be forfeited, and the ſame ſhall and may be ſeized by any Officer or Officers of the Cuſtoms, and proſecuted in the Manner herein-after directed.

Commiſſioners to give three Days Notice to the Owners of Keels, &c. of the Time and Place of Admeaſurement; and after ſuch Notice, if any Keel, &c. be uſed before meaſured, &c. the ſame to be forfeited, &c.

III. And be it further enacted by the Authority aforeſaid, That in caſe after the admeaſuring, numbering, marking, and nailing, of any Keel, Boat, Waggon, Barrow, Cart, Coup, or other Veſſel or Carriage, the Number or Mark ſo ſet thereon as aforeſaid, or any Part thereof, ſhall be removed or altered, in order to fruſtrate the Intent and Meaning of this Act, ſuch Keel, Boat, Waggon, Barrow, Cart, Coup, or other Veſſel or Carriage, and the Coals, if any ſhall be laden thereon, ſhall be forfeited, and ſhall and may be ſeized and proſecuted as aforeſaid; and the Owner or Owners of ſuch Keel, Boat, Waggon, Barrow, Cart, Coup, or other Veſſel or Carriage, and each and every Perſon or Perſons who ſhall be any-ways concerned in or privy to the doing thereof, and who ſhall be convicted of ſuch Offence upon the Evidence of one or more credible Witneſs or Witneſſes before any one or more Juſtice or Juſtices of the Peace for the County, Town, or Place, where the Offence ſhall be committed, ſhall reſpectively forfeit the Sum of ten Pounds; to be levied upon his, her, or their Goods and Chattels by Diſtreſs and Sale thereof, by Warrant under the Hand and Seal of ſuch Juſtice or Juſtices, rendering the Overplus, if any, to the Perſon or Perſons diſtrained upon; and for Want of ſufficient Diſtreſs, the Owner or Owners of ſuch Keel, Boat, Waggon, Barrow, Cart, Coup, or other Veſſel or Carriage, and the Perſon or Perſons ſo convicted of ſuch Offence ſhall, by like Warrant, be committed to the Common Gaol for the County, Town, or Place, where the Offence ſhall be committed, there to remain for the Space of three Months without Bail or Mainprize, unleſs the ſaid Penalty of ten Pounds ſhall be paid before the Expiration of that Time.

If any Numbers or Marks be removed, &c. after Admeaſurement of Keels, Waggons, &c. they ſhall be forfeited,

and the Owners or Perſons concerned to forfeit 10 l.

which may be levied by Diſtreſs, or ſuch Perſons may be committed till Payment.

IV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid fifth Day of *July*, any Officer or Officers of the Cuſtoms appointed to examine and take an Account of the Quantity of any Coals, Culm, or Cinders, which ſhall be laden or ſhipped on Board any Ship or Veſſel at any Port or Place whatſoever in this Kingdom, to be exported into foreign Parts, or to be carried Coaſtwiſe from ſuch Port or Place to any other Port, Member, or Creek, within the ſame Port, or to any other Port or Place in *Great Britain*, ſhall and may freely enter and remain in and upon any Staith, Wharf, or other Place, from whence ſuch Coals, Culm, or Cinders, are laden, or intended to be ſhipped off and laden, as aforeſaid; and every Perſon who ſhall hinder, obſtruct, moleſt, or oppoſe any Officer or Officers of the Cuſtoms in the due Execution of his or their Duty required and directed by this Act, ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds.

Perſons appointed to take an Account of Coals, Culm, &c. ſhipped, &c. may enter and remain on any Wharf, &c.

and every Perſon obſtructing Officers in their Duty to forfeit 100 l.

V. And be it further enacted by the Authority aforeſaid, That all the Forfeitures and Penalties hereinbefore mentioned (after the deducting the Charges of ſeizing, proſecuting, and recovering the ſame) ſhall be divided, one Moiety to his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Officer

Forfeitures, &c. to be divided, one Moiety to his Majeſty, and

the other to the Officer who ſhall ſue for the ſame.

ficer or Officers of the Cuſtoms as ſhall ſeize or ſue for the ſame; and the ſaid Forfeitures and Penalties (excepting in ſuch Caſes where other Directions are given in this Act) ſhall and may be proſecuted and ſued for in his Majeſty's Court of Exchequer in *England* or *Scotland* reſpectively.

Collectors of the Cuſtoms to keep Accounts of the Time and Place where Keels, Boats, &c. are marked, &c.

VI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-five, the Collector and Comptroller, or other principal Officer of the Cuſtoms, at every Port or Place in this Kingdom, where any Keels, Boats, Waggons, Barrows, Carts, or other Veſſels or Carriages whatſoever, ſhall be meaſured and marked in purſuance of the Directions of this Act, or of any former Act or Acts of Parliament now in Force, ſhall regiſter or cauſe to be regiſtered, in a Book to be kept for that Purpoſe, an Account of the Time and Place when and where the ſaid Keels, Boats, Waggons, Barrows, or other Veſſels or Carriages, were meaſured, marked, and nailed, with the Dimenſions, and the Name of the Owner or Owners thereof, and the Quantity of Coals each Keel, Boat, Waggon, Barrow, or other Veſſel or Carriage, will reſpectively hold and carry up to the Mark ſet thereon; and every Perſon appointed, or to be appointed, to meaſure, mark, and nail ſuch Keels, Boats, Waggons, Barrows, or other Veſſels or Carriages, or to examine and take an Account of the Quantity of Coals laden there from on Board any Ship or Veſſel, ſhall take an Oath before the Collector and Comptroller, or other principal Officer of the Cuſtoms at the Port or Place where he ſhall be ſo appointed, for the true and faithful Performance and Diſcharge of his Duty, according to the Directions and Inſtructions ſuch Officer ſhall receive for that Purpoſe from the reſpective Commiſſioners of his Majeſty's Cuſtoms in *Great Britain*, which Oath the ſaid Collector and Comptroller, or other Principal Officer of the Cuſtoms, are hereby authoriſed and impowered to adminiſter.

Perſons appointed to mark and meaſure Keels, Boats, &c. to make Oath before the Collector for the faithful Diſcharge of their Duty.

Limitation of Actions.

VII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action or Suit ſhall be commenced and proſecuted in the Court of Exchequer only in that Part of *Great Britain* called *England*, or in the Court of Seſſion or Exchequer only in that Part of *Great Britain* called *Scotland* reſpectively, within the Space of four Calendar Months next after the Fact ſhall be committed or done: And if ſuch Action or Suit ſhall be commenced or proſecuted in *England*, the Defendant or Defendants in any ſuch Action or Suit may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited or diſcontinue his Action after the Defendant or Defendants ſhall have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law: And if ſuch Action or Suit ſhall be commenced or proſecuted in that Part of *Great Britain* called *Scotland*, the ſaid Court of Seſſion or Exchequer before whom ſuch Action or Suit ſhall be brought ſhall allow the Defendant to plead this Act on his Defence, and if the Purſuer ſhall not inſiſt on his Action, or if Judgment ſhall be given againſt the Purſuer, the Defendant ſhall and may recover the full and real Expences he may have been put to by any ſuch Action or Suit.

General Iſſue.

Treble Coſts.

How Proceedings are to be regulated in Scotland.

CAP. XXVIII.

An Act for altering, explaining, and amending ſeveral Acts of Parliament of *Scotland*, reſpecting Colliers, Coal-bearers, and Salters.

Preamble.

'WHEREAS by the Statute Law of *Scotland*, as explained by the Judges of the Courts of Law there, many Colliers and Coal-bearers and Salters are in a State of Slavery or Bondage, bound to the Collieries and Salt-works where they work for Life, transferable with the Collieries and Salt-works, when their original Maſters have no further Uſe for them: And whereas Perſons are diſcouraged and prevented from learning the Art or Buſineſs of Colliers or Coal-bearers, and Salters, by their becoming bound to the Collieries and Salt-works for Life, where they ſhall work for the Space of one Year, by means whereof there are not a ſufficient Number of Colliers, Coal-bearers, and Salters, in *Scotland*, for working the Quantities of Coal and Salt neceſſarily wanted; and many new-diſcovered Coals remain unwrought, and many are not ſufficiently wrought, nor are there a ſufficient Number of Salters for the Salt-works, to the great Loſs of the Owners and Diſadvantage to the Publick: And whereas the emancipating or ſetting free the Colliers, Coal-bearers, and Salters in *Scotland*, who are now in a State of Servitude, gradually and upon reaſonable Conditions, and the preventing others from coming into ſuch a State of Servitude, would be the Means of increaſing the Number of Colliers, Coal-bearers, and Salters, to the great Benefit of the Publick, without doing any Injury to the preſent Maſters, and would remove the Reproach of allowing ſuch a State of Servitude to exiſt in a free Country;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *July*, in this preſent Year one thouſand ſeven hundred and ſeventy-five, no Perſon who ſhall begin to work as a Collier, Coal-bearer, or Salter, or in any other Way in a Colliery or Saltwork, in *Scotland*, ſhall be bound to ſuch Colliery or Salt-work, or to the Owner thereof, in any other Way or Manner different from what is permitted by the Law of *Scotland* with regard to Servants and Labourers; and that they ſhall be deemed free, and ſhall enjoy the ſame Privileges, Rights, and Immunities with the reſt of his Majeſty's Subjects, any Law or Uſage in *Scotland* to the contrary notwithſtanding.

After July 1, 1775, no Perſon who ſhall begin to work as a Collier or Salter in Scotland to be bound in any other Way than other Servants.

II. Provided always, That it ſhall be lawful for all Owners and Leſſees of Collieries and Salt-works, and for Colliers, Coal-bearers, and Salters, to take Perſons bound by Contract or Indenture, as Apprentices, to

Owners of Collieries and Salt-works, &c. may take Apprentices.

to learn the Art or Buſineſs of Coal-hewing, Coal-bearing, or making Salt, for any Term of Years permitted by the Law of *Scotland* with regard to Apprentices in other Arts and Myſteries.

Perſons employed as Colliers, &c. under 21 Years, ſhall be free after ſeven Years Service.

III. And be it further enacted by the Authority aforeſaid, That all Perſons under the Age of Twenty-one Years, upon the ſaid firſt Day of *July*, employed as Colliers, Coal-bearers, or Salters, in *Scotland*, and bound to any Colliery or Salt-work, ſhall, after ſeven Years Service from the ſaid firſt Day of *July*, be free from their Service and Servitude, and at Liberty to engage themſelves as Servants or Labourers in any other Colliery or Salt-work, or in any other Kind of Labour whatever.

All bound Colliers and Salters above 21 and under 35 after a Service of ten Years, and thoſe above 35 and under 45 after ſeven years, to be free, having found and inſtructed Apprentices, if deſired.

IV. And be it further enacted by the Authority aforeſaid, That all bound Colliers and Salters in *Scotland*, above the Age of twenty-one Years, and under the Age of thirty-five Years, upon the ſaid firſt Day of *July*, after a Service of ten Years; and all Colliers and Salters above the Age of thirty-five Years, but under the Age of forty-five Years, at the ſaid firſt Day of *July*, after a Service of ſeven Years; and after their having reſpectively found and ſufficiently inſtructed a Perſon as an Apprentice, if required ſo to do by the Maſter or Leſſee of the Colliery or Salt-work, within one Year after the ſaid firſt Day of *July* next, in the Art or Myſtery of Coal-hewing or making of Salt, of the Age of eighteen Years at leaſt; when ſuch Inſtruction ſhall be perfected, ſhall be free from any other Servitude or Bondage to the Colliery or Salt-work to which they were bound.

Bound Colliers, &c. above 45 Years to be free after three Years.

V. And be it alſo enacted, That all Colliers and Salters, bound to any Colliery or Salt-work in *Scotland*, above the Age of forty-five Years upon the ſaid firſt Day of *July* next, ſhall, after three Years, be free and diſcharged from any further Servitude or Bondage to the Colliery or Salt-work to which they are bound.

Colliers and Salters not properly inſtructing Apprentices, to ſerve 3 Years longer than the Time ſpecified, and then to be free.

VI. Provided always, and be it enacted by the Authority aforeſaid, That if any bound Collier or Salter ſhall not ſufficiently inſtruct an Apprentice in the Art or Myſtery of Coal-hewing or making of Salt, if required by the Maſter or Leſſee of the Colliery or Salt-work to which he is bound, as directed by this Act, ſuch Collier or Salter ſhall nevertheleſs be free, after the Performance of an additional Service of three Years at the Colliery or Salt-work to which he is bound.

Colliers, &c. claiming Liberty to obtain a Decree of the Sheriff Court, &c.

VII. Provided always, That every Collier or Salter, claiming Liberty under the Authority of this Act, ſhall, prior to his being freed from his Servitude or Bondage, obtain a Decree of the Sheriff Court of the County in which he reſides, finding and declaring that he is intitled unto his Freedom, under the Authority of this Act.

In what Manner Colliers and Salters are to ſue out their Freedom.

VIII. And be it enacted by the Authority aforeſaid, That for the Purpoſe of obtaining ſuch Decree, it ſhall and may be lawful for the Collier or Salter claiming his Freedom to preſent a Petition to the Sheriff Depute or Subſtitute of the County where he reſides, ſtating his Claim of Freedom, and offering to prove the Facts which intitle him to it, and the Sheriff Depute or Subſtitute is hereby authoriſed and required to order the Petition to be ſerved upon the Owner, Leſſee, or Overſeer, of the Colliery or Salt-works to which the Petitioner is bound, and to order an Anſwer to be put in to the Petition in ten Days after Service, ſtating the Objection or Objections to the Freedom claimed, if any ſuch are intended to be made; and the Sheriff ſhall thereafter proceed in a ſummary Way in taking the Proofs, and all other Procedure neceſſary, until a Decree ſhall be pronounced; and if the Decree of the Sheriff ſhall be againſt the Petitioner, finding him not intitled to Freedom, it ſhall nevertheleſs be competent to ſuch Petitioner, at any Period after the Expiration of one Year, to preſent a ſecond Petition, ſtating his Claim of Liberty of new, and which ſhall be proceeded upon in the ſame Manner as the former; and if the Petitioner fails in obtaining a Decree for him on the ſecond Petition, he may, after the Expiration of one Year from the Date of the ſecond Decree, preſent a third Petition, which ſhall likewiſe be proceeded upon in the ſame Manner; and if he fails in obtaining a Decree upon his third Petition, he may preſent a fourth, and ſo on, till he obtains a Decree declaring his Freedom, one Year at leaſt being expired after a Decree upon one Petition before it ſhall be competent to preſent another.

Perſons guilty of unlawful Combinations, &c. to ſerve two Years after they would have been intitled to their Freedom.

IX. Provided always, That in caſe it ſhall be proved to the Satisfaction of the ſaid Sheriff, that the Perſon ſo applying by Petition has, ſubſequent to the paſſing of this Act, been guilty of entering into any unlawful Combination with the other Colliers or Salters to leave off working, in order to diſtreſs or injure the Proprietor or Leſſee of ſuch Coal or Salt-work, or in order to compel him to increaſe the Wages or Allowances uſually paid for the ſaid Work; or that the Perſon ſo applying ſhall have wilfully deſerted the ſaid Works; then, and in that Caſe, the Perſon guilty of ſuch Offences ſhall not be intitled to the Benefit of the ſaid Act until the Expiration of two Years after the reſpective Periods at which, in Terms of this Act, he would have been intitled to his Freedom, if he had not been guilty of ſuch Offences.

Reſpondent to any Petition may not remove the Proceedings upon it into the Court of Seſſion.

X. And be it further enacted by the Authority aforeſaid, That it ſhall not be competent for the Reſpondent or Reſpondents to ſuch Petition to remove the Proceedings upon it into the Court of Seſſion in *Scotland*, by Advocation, or to complain of any Decree by Appeal or Suſpenſion, or to ſue for Reduction of any ſuch Decree; and that every Decree upon ſuch Petition, finding and declaring the Freedom of the Petitioner, ſhall be final and concluſive againſt the Perſon to whom the Petitioner was bound.

All Decrees declaring Freedom to be final.

XI. And be it further enacted by the Authority aforeſaid, That when Colliers or Salters obtain their Freedom under the Authority of this Act, their Wives and Children in Family with them, and all others who make Part of their Family, and are Coal-bearers, or otherwiſe aſſiſtant to them, ſhall likewiſe be free.

When Colliers or Salters obtain their Freedom, all their Family to be alſo free.

XII. And be it further enacted by the Authority aforeſaid, That all Coal-bearers and other Labourers in Collieries or Salt-works, who are bound to any Colliery or Salt-work in *Scotland*, and do not belong to the Family of any particular Collier or Salter, ſhall, if under the Age of forty-five Years, after ſeven Years Service, from the ſaid firſt Day of *July*, be free from their Service and Servitude, and at Liberty to engage themſelves as Servants or Labourers in any other Colliery or Salt-work, or in any other Kind of Work

All Coal-bearers who are bound, &c. and under 45 Years, to ſerve ſeven Years; and above 45, to ſerve three Years.

Work whatſoever, and if above the Age of forty-five Years they ſhall be free after a Service of three Years.

All Colliers, &c. having obtained their Freedom, are intitled to the Benefit of the Act of Scotland, 'for preventing wrongous Impriſonment, &c.'

XIII. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *July*, in this preſent Year one thouſand ſeven hundred and ſeventy-five, all Colliers and Salters then free, and all Perſons that may thereafter become Colliers and Salters, and all Colliers and Salters bound to any Colliery or Salt-work upon the ſaid firſt Day of *July*, from the Time of obtaining their Freedom under the Authority of this Act, ſhall be intitled to the Benefit of an Act made in the Parliament of *Scotland*, in the Year one thouſand ſeven hundred and one, intituled, *Act for preventing wrongous Impriſonment, and againſt undue Delays in Trials*; any Thing in the ſaid Act to the contrary notwithſtanding.

CAP. XXIX.

An Act to repeal two Acts, made in the Parliament of *Scotland*, the twenty-eighth Day of *June*, one thouſand ſix hundred and thirty-three, intituled, *Act anent the Clan* Gregour, and the fifteenth Day of *June*, one thouſand ſix hundred and ninety-three, intituled, *Act for the Juſticiary in the Highlands*, ſo far as relates to the *Mac Gregours*; and to revive an Act of the ſaid Parliament of the twenty-ſixth Day of *April*, one thouſand ſix hundred and ſixty-one, relative to the People called *Mac Gregours*.

Preamble.

Act of the Parliament of Scotland, 1633, Car. I. recited.

'WHEREAS in the Parliament of *Scotland*, being the firſt Parliament of King *Charles* the Firſt, holden at *Edinburgh*, the twenty-eighth Day of *June*, one thouſand ſix hundred and thirty-three, an Act paſſed, intituled, *Act anent the Clan* Gregour, ratifying and approving all Acts of Council and of Parliament made theretofore againſt the Clan of *Mac Gregour*, and ordaining the Clan or People of the Name of *Gregour* or *Mac Gregour*, and every one of them, at arriving at the Age of Sixteen, to give Security to the Privy Council of *Scotland* for their good Behaviour and Obedience; and that the ſaid Clan *Gregour* ſhould take to them ſome other Surname; and that upon their Failure to appear, it ſhould be lawful to any of his Majeſty's Lieges to take and apprehend them to be preſented to the Privy Council, there to be taken Order with; and if it ſhould happen any of the ſaid Clan *Gregour* to be hurt, mutilated, or ſlain, the Party ſo doing and their Accomplices ſhould no Ways be ſubject or liable to Law therefore, nor incur any Pain or Skaith in Body or Goods, and ſhould be free of all Purſuit, Criminal or Civil, and the ſame ſhould be holden as good Service done to his Majeſty; and that for the better extinguiſhing and extirpating the ſaid Clan, no Miniſter or Preacher within the Bounds therein mentioned ſhould at any Time thereafter baptize or chriſten any Male Child by the Name of *Gregour*, and that no Clerk or Notary at any Time coming ſhould make or ſubſcribe any Bond or other Security under the Name of *Gregour*: And whereas in the firſt Parliament of King *Charles* the Second, holden at *Edinburgh*, *Anno* one thouſand ſix hundred and ſixty-one, an Act paſſed, bearing Date the twenty-ſixth Day of *April* in that Year, whereby his Majeſty, conſidering that thoſe who were formerly deſigned by the Name of *Mac Gregour* had, during the Troubles, carried themſelves with ſuch Loyalty and Affection to his Majeſty as might juſtly wipe off all Memory of their former Miſcarriages, and take off all Mark of Reproach put upon them for the ſame; and his Majeſty being deſirous to reclaim his Subjects from every evil Way, and to give all due Encouragement to ſuch as lived in due Obedience and Submiſſion to his Majeſty's Authority and Laws of the Kingdom, therefore his Majeſty, with Advice and Conſent of his Eſtates of Parliament, reſcinded, caſſed, and annulled the thirtieth Act of the Firſt Parliament of King *Charles* the Firſt, intituled, *Act anent the Clan* Gregour, and declared the ſame void and null in all Time coming, and that it ſhould be thereafter free to all Perſons come of the Name and Race of the Clan *Gregour* to keep and make uſe of the ſaid Name of *Gregour*, or *Mac Gregour*, and enjoy all Privileges and Immunities as other Subjects, notwithſtanding the ſaid Act, or any other Acts, or any Thing therein contained, to the contrary: And whereas in the Reign of King *William* and Queen *Mary* an Act paſſed in the Parliament of *Scotland*, the fifteenth of *June*, one thouſand ſix hundred and ninety-three, intituled, *Act for the Juſticiary in the* Highlands, whereby their Majeſties, with the Advice and Conſent of the Eſtates of Parliament, revived the Act of Parliament of one thouſand ſix hundred and thirty-three againſt the Clan *Gregour*, notwithſtanding the ſame was reſcinded in the Year one thouſand ſix hundred and ſixty-one, which Act reſciſſary their Majeſties did, by this Act, annul and make void: And whereas thoſe Perſons who were the Objects of the aforeſaid Acts did generally give Obedience to the Law, by aſſuming other Names, and many of the Deſcendants of thoſe Perſons now bear the Names that were by them ſo aſſumed: And whereas the Cauſes inductive of the Acts for ſuppreſſing the Name of *Gregour*, or *Mac Gregour*, are now little known, and have long ago ceaſed, and thoſe Acts being incapable of Execution ever ſince the Powers of the Privy Council of *Scotland* were aboliſhed, many Perſons conſidering them to be ineffect, and for the moſt part obſolete, do now uſe the Name of *Mac Gregour*: And whereas many Perſons of the Surname of *Mac Gregour* have found divers Inconveniences ariſing to them from the ſaid Acts of the Parliament of *Scotland*, particularly by being diſabled, and apprehending themſelves diſabled thereby, from ſuing and defending in their own true Names in Courts of Law and Juſtice in *North Britain*, and are deſirous to re-aſſume the real Name of their Anceſtors and Families, but are unwilling ſo to do while there is the Appearance of a legal Prohibition ſtanding againſt them; and for as much as they cannot be fully relieved without the Authority of Parliament, may it therefore pleaſe your Majeſty (upon the humble Petition of *Gregor Drummond*, Eſquire, for himſelf and and many others), that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament

Act of the Parliament of Scotland, 1661, Car. II. recited.

Act of the Parliament of Scotland, 1693, Gul. et Mariæ, recited.

The above-recited Acts of the Parliament of

Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said Act of the Parliament of *Scotland*, of the twenty-eighth Day of *June* one thousand six hundred and thirty-three, and the said Act of the Parliament of *Scotland*, of the fifteenth Day of *June* one thousand six hundred and ninety-three, so far as respects the Clan *Gregour*, or *Mac Gregour*, shall be and stand repealed, rescinded, annulled, and void, to all Intents and Purposes whatsoever.

Scotland, 1633 and 1693, so far as they respect the Clan Gregour, are by this Act repealed.

II. And it is hereby further enacted, That the said Act of the Parliament of *Scotland*, made the twenty-sixth Day of *April* one thousand six hundred and sixty-one, be and the same is hereby revived, and declared to be in full Force and Vigour in Time coming.

The Act of the Parliament of Scotland, April 26, 1661, hereby revived, and in full Force.

CAP. XXX.

An Act for allowing the Officer appointed to mark or stamp the Weights to be made use of in weighing the Gold and Silver Coin of this Kingdom, in pursuance of an Act made in the last Session of Parliament, to take certain Fees in the Execution of his Office.

Preamble.

Act 14 Geo. III. recited.

'WHEREAS by an Act, made in the fourteenth Year of the Reign of his present Majesty, intituled, *An Act for regulating and ascertaining the Weights to be made use of in weighing the Gold and Silver Coin of this Kingdom*, it is enacted, That exact Duplicates or Copies of the several Standard Weights therein mentioned shall be delivered to and lodged in the Custody of an Officer, to be from Time to Time appointed for that Purpose, with a Salary not exceeding the yearly Sum of two hundred and fifty Pounds; and that, from and after the Day therein mentioned, all Weights to be made use of for weighing the said Gold and Silver Coin shall be ascertained by the said Duplicates or Copies; and after having been tried and compared therewith, and found to be just and true, shall, in Testimony thereof, be marked by the said Officer with a Stamp or Mark, which the said Officer is thereby directed to provide; and is also required, upon Application made to him, at all seasonable Hours, to stamp or mark, in Manner therein mentioned, all Weights to be used for weighing the said Gold and Silver Coin which should be brought to him for that Purpose, and which he should find to be just and true, according to the said Duplicates or Copies of the Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof respectively, by the said Act directed to be lodged in his Custody, without Fee or Reward, and without wilful Delay: And whereas the Officer appointed for the Purpose aforesaid, in pursuance of the said Act, hath hitherto duly executed the same, but is unable by himself to give that Dispatch therein which the present Demands of the Publick require; and it would greatly tend to the speedy carrying the Intention of the said Act into Execution, if the said Officer were permitted to take a small Fee for the stamping or marking the said Weights, towards reimbursing him the necessary Expence of procuring an extraordinary Number of Assistants adequate to the said Demands, which, as the Law now stands, he is not allowed to do:' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, it shall and may be lawful to and for *John Whitehurst*, the present Officer, and every other Officer to be from Time to Time appointed for the Purpose aforesaid, in pursuance of the said Act, and he and they are hereby respectively authorised and impowered, to ask, demand, and receive, of and from all and every Person and Persons bringing Weights to the said Office, to be stamped or marked in pursuance of the said Act, any Sum of Money not exceeding one Penny for every twelve Weights so stamped or marked before he delivers the same; any Thing in the said recited Act contained to the contrary in any wise notwithstanding.

J. Whitehurst impowered to take 1 d. for every twelve Weights stamped.

CAP. XXXI.

An Act for the Encouragement of the Fisheries carried on from *Great Britain*, *Ireland*, and the *British* Dominions in *Europe*, and for securing the Return of the Fishermen, Sailors, and others employed in the said Fisheries, to the Ports thereof, at the End of the Fishing Season.

Preamble.

'WHEREAS the Fisheries carried on by his Majesty's Subjects of *Great Britain* and of the *British* Dominions in *Europe* have been found to be the best Nurseries for able and experienced Seamen, always ready to man the Royal Navy when Occasions require; and it is therefore of the highest national Importance to give all due Encouragement to the said Fisheries, and to endeavour to secure the annual Return of the Fishermen, Sailors, and others employed therein, to the Ports of *Great Britain*, and of his Majesty's Dominions before mentioned, at the End of every Fishing Season:' Now, in order to promote these great and important Purposes, and with a View, in the first place, to induce his Majesty's Subjects to proceed early from the Ports of *Great Britain* to the Banks of *Newfoundland*, and thereby to prosecute the Fishery on the said Banks to the greatest Advantage, may it please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *January*, one thousand seven hundred and seventy-six, the respective Bounties herein after mentioned shall be paid and allowed annually, for eleven Years, for a certain Number of Ships or Vessels employed in the *British* Fishery on the Banks of *Newfoundland*, under the Limitations and Restrictions herein after expressed; that is to say, Such Vessels shall appear by their Register to be *British* built, and owned by his Majesty's Subjects residing in *Great Britain*

After Jan. 1, 1776, Bounties to be given to Vessels fitted out from Great Britain or Ireland for the Newfoundland Fishery,

or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*; and be of the Burthen of fifty Tons or upwards, and navigated with not leſs than fifteen Men each, Three-fourths of whom, beſides the Maſter, ſhall be his Majeſty's Subjects; and in other Reſpects qualified, and ſubject to the ſame Rules and Reſtrictions, as are deſcribed by an Act, made in the tenth and eleventh Years of the Reign of the late King *William* the Third (intituled, *An Act to encourage the Trade to* Newfoundland); and ſhall be fitted and cleared out from ſome Port in *Great Britain* after the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and after that Day in each ſucceeding Year, and ſhall proceed to the Banks of *Newfoundland*; and having catched a Cargo of Fiſh upon thoſe Banks, conſiſting of not leſs than ten thouſand Fiſh by Tale, ſhall land the ſame at one of the Ports on the Southern or Eaſtern Side of the Iſland of *Newfoundland*, between *Cape Ray* and *Cape de Grat*, on or before the fifteenth Day of *July* in each Year; and ſhall make one more Trip at leaſt to the ſaid Banks, and return with another Cargo of Fiſh catched there to the ſame Port; in which Caſe, the twenty-five Veſſels firſt arriving at the ſaid Iſland of *Newfoundland* from the Banks thereof, with a Cargo of Fiſh catched there, conſiſting of ten thouſand Fiſh by Tale at the leaſt, and after landing the ſame at one of the Ports within the Limits before mentioned in *Newfoundland*, ſhall proceed again to the ſaid Banks, and return to the ſaid Iſland with another Cargo of Fiſh, ſhall be intitled to forty Pounds each; and one hundred Veſſels which ſhall ſo arrive the next in Order of Time, on or before the ſaid fifteenth Day of *July* in each Year, at the ſaid Iſland, with a like Cargo, and ſhall proceed again to the ſaid Banks, and return from thence in the Manner herein before mentioned, ſhall be intitled to twenty Pounds each; and one hundred other Veſſels which ſhall ſo arrive the next in Order of Time, on or before the ſaid fifteenth Day of *July* in each Year, at the ſaid Iſland, with a like Cargo, and ſhall proceed again to the ſaid Banks, and return from thence in the Manner herein before mentioned, ſhall be intitled to ten Pounds each, upon the Maſter or Owner of ſuch Veſſel's producing to the Collector of his Majeſty's Cuſtoms at the Port in *Great Britain* from whence ſuch Veſſel was cleared out, a Certificate, under the Hand and Seal of the Governor of *Newfoundland*, that the Maſter of ſuch Veſſel had produced to him a Certificate under the Hands of the Collector and Comptroller of the Cuſtoms at the Port from whence ſuch Veſſel was cleared out, teſtifying that ſuch Veſſel was duly qualified to proceed on ſuch Fiſhery, in purſuance of the before-mentioned Act, made in the tenth and eleventh Years of King *William* the Third; and that it has been made appear to his Satisfaction, by a Certificate under the Hand and Seal of the Naval Officer of the Diſtrict in *Newfoundland* where ſuch Fiſh was landed, or, where there is no Naval Officer, under the Hand and Seal of the Commander of any of his Majeſty's Ships ſtationed there, or of ſuch Officer as the Governor ſhall approve, ſpecifying the Time of ſuch Veſſel's Arrival, in Manner before directed, that ſuch Veſſel was intitled by the Priority and Time of her Arrival to one or other of the Bounties therein mentioned, as the Fact may be; and that the Maſter and Mate of ſuch Veſſel had made Oath before ſuch Naval or other Officer as aforeſaid, that the Number of Fiſh taken on the firſt Trip amounted to ten thouſand at leaſt by Tale, that he had made two Trips at leaſt, and that all the Fiſh on both Trips were catched on the Banks of *Newfoundland*; which Certificate and Oath the ſaid Governor and Naval or other Officer as aforeſaid are hereby impowered and required to grant and adminiſter to the Maſter and Mate of ſuch Veſſel without Fee or Reward; and upon delivering up the ſaid Certificate to ſuch Collector, the reſpective Bounties therein mentioned ſhall be paid by ſuch Collector out of any Money remaining in his Hands ariſing by the Duties of Cuſtoms or other Subſidies upon foreign Goods imported into this Kingdom; and in caſe ſuch Collector ſhall not have ſufficient Money in his Hands to pay the ſaid Bounties, he ſhall certify the ſame to the Commiſſioners of his Majeſty's Cuſtoms in *England* or *Scotland* reſpectively, who are hereby authoriſed and required to order the ſame to be paid by the Receiver General of the Cuſtoms, out of any Money in his Hands ariſing by any of the Duties and Revenues under their Management reſpectively.

qualified as by Act 10 & 11 Gul. III.

Certificates to be produced to the Collector of Cuſtoms from the Governor of Newfoundland, of the Qualification of Ships, &c.

Maſters and Mates to make Oath.

Certificates and Oaths to be granted and adminiſtered without Fee.

Collectors of Cuſtoms to pay the Bounties.

Any Part of Newfoundland not in uſe may be uſed for curing and drying Fiſh.

II. And be it further enacted by the Authority aforeſaid, That, for the better Accommodation of the Perſons belonging to Veſſels employed in the *Newfoundland* Fiſhery, it ſhall and may be lawful for the Maſters and Crews belonging to any Veſſels fitted out and employed in that Fiſhery, in purſuance of this or any other Act, to occupy and uſe, for the Purpoſe of curing, ſalting, drying, and huſbanding their Fiſh, any vacant or void Space whatever on any Part of *Newfoundland* which is not then occupied and uſed for the ſaid Fiſhery, without any Let, Diſturbance, or Hindrance, from any Perſon or Perſons whatſoever, although ſuch unoccupied Places may not before have been reputed Ships Rooms; and all ſuch unoccupied Places ſhall from henceforth be deemed and taken to be Ships Rooms, any Cuſtom or Uſage to the contrary notwithſtanding.

What Bounties are to be given to Ships fitted out for the Whale Fiſhery.

'III. And in order to induce his Majeſty's Subjects in *Great Britain* and *Ireland*, and the Iſlands of '*Guernſey*, *Jerſey*, and *Man*, to carry on the Whale Fiſhery on the Coaſts of *Newfoundland*, and the Seas 'adjacent,' be it further enacted by the Authority aforeſaid, That the ſeveral Bounties hereafter mentioned ſhall be allowed annually, for eleven Years, for five Veſſels employed in that Fiſhery, under the Limitations and Reſtrictions herein after expreſſed; that is to ſay, Such Veſſels ſhall appear by their Regiſter to be *Britiſh* built, and owned by his Majeſty's Subjects reſiding in *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, and navigated with Three-fourths of his Majeſty's Subjects of *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, beſides the Maſter, and ſhall be fitted and cleared out from ſome Port in *Great Britain* or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and after that Day in each ſucceeding Year, and ſhall take and kill one Whale at leaſt in the *Gulph of Saint Lawrence*, or on the Coaſts of *Labrador*, *Newfoundland*, or in any Seas to the Southward of the *Greenland* Seas and *Davis's Streights*, and ſhall return within the ſame Year to ſome Port in *England* with the Oil of ſuch Whale or Whales ſo taken as aforeſaid; and on the Maſter and Mate of ſuch Veſſel, and two of the Mariners belonging to her, making Oath before the Collector and Comptroller of the Cuſtoms at the Port of her Arrival (which Oath they are hereby authoriſed and required to adminiſter), that ſuch Oil is the Produce of one or more Whale or Whales

Maſters and Mates making Oath, &c.

Whales taken and killed by the Crew then belonging to ſuch Veſſel, mentioning the Time when ſhe departed from *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, and from what Port, and the Time and Place where ſuch Whale or Whales was or were taken and killed, ſuch Oil may be landed without Payment of any Duty whatſoever; and the Collector and Comptroller of ſuch Port ſhall thereupon forthwith tranſmit ſuch Oath to the Commiſſioners of his Majeſty's Cuſtoms at *London*, any four or more of whom are hereby authoriſed and required to order the Receiver General of his Majeſty's Cuſtoms to pay, out of any Money in his Hands ariſing by any Duties under their Management, for the Veſſel which ſhall ſo arrive in each Year with the greateſt Quantity of Oil taken as aforeſaid, five hundred Pounds; for the Veſſel which ſhall in like Manner arrive in the ſame Year with the next greateſt Quantity of Oil ſo taken as aforeſaid, four hundred Pounds; for the Veſſel which ſhall in like Manner arrive in the ſame Year with the next greateſt Quantity of Oil ſo taken as aforeſaid, three hundred Pounds; for the Veſſel which ſhall in like Manner arrive in the ſame Year with the next greateſt Quantity of Oil ſo taken as aforeſaid, two hundred Pounds; and for the Veſſel which ſhall ſo arrive in the ſame Year with the next greateſt Quantity of Oil ſo taken as aforeſaid, one hundred Pounds; the ſaid Oil ſo to be imported by each of the ſaid Veſſels being the Produce of one Whale at the leaſt; which ſaid ſeveral and reſpective Bounties ſhall be paid by ſuch Receiver General, within two Months after the Expiration of each Year in which ſuch Veſſel ſhall arrive, to the Owner or Owners of ſuch Veſſels ſo intitled thereto, or their Aſſigns duly authoriſed to demand the ſame.

Receiver General of his Majeſty's Cuſtoms to pay the Bounties.

'IV. And in order to obviate any Doubts that have ariſen, or may ariſe, to whom the Privilege or 'Right of drying Fiſh on the Shores of *Newfoundland* does or ſhall belong, under the before-mentioned 'Act, made in the tenth and eleventh Years of the Reign of King *William* the Third, which Right or 'Privilege has hitherto only been enjoyed by his Majeſty's Subjects of *Great Britain*, and the other *Bri*-'*tiſh* Dominions in *Europe*;' be it enacted and declared by the Authority aforeſaid, That the ſaid Right and Privilege ſhall not be held and enjoyed by any of his Majeſty's Subjects arriving at *Newfoundland* from any other Country except from *Great Britain*, or one of the *Britiſh* Dominions in *Europe*.

What Perſons are intitled to the Privilege of drying Fiſh on the Banks of Newfoundland.

V. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any of his Majeſty's Subjects reſiding in *Ireland* to ſhip and lade there, and to tranſport directly from thence to *Newfoundland*, or to any Part of *America* where the Fiſhery is now or ſhall hereafter be carried on, on Board any Ship or Veſſel which may lawfully trade or fiſh there, any Proviſions, and alſo any Hooks, Lines, Netting, or other Tools or Implements neceſſary for and uſed in the Fiſhery by the Crews of the Ships or Veſſels carrying out the ſame, and the Craft belonging to and employed by ſuch Ships or Veſſels in the ſaid Fiſhery, ſuch Proviſions, Hooks, Lines, Netting, or other Tools or Implements, being the Product and Manufacture of *Great Britain* or *Ireland*; and that it ſhall and may be lawful for any of his Majeſty's Subjects reſiding in the *Iſle of Man*, in like Manner to export directly from thence any of the Articles herein before mentioned for the Purpoſe aforeſaid, ſuch Articles being the Product or Manufacture of *Great Britain*, or the ſaid *Iſle of Man*, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Proviſions, and all Neceſſaries for fiſhing, may be exported from Ireland and the Iſle of Man to Newfoundland, being Britiſh or Iriſh Product or Manufacture.

VI. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the Maſter or other Perſon taking Charge of ſuch Ship or Veſſel ſhall produce to the proper Officer of the Cuſtoms in the Colony or Plantation where he ſhall arrive, a Certificate, under the Hand and Seal of the Collector or other Principal Officer of the Cuſtoms in the Port where he ſhall have fitted out, that Oath hath been made before him by the Shipper of ſuch Proviſions, Hooks, Lines, Netting, or other Tools and Implements, that the ſame are of the Product and Manufacture of *Great Britain* or *Ireland*, or the *Iſle of Man* reſpectively, as the Fact may be, and that the ſeveral Articles before mentioned (except the Proviſions), ſpecifying the Quantities and Particulars of each Sort, are to be uſed in the Fiſhery by the Crews of the reſpective Ship or Veſſel carrying out the ſame, and by the Craft belonging to and to be employed by ſuch Ship or Veſſel in the ſaid Fiſhery, and for no other Uſe or Purpoſe whatſoever (which Oath and Certificate ſuch Collector or other Officer is hereby authoriſed and required to adminiſter and grant without Fee or Reward); and on Failure of producing ſuch Certificate, or if any ſuch Hooks, Lines, Netting, Tools and Implements, are uſed or diſpoſed of for any other Purpoſe, the ſame, and the Ship or Veſſel having the ſame on Board, ſhall be liable to be ſeized and forfeited in the ſame Manner as they would have been ſubject and liable to if this Act had not been made, any Thing herein contained to the contrary notwithſtanding.

Maſters of Veſſels to produce Certificates from the Officer of Cuſtoms, that the Proviſions, &c. are the Product, &c. of Great Britain or Ireland.

On Failure, &c. the Ship to be forfeited.

VII. And it is hereby further enacted by the Authority aforeſaid, That from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, all Veſſels fitted and cleared out as Fiſhing Ships in purſuance of this Act, or of the before-mentioned Act, made in the tenth and eleventh Years of the Reign of the late King *William* the Third, and which ſhall be actually employed in the Fiſhery there, or any Boat or Craft whatſoever employed in carrying Coaſtwiſe, to be landed or put on Board any Ships or Veſſels, any Fiſh, Oil, Salt Proviſions, or other Neceſſaries, for the Uſe and Purpoſe of that Fiſhery, ſhall not be liable to any Reſtraint or Regulation with reſpect to Days or Hours of working, nor to make any Entry at the Cuſtomhouſe at *Newfoundland*, except a Report to be made by the Maſter on his firſt Arrival there, and at his clearing out from thence; and that a Fee not exceeding two Shillings and Sixpence ſhall and may be taken by the Officers of the Cuſtoms at *Newfoundland* for each ſuch Report; and that no other Fee ſhall be taken or demanded by any Officer of the Cuſtoms there, upon any other Pretence whatſoever relative to the ſaid Fiſhery, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

No Fiſhing Ships, or any Craft carrying Neceſſaries for the Fiſhery, to be liable to any Reſtraint as to Time of working, nor to make any Entry at the Cuſtomhouſe, &c.

VIII. Provided always, and be it enacted, That in caſe any ſuch Fiſhing Ship or Veſſel ſhall at her laſt clearing out from the ſaid Iſland of *Newfoundland* have on Board, or export any Goods or Merchandiſe whatſoever, except Fiſh, or Oil made of Fiſh, ſuch Ship or Veſſel, and the Goods thereon laden, ſhall be ſubject and liable to the ſame Securities, Reſtrictions, and Regulations, in all Reſpects, as they would

If Ships have on Board any other Goods than Fiſh or Oil, &c they ſhall be under the uſual Reſtrictions, &c.

would have been ſubject and liable to if this Act had not been made, any Thing herein before contained to the contrary notwithſtanding.

Act 25 Car. II. allowing Train Oil, &c to be imported Duty-free, recited,

'IX. And whereas by an Act, made in the twenty-fifth Year of the Reign of King *Charles* the Second (intituled, *An Act for the Encouragement of the* Greenland *and* Eaſtland *Trades, and for the better ſecuring the Plantation Trade*), and by other Acts of Parliament, it is lawful for any Perſon or Perſons to import into *England* Train Oil or Blubber of *Greenland*, and Parts adjacent, and thoſe Seas, or of *Newfoundland*, or of any other his Majeſty's Colonies and Plantations, made of Fiſh, or of any other Creature living in the Seas, and Whale Fins caught in any Ships or Veſſels truly and properly belonging to *England* or *Wales*, or Town of *Berwick upon Tweed*, and imported in ſuch Ships, without paying any Cuſtom or Duty for the ſame, which Liberty, by a ſubſequent Act of Parliament, is extended to Ships belonging to *Great Britain*; and it is reaſonable that the ſame Indulgence ſhould be extended to Oil and Blubber of Fiſh, and other Creatures living in the Sea, and to Whale Fins caught in any Part of the Ocean by Ships belonging to *Great Britain*, *Ireland*, and the Iſlands of *Guernſey*, *Jerſey*, and *Man*;' be it therefore enacted by the Authority aforeſaid, That from and after the firſt Day of *September*, one thouſand ſeven hundred and ſeventy-five, the Liberty granted by the ſaid Act to import into this Kingdom Oil or Blubber of Fiſh, or other Creatures living in the Sea, or Whale Fins taken within the Limits therein mentioned, Duty-free, ſhall extend, and be conſtrued to extend, to ſuch Oil or Blubber, or Whale Fins, as ſhall be ſo taken in any Part of the Ocean by, and imported in any Ship or Veſſel truly and properly belonging to, his Majeſty's Subjects of *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

and after Sept. 1, 1775, extended to all Ships belonging to Great Britain, Ireland, Guernſey, &c.

After Sept. 1, 1775, undreſſed Seal Skins may be imported Duty-free.

X. And it is hereby further enacted by the Authority aforeſaid, That from and after the firſt Day of *September*, one thouſand ſeven hundred and ſeventy-five, it ſhall and may be lawful for any Perſon or Perſons to import into this Kingdom any raw and undreſſed Seal Skins taken and caught by the Crews of Veſſels belonging to and fitted out either from *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man* reſpectively, and whereof the Captain or Maſter and Three-fourths at the leaſt of the Mariners are his Majeſty's Subjects, or by Perſons employed by the Maſters or Owners of ſuch Veſſels, without paying any Cuſtom, Subſidy, or other Duty, for the ſame, any Law or Uſage to the contrary notwithſtanding.

Not to extend to any Seal Skins except thoſe imported by Ships qualified as aforeſaid,

and duly entered at the Cuſtomhouſe, &c.

XI. Provided always, That nothing in this Act ſhall extend, or be conſtrued to extend, to give Liberty of importing any ſuch Seal Skins Duty-free, unleſs the Captain or Perſon having the Charge or Command of ſuch Ship or Veſſel importing the ſame ſhall make Oath before the Collector or other Principal Officer of the Cuſtoms at the Port of Importation (who is hereby authoriſed and required to adminiſter ſuch Oath), that all the Skins imported in ſuch Ship or Veſſel were really and *bona fide* the Skins of Seals taken and caught by the Crews thereof, or by Perſons employed by the Maſter or Owner of ſuch Ship or Veſſel, or of ſome other Ship or Veſſel qualified as aforeſaid; and ſuch Seal Skins ſhall be alſo duly entered at the Cuſtomhouſe for the ſaid Port, and landed in the Preſence of the proper Officer or Officers of the Cuſtoms appointed for that Purpoſe; and on Failure of any of theſe Conditions, ſuch Skins ſhall be liable to pay the ſame Duties as they would have been ſubject and liable to if this Act had not been made, any Thing herein contained to the contrary notwithſtanding.

No Shipmaſter to carry any Fiſhermen, &c. as Paſſengers to any Part of the Continent of America without Permiſſion, under the Penalty of 200 l.

'XII. And whereas it has been a Practice of late Years for divers Perſons to ſeduce the Fiſhermen, Sailors, Artificers, and others, employed in carrying on the Fiſhery, arriving at *Newfoundland*, on Board Fiſhing and other Veſſels from *Great Britain*, and the *Britiſh* Dominions in *Europe*, to go from thence to the Continent of *America*, to the great Detriment of the Fiſhery and the Naval Force of this Kingdom:' Now, in order to remedy the ſaid Evil, and to ſecure the Return of the ſaid Fiſhermen, Sailors, Artificers, and others, employed as aforeſaid, to the *Britiſh* Dominions in *Europe*, be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, it ſhall not be lawful for the Maſter, or Perſon having the Charge or Command of any Ship or Veſſel trading to or from any Place within the Government of *Newfoundland*, to carry or convey, as Paſſengers, any ſuch Fiſhermen, Sailors, Artificers, and others, employed as aforeſaid, from thence to any Part of the Continent of *America*, without the Permiſſion under the Hand and Seal of the Governor of the ſaid Iſland of *Newfoundland*, under the Penalty of forfeiting two hundred Pounds for every ſuch Offence.

Regulations for Perſons employing Seamen or Fiſhermen at Newfoundland.

'XIII. And whereas in ſeveral Acts, paſſed in the eleventh and twelfth Years of *William* the Third, the eighth of *George* the Firſt, and ſecond and twelfth of *George* the Second, Proviſion has been made to prevent Seamen and Mariners in the Merchant Service being wilfully left beyond Sea, and to ſecure and provide for their Return home to ſuch Part of his Majeſty's Dominions whereto they belong: And whereas, for want of ſuch Proviſions being extended to Seamen and Fiſhermen going out as Paſſengers to *Newfoundland*, and hired and employed in the Fiſheries carried on there, great Numbers of them remain in that Country at the End of every Fiſhing Seaſon, who would otherwiſe return home, and ſome of them have frequently turned Robbers and Pirates;' for Remedy of which Evil, be it enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall, from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, employ, or cauſe to be employed, at *Newfoundland*, for the Purpoſe of carrying on the Fiſhery there, any Seaman or Fiſherman going as Paſſengers, or any Seaman or Fiſherman hired there, without firſt entering into an Agreement or Contract in Writing with every ſuch Seaman or Fiſherman, declaring what Wages ſuch Seaman or Fiſherman is to have, and the Time for which he ſhall ſerve, which ſhall be ſigned by both Parties; wherein it ſhall be ſtipulated (amongſt other Things) that the Perſon ſo hiring or employing ſhall be at Liberty to reſerve, retain, and deduct, and he is hereby authoriſed, required, and directed, to reſerve, retain, and deduct, out of the Wages of every Perſon ſo hired or employed, a Sum of Money equal to the then current Price of a Man's Paſſage home, not exceeding forty Shillings for each Man, which Money ſuch Hirer or Employer ſhall, at

at the End of each Fiſhing Seaſon, or at the Expiration of the covenanted Time of Service of ſuch Seaman or Fiſherman, pay, or cauſe to be paid, to the Maſter of a Paſſage or other Ship, who ſhall undertake or agree to carry ſuch Seaman or Fiſherman home to the Country whereto he belongs, and ſhall alſo convey ſuch Seaman or Fiſherman to and on Board ſuch Paſſage or other Ship, taking the Maſter's Receipt for the Paſſage Money, which Receipt he ſhall immediately thereupon deliver to ſuch Seaman or Fiſherman.

Employers to pay to Fiſhermen, &c only Half of their Wages, and the other Half in Bills, &c. at their Return home.

XIV. And be it further enacted by the Authority aforeſaid, That no Hirer or Employer of any ſuch Seaman or Fiſherman ſhall pay or advance, or cauſe to be paid or advanced, to ſuch Seaman or Fiſherman, in Money, Liquor, and Goods, or either of them, during the Time he ſhall be in his Service, more than one Half of the Wages which ſhall at any Time be due to him; but ſuch Hirer or Employer ſhall, and is hereby required and directed, immediately at or upon the Expiration of every ſuch Man's covenanted Time of Service, to pay either in Money, or in good Bills of Exchange, payable either in *Great Britain* or *Ireland*, or in the Country to which ſuch Seaman or Fiſherman belongs, the full Balance of his Wages, except the Money herein before directed to be retained for his Paſſage home; and it ſhall not be lawful for any ſuch Hirer or Employer to turn away or diſcharge any ſuch Seaman or Fiſherman, except for wilful Neglect of Duty, or other ſufficient Cauſe, before the Expiration of his covenanted Time of Service; and in caſe the Hirer or Employer of any ſuch Seaman or Fiſherman ſhall refuſe or neglect to comply with any of the Terms herein before mentioned, or ſhall otherwiſe offend againſt this Act, every ſuch Perſon ſo offending ſhall forfeit and pay, for every ſuch Offence, beſides the Balance that ſhall be due to ſuch Seaman or Fiſherman, the Money herein before directed to be retained for his Paſſage home, the Sum of ten Pounds, to the Uſe of ſuch Perſon or Perſons who ſhall inform or ſue for the ſame.

Penalty on Employers neglecting to comply.

If any Diſpute ariſe, Employers obliged to produce the Contract.

XV. And be it further enacted by the Authority aforeſaid, That in all Caſes where Diſputes ſhall ariſe concerning the Wages of any ſuch Seaman or Fiſherman, the Hirer or Employer ſhall be obliged to produce the Contract or Agreement in Writing, herein before directed to be entered into with every ſuch Seaman or Fiſherman.

All Fiſh and Oil liable to the Payment of Wages.

XVI. And be it further enacted by the Authority aforeſaid, That all the Fiſh and Oil which ſhall be taken and made by the Perſon or Perſons who ſhall hire or employ ſuch Seaman or Fiſherman, ſhall be ſubject and liable, in the firſt place, to the Payment of the Wages of every ſuch Seaman or Fiſherman.

Penalty on Seamen or Fiſhermen abſenting themſelves from their Employers without Leave.

XVII. And be it further enacted by the Authority aforeſaid, That in caſe any ſuch Seaman or Fiſherman ſhall at any Time wilfully abſent himſelf from his Duty or Employ, without the Leave and Conſent of his Hirer or Employer, or ſhall wilfully neglect or refuſe to work according to the true Intent and Meaning of ſuch Contract or Agreement, he ſhall, for every Day he ſhall ſo abſent himſelf, or neglect or refuſe to work as aforeſaid, forfeit two Days Pay to ſuch Hirer or Employer; and if any ſuch Seaman or Fiſherman ſhall wilfully abſent himſelf from his ſaid Duty or Employ for the Space of five Days, without ſuch Leave as aforeſaid, he ſhall be deemed a Deſerter, and ſhall forfeit to ſuch Hirer or Employer all ſuch Wages as ſhall at the Time of ſuch Deſertion be due to him (except ſo much as is herein before directed to be reſerved and retained for the Purpoſe of paying his Paſſage home); and it ſhall and may be lawful to and for the Governor of *Newfoundland*, or his Surrogates, or the Commiſſary of the Vice Admiralty Court for the Time being, or for any Juſtice of the Peace in *Newfoundland*, to iſſue his or their Warrant or Warrants to apprehend every ſuch Deſerter, and on the Oath of one or more credible Witneſs or Witneſſes to commit him to Priſon, there to remain until the next Court of Seſſion which ſhall be holden in purſuance of the Commiſſion of the ſaid Governor for the Time being; and, if found guilty of the ſaid Offence at ſuch Seſſion, it ſhall and may be lawful to and for the ſaid Court of Seſſion to order ſuch Deſerter to be publickly whipped as a Vagrant, and afterwards to be put on Board a Paſſage Ship, in order to his being conveyed back to the Country whereto he belongs.

Diſputes, and all Offences, to be determined by the Court of Seſſion, &c. at Newfoundland.

XVIII. And be it further enacted by the Authority aforeſaid, That all Diſputes which ſhall ariſe concerning the Wages of every or any ſuch Seaman or Fiſherman, and all Offences which ſhall be committed by every Hirer or Employer of ſuch Seaman or Fiſherman, againſt this Act, ſhall and may be inquired into, heard, and determined, and the Penalties and Forfeitures thereby incurred ſhall and may be recovered in the Court of Seſſion herein before mentioned, or in the Court of Vice Admiralty having Juriſdiction in the ſaid Iſland of *Newfoundland*.

Act 6 Annæ, reſpecting Sailors employed in Trading Ships, &c. in America not liable to be impreſſed, repealed.

'XIX. And whereas by an Act of Parliament, paſſed in the ſixth Year of the Reign of her late Ma'jeſty Queen *Anne*, intituled, *An Act for the Encouragement of the Trade to* America, it is, amongſt other 'Things, enacted, That no Mariner or other Perſon who ſhall ſerve on Board, or be retained to ſerve 'on Board, any Privateer, or Trading Ship or Veſſel, that ſhall be employed in any Part of *America*, 'nor any Mariner or other Perſon being on Shore in any Part thereof, ſhall be liable to be impreſſed or 'taken away by any Officer or Officers of or belonging to any of her Majeſty's Ships of War, impowered 'by the Lord High Admiral, or any other Perſon whatſoever, unleſs ſuch Mariner ſhall have before de'ſerted from ſuch Ship of War: And whereas the ſaid Privilege or Exemption ſo given by the ſaid Act 'to Mariners ſerving on Board Ships or Veſſels employed in any of the Seas or Ports of the Continent of '*America*, or reſiding on Shore there, is prejudicial to the Fiſheries carried on by his Majeſty's Subjects 'of *Great Britain* and *Ireland*, and others his Majeſty's Dominions in *Europe*, and has proved an Encou'ragement to Mariners belonging thereto to deſert in Time of War, or at the Appearance of a War, to 'the *Britiſh* Plantations on the ſaid Continent of *America*;' be it therefore enacted by the Authority aforeſaid, That the ſaid Clauſe, ſo far as it relates to the exempting of Mariners or other Perſons ſerving, or retained to ſerve, in any Ship or Veſſel in the Seas or Ports of the Continent of *America*, or other Perſons on Shore there, from being impreſſed, be and the ſame is hereby repealed.

'XX. And whereas the immoderate Uſe of Rum and other Spirits, imported into *Newfoundland* from 'his Majeſty's Colonies and Plantations in *America*, has been found to be highly detrimental to the Fiſh-

'eries carried on there, and it is therefore proper to endeavour to diminiſh the Conſumption thereof; be it enacted by the Authority aforeſaid, That from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, there ſhall be paid in to his Majeſty, his Heirs and Succeſſors, for every Gallon of Rum, or other Spirits, which ſhall be brought or imported into the Iſland of *Newfoundland* from any *Britiſh* Colony or Plantation on the Continent of *America*, the Sum of one Shilling Sterling Money of *Great Britain*; and the ſame ſhall be collected, recovered and paid, to the Amount of the Value of which ſuch nominal Sum bears in *Great Britain*, and may be received and taken according to the Proportion and Value of five Shillings and Sixpence the Ounce in Silver; and the ſaid Duty hereby granted ſhall be raiſed, levied, collected, paid, and recovered, in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, except in ſuch Caſes where any Alteration is made by this Act, as any other Duties payable to his Majeſty upon Goods imported into any *Britiſh* Colony or Plantation in *America* are raiſed, levied, collected, paid, and recovered, by any Act or Acts of Parliament, as fully and effectually, to all Intents and Purpoſes, as if the ſeveral Clauſes, Powers, Directions, Penalties and Forfeitures relating thereto, were particularly repeated and again enacted in the Body of this preſent Act; and that all the Monies that ſhall ariſe by the ſaid Duty (except the neceſſary Charges of raiſing, collecting, levying, recovering, anſwering, paying, and accounting for the ſame), ſhall be paid into the Receipt of his Majeſty's Exchequer, and applied and appropriated to the ſame Uſes and Purpoſes as the Duties ariſing by that Part of the Cuſtoms, commonly called *The Old Subſidy*, payable in *Great Britain*, are applied and appropriated.

Rum, &c. imported into Newfoundland from America, to pay a Duty of 1 s. per Gallon.

How ſuch Duty is to be collected, recovered, and applied.

'XXI. And whereas the Bounties given by an Act of Parliament, made in the eleventh Year of the 'Reign of his preſent Majeſty, intituled, *An Act for the better Support and Eſtabliſhment of the* Greenland 'and Whale Fiſheries, have been found of great Advantage to the Navigation, Trade, and Manufactures 'of this Kingdom; and it is juſt and expedient that the like Bounties which are granted by that Act to 'Ships fitted out from *Great Britain*, or any of his Majeſty's Dominions in *America*, for thoſe Fiſheries, 'ſhould in like Manner be granted to Ships fitted out for that Purpoſe from the Kingdom of *Ireland*;' be it therefore enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December*, one thouſand ſeven hundred and ſeventy-five, the reſpective Bounties herein after mentioned ſhall be allowed for every Ship or Veſſel *Britiſh* built, and owned by his Majeſty's Subjects of *Ireland*, and whereof the Captain or Maſter and at leaſt One-third of the Mariners are his Majeſty's Subjects of *Great Britain* or *Ireland*, which ſhall proceed from any Port in the ſaid Kingdom of *Ireland* within the Time limited by this Act on the Whale Fiſhery to the *Greenland* Seas, and *Davis's Streights*, and the adjacent Seas, under the ſeveral Rules and Reſtrictions herein after expreſſed; that is to ſay, Every ſuch Ship or Veſſel, before ſhe proceeds on ſuch Voyage, ſhall be viſited by the proper Officer or Officers of the Cuſtoms belonging to ſuch Port, who ſhall examine into ſuch Ship or Veſſel, and take an Account of the Tonnage thereof by Admeaſurement, and ſhall certify ſuch his or their Viſitation, Examination, and Admeaſurement, to the Commiſſioners of his Majeſty's Revenue in *Ireland*; and if it appears by the Certificate of ſuch Officer or Officers that ſhe hath on Board ſuch a Number of Men, Proviſions, Boats, Fiſhing Lines, and Inſtruments to be uſed in ſuch Fiſhery as herein after are mentioned; that ſhe is ſtrongly built, and otherwiſe a proper Ship for ſuch Voyage and Fiſhery, and hath on Board among her Crew a ſufficient Number of Harpooners, Steerſmen, and Line-managers, who have been before employed in ſuch Voyages (the Names of ſuch Perſons to be contained in ſuch Certificate); and if it further appears by the Oath of one or more Owner or Owners, and of the Maſter or Chief Officer of ſuch Ship, written at the Foot of ſuch Certificate, and made before the Collector or Comptroller of ſuch Port (who are hereby impowered and required to adminiſter the ſame), that it is really and truly their firm Purpoſe and determined Reſolution, that ſuch Ship ſhall, as ſoon as Licence ſhall be granted, forthwith proceed, ſo manned, furniſhed, and accoutred, on a Voyage to the *Greenland* Seas, or *Davis's Streights*, or the Seas adjacent, and there in the then approaching Seaſon to uſe the utmoſt Endeavours of themſelves and their Ship's Company to take Whales, or other Creatures living in the Sea, and on no other Deſign or View of Profit in ſuch Voyage, and to import the Whale Fins, Oil, and Blubber thereof, into the Kingdom of *Great Britain* (naming the Port to which it is their Intention to return); and if the Maſter, after ſuch Certificate had, and Oath made, do alſo become bound, with two ſufficient Securities, unto his Majeſty, his Heirs and Succeſſors, in the Penalty of ſuch Sum as ſhall be equal to treble the Bounty intended by this Act (which Bond the ſaid Collector, with the Approbation of the Comptroller, is hereby required to take, and is to be in Force for the Term of three Years againſt the Maſter and Sureties for the faithful Dealings of the ſaid Maſter and Ship's Company in regard to the ſaid Ship and Voyage); then, and in all ſuch Caſes, it ſhall and may be lawful for any three or more of the ſaid Commiſſioners of the Revenues in *Ireland* for the Time being, on receiving ſuch Certificates and Oaths made, and it being certified to them by the Collector and Comptroller of ſuch Port, that ſufficient Security hath been given as aforeſaid, to give and grant, and they are hereby required to give and grant to the Maſter and Owners of ſuch Ship, full Licence and Authority to proceed on ſuch Voyage as aforeſaid.

After Dec. 25, 1775, Bounties granted by Act 11 Geo. III. extended to Ireland.

Officers to certify that Ships are properly fitted out, before they proceed on their Voyage.

Commiſſioners of the Revenues in Ireland, on receiving ſuch Certificates, to grant Licence, &c.

'XXII. And to prevent any Diſputes that may ariſe whether a Ship be properly qualified and duly fitted 'out for the Whale Fiſhery, according to the true Intent and Meaning of this Act, and intitled to a Cer-'tificate thereof from the Cuſtom-houſe Officers,' it is hereby enacted, That every Ship of the Burthen of two hundred Tons, deſigned for this Fiſhery, ſhall and is hereby obliged to have on Board forty Fiſhing Lines of one hundred and twenty Fathom each, forty Harpoon Irons, four Boats with ſeven Men, including a Harpooner, a Steerſman, and a Line-manager, to each Boat, making in the Whole twenty-eight Men beſides the Maſter and Surgeon, with ſix Months Proviſion at the leaſt for ſuch Number of Men; and every Ship of larger Burthen an Increaſe of ſix Men, one Boat, ten ſuch Lines and ten Harpoon Irons more, for every fifty Tons above the ſaid two hundred Tons, together with Proviſions in proportion;

What Number of Men, Lines, Boats, &c. Ships of certain Dimenſions ſhall have on Board.

to learn the Art or Buſineſs of Coal-hewing, Coal-bearing, or making Salt, for any Term of Years permitted by the Law of *Scotland* with regard to Apprentices in other Arts and Myſteries.

Perſons employed as Colliers, &c. under 21 Years, ſhall be free after ſeven Years Service.

III. And be it further enacted by the Authority aforeſaid, That all Perſons under the Age of Twenty-one Years, upon the ſaid firſt Day of *July*, employed as Colliers, Coal-bearers, or Salters, in *Scotland*, and bound to any Colliery or Salt-work, ſhall, after ſeven Years Service from the ſaid firſt Day of *July*, be free from their Service and Servitude, and at Liberty to engage themſelves as Servants or Labourers in any other Colliery or Salt-work, or in any other Kind of Labour whatever.

All bound Colliers and Salters above 21 and under 35 after a Service of ten Years, and thoſe above 35 and under 45 after ſeven years, to be free, having found and inſtructed Apprentices, if deſired.

IV. And be it further enacted by the Authority aforeſaid, That all bound Colliers and Salters in *Scotland*, above the Age of twenty-one Years, and under the Age of thirty-five Years, upon the ſaid firſt Day of *July*, after a Service of ten Years; and all Colliers and Salters above the Age of thirty-five Years, but under the Age of forty-five Years, at the ſaid firſt Day of *July*, after a Service of ſeven Years; and after their having reſpectively found and ſufficiently inſtructed a Perſon as an Apprentice, if required ſo to do by the Maſter or Leſſee of the Colliery or Salt-work, within one Year after the ſaid firſt Day of *July* next, in the Art or Myſtery of Coal-hewing or making of Salt, of the Age of eighteen Years at leaſt; when ſuch Inſtruction ſhall be perfected, ſhall be free from any other Servitude or Bondage to the Colliery or Salt-work to which they were bound.

Bound Colliers, &c. above 45 Years to be free after three Years.

V. And be it alſo enacted, That all Colliers and Salters, bound to any Colliery or Salt-work in *Scotland*, above the Age of forty-five Years upon the ſaid firſt Day of *July* next, ſhall, after three Years, be free and diſcharged from any further Servitude or Bondage to the Colliery or Salt-work to which they are bound.

Colliers and Salters not properly inſtructing Apprentices, to ſerve 3 Years longer than the Time ſpecified, and then to be free.

VI. Provided always, and be it enacted by the Authority aforeſaid, That if any bound Collier or Salter ſhall not ſufficiently inſtruct an Apprentice in the Art or Myſtery of Coal-hewing or making of Salt, if required by the Maſter or Leſſee of the Colliery or Salt-work to which he is bound, as directed by this Act, ſuch Collier or Salter ſhall nevertheleſs be free, after the Performance of an additional Service of three Years at the Colliery or Salt-work to which he is bound.

Colliers, &c. claiming Liberty to obtain a Decree of the Sheriff Court, &c.

VII. Provided always, That every Collier or Salter, claiming Liberty under the Authority of this Act, ſhall, prior to his being freed from his Servitude or Bondage, obtain a Decree of the Sheriff Court of the County in which he reſides, finding and declaring that he is intitled unto his Freedom, under the Authority of this Act.

In what Manner Colliers and Salters are to ſue out their Freedom.

VIII. And be it enacted by the Authority aforeſaid, That for the Purpoſe of obtaining ſuch Decree, it ſhall and may be lawful for the Collier or Salter claiming his Freedom to preſent a Petition to the Sheriff Depute or Subſtitute of the County where he reſides, ſtating his Claim of Freedom, and offering to prove the Facts which intitle him to it, and the Sheriff Depute or Subſtitute is hereby authoriſed and required to order the Petition to be ſerved upon the Owner, Leſſee, or Overſeer, of the Colliery or Salt-works to which the Petitioner is bound, and to order an Anſwer to be put in to the Petition in ten Days after Service, ſtating the Objection or Objections to the Freedom claimed, if any ſuch are intended to be made; and the Sheriff ſhall thereafter proceed in a ſummary Way in taking the Proofs, and all other Procedure neceſſary, until a Decree ſhall be pronounced; and if the Decree of the Sheriff ſhall be againſt the Petitioner, finding him not intitled to Freedom, it ſhall nevertheleſs be competent to ſuch Petitioner, at any Period after the Expiration of one Year, to preſent a ſecond Petition, ſtating his Claim of Liberty of new, and which ſhall be proceeded upon in the ſame Manner as the former; and if the Petitioner fails in obtaining a Decree for him on the ſecond Petition, he may, after the Expiration of one Year from the Date of the ſecond Decree, preſent a third Petition, which ſhall likewiſe be proceeded upon in the ſame Manner; and if he fails in obtaining a Decree upon his third Petition, he may preſent a fourth, and ſo on, till he obtains a Decree declaring his Freedom, one Year at leaſt being expired after a Decree upon one Petition before it ſhall be competent to preſent another.

Perſons guilty of unlawful Combinations, &c. to ſerve two Years after they would have been intitled to their Freedom.

IX. Provided always, That in caſe it ſhall be proved to the Satisfaction of the ſaid Sheriff, that the Perſon ſo applying by Petition has, ſubſequent to the paſſing of this Act, been guilty of entering into any unlawful Combination with the other Colliers or Salters to leave off working, in order to diſtreſs or injure the Proprietor or Leſſee of ſuch Coal or Salt-work, or in order to compel him to increaſe the Wages or Allowances uſually paid for the ſaid Work; or that the Perſon ſo applying ſhall have wilfully deſerted the ſaid Works; then, and in that Caſe, the Perſon guilty of ſuch Offences ſhall not be intitled to the Benefit of the ſaid Act until the Expiration of two Years after the reſpective Periods at which, in Terms of this Act, he would have been intitled to his Freedom, if he had not been guilty of ſuch Offences.

Reſpondent to any Petition may not remove the Proceedings upon it into the Court of Seſſion.

X. And be it further enacted by the Authority aforeſaid, That it ſhall not be competent for the Reſpondent or Reſpondents to ſuch Petition to remove the Proceedings upon it into the Court of Seſſion in *Scotland*, by Advocation, or to complain of any Decree by Appeal or Suſpenſion, or to ſue for Reduction of any ſuch Decree; and that every Decree upon ſuch Petition, finding and declaring the Freedom of the Petitioner, ſhall be final and concluſive againſt the Perſon to whom the Petitioner was bound.

All Decrees declaring Freedom to be final.

When Colliers or Salters obtain their Freedom, all their Family to be alſo free.

XI. And be it further enacted by the Authority aforeſaid, That when Colliers or Salters obtain their Freedom under the Authority of this Act, their Wives and Children in Family with them, and all others who make Part of their Family, and are Coal-bearers, or otherwiſe aſſiſtant to them, ſhall likewiſe be free.

All Coal-bearers who are bound, &c. and under 45 Years, to ſerve ſeven Years; and above 45, to ſerve three Years.

XII. And be it further enacted by the Authority aforeſaid, That all Coal-bearers and other Labourers in Collieries or Salt-works, who are bound to any Colliery or Salt-work in *Scotland*, and do not belong to the Family of any particular Collier or Salter, ſhall, if under the Age of forty-five Years, after ſeven Years Service, from the ſaid firſt Day of *July*, be free from their Service and Servitude, and at Liberty to engage themſelves as Servants or Labourers in any other Colliery or Salt-work, or in any other Kind of

Work whatſoever, and if above the Age of forty-five Years they ſhall be free after a Service of three Years.

All Colliers, &c. having obtained their Freedom, are intitled to the Benefit of the Act of Scotland, 'for preventing wrongous Impriſonment, &c.'

XIII. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *July*, in this preſent Year one thouſand ſeven hundred and ſeventy-five, all Colliers and Salters then free, and all Perſons that may thereafter become Colliers and Salters, and all Colliers and Salters bound to any Colliery or Salt-work upon the ſaid firſt Day of *July*, from the Time of obtaining their Freedom under the Authority of this Act, ſhall be intitled to the Benefit of an Act made in the Parliament of *Scotland*, in the Year one thouſand ſeven hundred and one, intituled, *Act for preventing wrongous Impriſonment, and againſt undue Delays in Trials*; any Thing in the ſaid Act to the contrary notwithſtanding.

CAP. XXIX.

An Act to repeal two Acts, made in the Parliament of *Scotland*, the twenty-eighth Day of *June*, one thouſand ſix hundred and thirty-three, intituled, *Act anent the Clan* Gregour, and the fifteenth Day of *June*, one thouſand ſix hundred and ninety-three, intituled, *Act for the Juſticiary in the Highlands*, ſo far as relates to the *Mac Gregours*; and to revive an Act of the ſaid Parliament of the twenty-ſixth Day of *April*, one thouſand ſix hundred and ſixty-one, relative to the People called *Mac Gregours*.

Preamble.

Act of the Parliament of Scotland, 1633, Car. I. recited.

'WHEREAS in the Parliament of *Scotland*, being the firſt Parliament of King *Charles* the Firſt, holden at *Edinburgh*, the twenty-eighth Day of *June*, one thouſand ſix hundred and thirty-three, an Act paſſed, intituled, *Act anent the Clan* Gregour, ratifying and approving all Acts of Council and of Parliament made theretofore againſt the Clan of *Mac Gregour*, and ordaining the Clan or People of the Name of *Gregour* or *Mac Gregour*, and every one of them, at arriving at the Age of Sixteen, to give Security to the Privy Council of *Scotland* for their good Behaviour and Obedience; and that the ſaid Clan *Gregour* ſhould take to them ſome other Surname; and that upon their Failure to appear, it ſhould be lawful to any of his Majeſty's Lieges to take and apprehend them to be preſented to the Privy Council, there to be taken Order with; and if it ſhould happen any of the ſaid Clan *Gregour* to be hurt, mutilated, or ſlain, the Party ſo doing and their Accomplices ſhould no Ways be ſubject or liable to Law therefore, nor incur any Pain or Skaith in Body or Goods, and ſhould be free of all Purſuit, Criminal or Civil, and the ſame ſhould be holden as good Service done to his Majeſty; and that for the better extinguiſhing and extirpating the ſaid Clan, no Miniſter or Preacher within the Bounds therein mentioned ſhould at any Time thereafter baptize or chriſten any Male Child by the Name of *Gregour*, and that no Clerk or Notary at any Time coming ſhould make or ſubſcribe any Bond or other Security under the Name of *Gregour*: And whereas in the firſt Parliament of King *Charles* the Second, holden at *Edinburgh*, *Anno* one thouſand ſix hundred and ſixty-one, an Act paſſed, bearing Date the twenty-ſixth Day of *April* in that Year, whereby his Majeſty, conſidering that thoſe who were formerly deſigned by the Name of *Mac Gregour* had, during the Troubles, carried themſelves with ſuch Loyalty and Affection to his Majeſty as might juſtly wipe off all Memory of their former Miſcarriages, and take off all Mark of Reproach put upon them for the ſame; and his Majeſty being deſirous to reclaim his Subjects from every evil Way, and to give all due Encouragement to ſuch as lived in due Obedience and Submiſſion to his Majeſty's Authority and Laws of the Kingdom, therefore his Majeſty, with Advice and Conſent of his Eſtates of Parliament, reſcinded, caſſed, and annulled the thirtieth Act of the Firſt Parliament of King *Charles* the Firſt, intituled, *Act anent the Clan* Gregour, and declared the ſame void and null in all Time coming, and that it ſhould be thereafter free to all Perſons come of the Name and Race of the Clan *Gregour* to keep and make uſe of the ſaid Name of *Gregour*, or *Mac Gregour*, and enjoy all Privileges and Immunities as other Subjects, notwithſtanding the ſaid Act, or any other Acts, or any Thing therein contained, to the contrary: And whereas in the Reign of King *William* and Queen *Mary* an Act paſſed in the Parliament of *Scotland*, the fifteenth of *June*, one thouſand ſix hundred and ninety-three, intituled, *Act for the Juſticiary in the* Highlands, whereby their Majeſties, with the Advice and Conſent of the Eſtates of Parliament, revived the Act of Parliament of one thouſand ſix hundred and thirty-three againſt the Clan *Gregour*, notwithſtanding the ſame was reſcinded in the Year one thouſand ſix hundred and ſixty-one, which Act reſciſſary their Majeſties did, by this Act, annul and make void: And whereas thoſe Perſons who were the Objects of the aforeſaid Acts did generally give Obedience to the Law, by aſſuming other Names, and many of the Deſcendants of thoſe Perſons now bear the Names that were by them ſo aſſumed: And whereas the Cauſes inductive of the Acts for ſuppreſſing the Name of *Gregour*, or *Mac Gregour*, are now little known, and have long ago ceaſed, and thoſe Acts being incapable of Execution ever ſince the Powers of the Privy Council of *Scotland* were aboliſhed, many Perſons conſidering them to be ineffect, and for the moſt part obſolete, do now uſe the Name of *Mac Gregour*: And whereas many Perſons of the Surname of *Mac Gregour* have found divers Inconveniences ariſing to them from the ſaid Acts of the Parliament of *Scotland*, particularly by being diſabled, and apprehending themſelves diſabled thereby, from ſuing and defending in their own true Names in Courts of Law and Juſtice in *North Britain*, and are deſirous to re-aſſume the real Name of their Anceſtors and Families, but are unwilling ſo to do while there is the Appearance of a legal Prohibition ſtanding againſt them; and for as much as they cannot be fully relieved without the Authority of Parliament,' may it therefore pleaſe your Majeſty (upon the humble Petition of *Gregor Drummond*, Eſquire, for himſelf and and many others), that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament

Act of the Parliament of Scotland, 1661, Car. II. recited.

Act of the Parliament of Scotland, 1693, Gul. et Mariæ, recited.

The above-recited Acts of the Parliament of

Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, the ſaid Act of the Parliament of *Scotland*, of the twenty-eighth Day of *June* one thouſand ſix hundred and thirty-three, and the ſaid Act of the Parliament of *Scotland*, of the fifteenth Day of *June* one thouſand ſix hundred and ninety-three, ſo far as reſpects the Clan *Gregour*, or *Mac Gregour*, ſhall be and ſtand repealed, reſcinded, annulled, and void, to all Intents and Purpoſes whatſoever.

Scotland, 1633 and 1693, ſo far as they reſpect the Clan Gregour, are by this Act repealed.

II. And it is hereby further enacted, That the ſaid Act of the Parliament of *Scotland*, made the twenty-ſixth Day of *April* one thouſand ſix hundred and ſixty-one, be and the ſame is hereby revived, and declared to be in full Force and Vigour in Time coming.

The Act of the Parliament of Scotland, April 26, 1661, hereby revived, and in full Force.

CAP. XXX.

An Act for allowing the Officer appointed to mark or ſtamp the Weights to be made uſe of in weighing the Gold and Silver Coin of this Kingdom, in purſuance of an Act made in the laſt Seſſion of Parliament, to take certain Fees in the Execution of his Office.

Preamble.

Act 14 Geo. III. recited.

'WHEREAS by an Act, made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for regulating and aſcertaining the Weights to be made uſe of in weighing the Gold and Silver Coin of this Kingdom*, it is enacted, That exact Duplicates or Copies of the ſeveral Standard Weights therein mentioned ſhall be delivered to and lodged in the Cuſtody of an Officer, to be from Time to Time appointed for that Purpoſe, with a Salary not exceeding the yearly Sum of two hundred and fifty Pounds; and that, from and after the Day therein mentioned, all Weights to be made uſe of for weighing the ſaid Gold and Silver Coin ſhall be aſcertained by the ſaid Duplicates or Copies; and after having been tried and compared therewith, and found to be juſt and true, ſhall, in Teſtimony thereof, be marked by the ſaid Officer with a Stamp or Mark, which the ſaid Officer is thereby directed to provide; and is alſo required, upon Application made to him, at all ſeaſonable Hours, to ſtamp or mark, in Manner therein mentioned, all Weights to be uſed for weighing the ſaid Gold and Silver Coin which ſhould be brought to him for that Purpoſe, and which he ſhould find to be juſt and true, according to the ſaid Duplicates or Copies of the Standard Weights of a Guinea, and of a Shilling, and of the Parts and Multiples thereof reſpectively, by the ſaid Act directed to be lodged in his Cuſtody, without Fee or Reward, and without wilful Delay: And whereas the Officer appointed for the Purpoſe aforeſaid, in purſuance of the ſaid Act, hath hitherto duly executed the ſame, but is unable by himſelf to give that Diſpatch therein which the preſent Demands of the Publick require; and it would greatly tend to the ſpeedy carrying the Intention of the ſaid Act into Execution, if the ſaid Officer were permitted to take a ſmall Fee for the ſtamping or marking the ſaid Weights, towards reimburſing him the neceſſary Expence of procuring an extraordinary Number of Aſſiſtants adequate to the ſaid Demands, which, as the Law now ſtands, he is not allowed to do:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, it ſhall and may be lawful to and for *John Whitehurſt*, the preſent Officer, and every other Officer to be from Time to Time appointed for the Purpoſe aforeſaid, in purſuance of the ſaid Act, and he and they are hereby reſpectively authoriſed and impowered, to aſk, demand, and receive, of and from all and every Perſon and Perſons bringing Weights to the ſaid Office, to be ſtamped or marked in purſuance of the ſaid Act, any Sum of Money not exceeding one Penny for every twelve Weights ſo ſtamped or marked before he delivers the ſame; any Thing in the ſaid recited Act contained to the contrary in any wiſe notwithſtanding.

J. Whitehurſt impowered to take 1 d. for every twelve Weights ſtamped.

CAP. XXXI.

An Act for the Encouragement of the Fiſheries carried on from *Great Britain*, *Ireland*, and the *Britiſh* Dominions in *Europe*, and for ſecuring the Return of the Fiſhermen, Sailors, and others employed in the ſaid Fiſheries, to the Ports thereof, at the End of the Fiſhing Seaſon.

Preamble.

'WHEREAS the Fiſheries carried on by his Majeſty's Subjects of *Great Britain* and of the *Britiſh* Dominions in *Europe* have been found to be the beſt Nurſeries for able and experienced Seamen, always ready to man the Royal Navy when Occaſions require; and it is therefore of the higheſt national Importance to give all due Encouragement to the ſaid Fiſheries, and to endeavour to ſecure the annual Return of the Fiſhermen, Sailors, and others employed therein, to the Ports of *Great Britain*, and of his Majeſty's Dominions before mentioned, at the End of every Fiſhing Seaſon:' Now, in order to promote theſe great and important Purpoſes, and with a View, in the firſt place, to induce his Majeſty's Subjects to proceed early from the Ports of *Great Britain* to the Banks of *Newfoundland*, and thereby to proſecute the Fiſhery on the ſaid Banks to the greateſt Advantage, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, the reſpective Bounties herein after mentioned ſhall be paid and allowed annually, for eleven Years, for a certain Number of Ships or Veſſels employed in the *Britiſh* Fiſhery on the Banks of *Newfoundland*, under the Limitations and Reſtrictions herein after expreſſed; that is to ſay, Such Veſſels ſhall appear by their Regiſter to be *Britiſh* built, and owned by his Majeſty's Subjects reſiding in *Great Britain*

After Jan. 1, 1776, Bounties to be given to Veſſels fitted out from Great Britain or Ireland for the Newfoundland Fiſhery,

or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*; and be of the Burthen of fifty Tons or upwards, and navigated with not leſs than fifteen Men each, Three-fourths of whom, beſides the Maſter, ſhall be his Majeſty's Subjects; and in other Reſpects qualified, and ſubject to the ſame Rules and Reſtrictions, as are deſcribed by an Act, made in the tenth and eleventh Years of the Reign of the late King *William* the Third (intituled, *An Act to encourage the Trade to* Newfoundland); and ſhall be fitted and cleared out from ſome Port in *Great Britain* after the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and after that Day in each ſucceeding Year, and ſhall proceed to the Banks of *Newfoundland*; and having catched a Cargo of Fiſh upon thoſe Banks, conſiſting of not leſs than ten thouſand Fiſh by Tale, ſhall land the ſame at one of the Ports on the Southern or Eaſtern Side of the Iſland of *Newfoundland*, between *Cape Ray* and *Cape de Grat*, on or before the fifteenth Day of *July* in each Year; and ſhall make one more Trip at leaſt to the ſaid Banks, and return with another Cargo of Fiſh catched there to the ſame Port; in which Caſe, the twenty-five Veſſels firſt arriving at the ſaid Iſland of *Newfoundland* from the Banks thereof, with a Cargo of Fiſh catched there, conſiſting of ten thouſand Fiſh by Tale at the leaſt, and after landing the ſame at one of the Ports within the Limits before mentioned in *Newfoundland*, ſhall proceed again to the ſaid Banks, and return to the ſaid Iſland with another Cargo of Fiſh, ſhall be intitled to forty Pounds each; and one hundred Veſſels which ſhall ſo arrive the next in Order of Time, on or before the ſaid fifteenth Day of *July* in each Year, at the ſaid Iſland, with a like Cargo, and ſhall proceed again to the ſaid Banks, and return from thence in the Manner herein before mentioned, ſhall be intitled to twenty Pounds each; and one hundred other Veſſels which ſhall ſo arrive the next in Order of Time, on or before the ſaid fifteenth Day of *July* in each Year, at the ſaid Iſland, with a like Cargo, and ſhall proceed again to the ſaid Banks, and return from thence in the Manner herein before mentioned, ſhall be intitled to ten Pounds each, upon the Maſter or Owner of ſuch Veſſel's producing to the Collector of his Majeſty's Cuſtoms at the Port in *Great Britain* from whence ſuch Veſſel was cleared out, a Certificate, under the Hand and Seal of the Governor of *Newfoundland*, that the Maſter of ſuch Veſſel had produced to him a Certificate under the Hands of the Collector and Comptroller of the Cuſtoms at the Port from whence ſuch Veſſel was cleared out, teſtifying that ſuch Veſſel was duly qualified to proceed on ſuch Fiſhery, in purſuance of the before-mentioned Act, made in the tenth and eleventh Years of King *William* the Third; and that it has been made appear to his Satisfaction, by a Certificate under the Hand and Seal of the Naval Officer of the Diſtrict in *Newfoundland* where ſuch Fiſh was landed, or, where there is no Naval Officer, under the Hand and Seal of the Commander of any of his Majeſty's Ships ſtationed there, or of ſuch Officer as the Governor ſhall approve, ſpecifying the Time of ſuch Veſſel's Arrival, in Manner before directed, that ſuch Veſſel was intitled by the Priority and Time of her Arrival to one or other of the Bounties therein mentioned, as the Fact may be; and that the Maſter and Mate of ſuch Veſſel had made Oath before ſuch Naval or other Officer as aforeſaid, that the Number of Fiſh taken on the firſt Trip amounted to ten thouſand at leaſt by Tale, that he had made two Trips at leaſt, and that all the Fiſh on both Trips were catched on the Banks of *Newfoundland*; which Certificate and Oath the ſaid Governor and Naval or other Officer as aforeſaid are hereby impowered and required to grant and adminiſter to the Maſter and Mate of ſuch Veſſel without Fee or Reward; and upon delivering up the ſaid Certificate to ſuch Collector, the reſpective Bounties therein mentioned ſhall be paid by ſuch Collector out of any Money remaining in his Hands ariſing by the Duties of Cuſtoms or other Subſidies upon foreign Goods imported into this Kingdom; and in caſe ſuch Collector ſhall not have ſufficient Money in his Hands to pay the ſaid Bounties, he ſhall certify the ſame to the Commiſſioners of his Majeſty's Cuſtoms in *England* or *Scotland* reſpectively, who are hereby authoriſed and required to order the ſame to be paid by the Receiver General of the Cuſtoms, out of any Money in his Hands ariſing by any of the Duties and Revenues under their Management reſpectively.

qualified as by Act 10 & 11 Gul. III.

Certificates to be produced to the Collector of Cuſtoms from the Governor of Newfoundland, of the Qualification of Ships, &c.

Maſters and Mates to make Oath.

Certificates and Oaths to be granted and adminiſtered without Fee.

Collectors of Cuſtoms to pay the Bounties.

II. And be it further enacted by the Authority aforeſaid, That, for the better Accommodation of the Perſons belonging to Veſſels employed in the *Newfoundland* Fiſhery, it ſhall and may be lawful for the Maſters and Crews belonging to any Veſſels fitted out and employed in that Fiſhery, in purſuance of this or any other Act, to occupy and uſe, for the Purpoſe of curing, ſalting, drying, and huſbanding their Fiſh, any vacant or void Space whatever on any Part of *Newfoundland* which is not then occupied and uſed for the ſaid Fiſhery, without any Let, Diſturbance, or Hindrance, from any Perſon or Perſons whatſoever, although ſuch unoccupied Places may not before have been reputed Ships Rooms; and all ſuch unoccupied Places ſhall from henceforth be deemed and taken to be Ships Rooms, any Cuſtom or Uſage to the contrary notwithſtanding.

Any Part of Newfoundland not in uſe may be uſed for curing and drying Fiſh.

'III. And in order to induce his Majeſty's Subjects in *Great Britain* and *Ireland*, and the Iſlands of '*Guernſey*, *Jerſey*, and *Man*, to carry on the Whale Fiſhery on the Coaſts of *Newfoundland*, and the Seas 'adjacent,' be it further enacted by the Authority aforeſaid, That the ſeveral Bounties hereafter mentioned ſhall be allowed annually, for eleven Years, for five Veſſels employed in that Fiſhery, under the Limitations and Reſtrictions herein after expreſſed; that is to ſay, Such Veſſels ſhall appear by their Regiſter to be *Britiſh* built, and owned by his Majeſty's Subjects reſiding in *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, and navigated with Three-fourths of his Majeſty's Subjects of *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, beſides the Maſter, and ſhall be fitted and cleared out from ſome Port in *Great Britain* or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and after that Day in each ſucceeding Year, and ſhall take and kill one Whale at leaſt in the *Gulph of Saint Lawrence*, or on the Coaſts of *Labrador*, *Newfoundland*, or in any Seas to the Southward of the *Greenland* Seas and *Davis's Streights*, and ſhall return within the ſame Year to ſome Port in *England* with the Oil of ſuch Whale or Whales ſo taken as aforeſaid; and on the Maſter and Mate of ſuch Veſſel, and two of the Mariners belonging to her, making Oath before the Collector and Comptroller of the Cuſtoms at the Port of her Arrival (which Oath they are hereby authoriſed and required to adminiſter), that ſuch Oil is the Produce of one or more Whale or Whales

What Bounties are to be given to Ships fitted out for the Whale Fiſhery.

Maſters and Mates making Oath, &c.

Whales taken and killed by the Crew then belonging to ſuch Veſſel, mentioning the Time when ſhe departed from *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, and from what Port, and the Time and Place where ſuch Whale or Whales was or were taken and killed, ſuch Oil may be landed without Payment of any Duty whatſoever; and the Collector and Comptroller of ſuch Port ſhall thereupon forthwith tranſmit ſuch Oath to the Commiſſioners of his Majeſty's Cuſtoms at *London*, any four or more of whom are hereby authoriſed and required to order the Receiver General of his Majeſty's Cuſtoms to pay, out of any Money in his Hands ariſing by any Duties under their Management, for the Veſſel which ſhall ſo arrive in each Year with the greateſt Quantity of Oil taken as aforeſaid, five hundred Pounds; for the Veſſel which ſhall in like Manner arrive in the ſame Year with the next greateſt Quantity of Oil ſo taken as aforeſaid, four hundred Pounds; for the Veſſel which ſhall in like Manner arrive in the ſame Year with the next greateſt Quantity of Oil ſo taken as aforeſaid, three hundred Pounds; for the Veſſel which ſhall in like Manner arrive in the ſame Year with the next greateſt Quantity of Oil ſo taken as aforeſaid, two hundred Pounds; and for the Veſſel which ſhall ſo arrive in the ſame Year with the next greateſt Quantity of Oil ſo taken as aforeſaid, one hundred Pounds; the ſaid Oil ſo to be imported by each of the ſaid Veſſels being the Produce of one Whale at the leaſt; which ſaid ſeveral and reſpective Bounties ſhall be paid by ſuch Receiver General, within two Months after the Expiration of each Year in which ſuch Veſſel ſhall arrive, to the Owner or Owners of ſuch Veſſels ſo intitled thereto, or their Aſſigns duly authoriſed to demand the ſame.

Receiver General of his Majeſty's Cuſtoms to pay the Bounties.

'IV. And in order to obviate any Doubts that have ariſen, or may ariſe, to whom the Privilege or 'Right of drying Fiſh on the Shores of *Newfoundland* does or ſhall belong, under the before-mentioned 'Act, made in the tenth and eleventh Years of the Reign of King *William* the Third, which Right or 'Privilege has hitherto only been enjoyed by his Majeſty's Subjects of *Great Britain*, and the other *Bri*'*tiſh* Dominions in *Europe*;' be it enacted and declared by the Authority aforeſaid, That the ſaid Right and Privilege ſhall not be held and enjoyed by any of his Majeſty's Subjects arriving at *Newfoundland* from any other Country except from *Great Britain*, or one of the *Britiſh* Dominions in *Europe*.

What Perſons are intitled to the Privilege of drying Fiſh on the Banks of Newfoundland.

V. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any of his Majeſty's Subjects reſiding in *Ireland* to ſhip and lade there, and to tranſport directly from thence to *Newfounaland*, or to any Part of *America* where the Fiſhery is now or ſhall hereafter be carried on, on Board any Ship or Veſſel which may lawfully trade or fiſh there, any Proviſions, and alſo any Hooks, Lines, Netting, or other Tools or Implements neceſſary for and uſed in the Fiſhery by the Crews of the Ships or Veſſels carrying out the ſame, and the Craft belonging to and employed by ſuch Ships or Veſſels in the ſaid Fiſhery, ſuch Proviſions, Hooks, Lines, Netting, or other Tools or Implements, being the Product and Manufacture of *Great Britain* or *Ireland*; and that it ſhall and may be lawful for any of his Majeſty's Subjects reſiding in the *Iſle of Man*, in like Manner to export directly from thence any of the Articles herein before mentioned for the Purpoſe aforeſaid, ſuch Articles being the Product or Manufacture of *Great Britain*, or the ſaid *Iſle of Man*, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Proviſions, and all Neceſſaries for fiſhing, may be exported from Ireland and the Iſle of Man to Newfoundland, being Britiſh or Iriſh Product or Manufacture.

VI. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the Maſter or other Perſon taking Charge of ſuch Ship or Veſſel ſhall produce to the proper Officer of the Cuſtoms in the Colony or Plantation where he ſhall arrive, a Certificate, under the Hand and Seal of the Collector or other Principal Officer of the Cuſtoms in the Port where he ſhall have fitted out, that Oath hath been made before him by the Shipper of ſuch Proviſions, Hooks, Lines, Netting, or other Tools and Implements, that the ſame are of the Product and Manufacture of *Great Britain* or *Ireland*, or the *Iſle of Man* reſpectively, as the Fact may be, and that the ſeveral Articles before mentioned (except the Proviſions), ſpecifying the Quantities and Particulars of each Sort, are to be uſed in the Fiſhery by the Crews of the reſpective Ship or Veſſel carrying out the ſame, and by the Craft belonging to and to be employed by ſuch Ship or Veſſel in the ſaid Fiſhery, and for no other Uſe or Purpoſe whatſoever (which Oath and Certificate ſuch Collector or other Officer is hereby authoriſed and required to adminiſter and grant without Fee or Reward); and on Failure of producing ſuch Certificate, or if any ſuch Hooks, Lines, Netting, Tools and Implements, are uſed or diſpoſed of for any other Purpoſe, the ſame, and the Ship or Veſſel having the ſame on Board, ſhall be liable to be ſeized and forfeited in the ſame Manner as they would have been ſubject and liable to if this Act had not been made, any Thing herein contained to the contrary notwithſtanding.

Maſters of Veſſels to produce Certificates from the Officer of Cuſtoms, that the Proviſions, &c. are the Product, &c. of Great Britain or Ireland.

On Failure, &c. the Ship to be forfeited.

VII. And it is hereby further enacted by the Authority aforeſaid, That from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, all Veſſels fitted and cleared out as Fiſhing Ships in purſuance of this Act, or of the before-mentioned Act, made in the tenth and eleventh Years of the Reign of the late King *William* the Third, and which ſhall be actually employed in the Fiſhery there, or any Boat or Craft whatſoever employed in carrying Coaſtwiſe, to be landed or put on Board any Ships or Veſſels, any Fiſh, Oil, Salt Proviſions, or other Neceſſaries, for the Uſe and Purpoſe of that Fiſhery, ſhall not be liable to any Reſtraint or Regulation with reſpect to Days or Hours of working, nor to make any Entry at the Cuſtomhouſe at *Newfoundland*, except a Report to be made by the Maſter on his firſt Arrival there, and at his clearing out from thence; and that a Fee not exceeding two Shillings and Sixpence ſhall and may be taken by the Officers of the Cuſtoms at *Newfoundland* for each ſuch Report; and that no other Fee ſhall be taken or demanded by any Officer of the Cuſtoms there, upon any other Pretence whatſoever relative to the ſaid Fiſhery, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

No Fiſhing Ships, or any Craft carrying Neceſſaries for the Fiſhery, to be liable to any Reſtraint as to Time of working, nor to make any Entry at the Cuſtomhouſe, &c.

VIII. Provided always, and be it enacted, That in caſe any ſuch Fiſhing Ship or Veſſel ſhall at her laſt clearing out from the ſaid Iſland of *Newfoundland* have on Board or export any Goods or Merchandiſe whatſoever, except Fiſh, or Oil made of Fiſh, ſuch Ship or Veſſel, and the Goods thereon laden, ſhall be ſubject and liable to the ſame Securities, Reſtrictions, and Regulations, in all Reſpects, as they would

If Ships have on Board any other Goods than Fiſh or Oil, &c they ſhall be under the uſual Reſtrictions, &c.

would have been ſubject and liable to if this Act had not been made, any Thing herein before contained to the contrary notwithſtanding.

Act 25 Car. II. allowing Train Oil, &c to be imported Duty-free, recited,

'IX. And whereas by an Act, made in the twenty-fifth Year of the Reign of King *Charles* the Second '(intituled, *An Act for the Encouragement of the* Greenland *and* Eaſtland *Trades, and for the better ſecuring* 'the *Plantation Trade*), and by other Acts of Parliament, it is lawful for any Perſon or Perſons to import 'into *England* Train Oil or Blubber of *Greenland*, and Parts adjacent, and thoſe Seas, or of *Newfound-* 'land, or of any other his Majeſty's Colonies and Plantations, made of Fiſh, or of any other Creature 'living in the Seas, and Whale Fins caught in any Ships or Veſſels truly and properly belonging to *Eng-* 'land or *Wales*, or Town of *Berwick upon Tweed*, and imported in ſuch Ships, without paying any Cuſ- 'tom or Duty for the ſame, which Liberty, by a ſubſequent Act of Parliament, is extended to Ships be- 'longing to *Great Britain*; and it is reaſonable that the ſame Indulgence ſhould be extended to Oil and 'Blubber of Fiſh, and other Creatures living in the Sea, and to Whale Fins caught in any Part of the 'Ocean by Ships belonging to *Great Britain*, *Ireland*, and the Iſlands of *Guernſey*, *Jerſey*, and *Man*;'

and after Sept. 1, 1775, extended to all Ships belonging to Great Britain, Ireland, Guernſey, &c.

be it therefore enacted by the Authority aforeſaid, That from and after the firſt Day of *September*, one thouſand ſeven hundred and ſeventy-five, the Liberty granted by the ſaid Act to import into this Kingdom Oil or Blubber of Fiſh, or other Creatures living in the Sea, or Whale Fins taken within the Limits therein mentioned, Duty-free, ſhall extend, and be conſtrued to extend, to ſuch Oil or Blubber, or Whale Fins, as ſhall be ſo taken in any Part of the Ocean by, and imported in any Ship or Veſſel truly and properly belonging to, his Majeſty's Subjects of *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

After Sept. 1, 1775, undreſſed Seal Skins may be imported Duty-free.

X. And it is hereby further enacted by the Authority aforeſaid, That from and after the firſt Day of *September*, one thouſand ſeven hundred and ſeventy-five, it ſhall and may be lawful for any Perſon or Perſons to import into this Kingdom any raw and undreſſed Seal Skins taken and caught by the Crews of Veſſels belonging to and fitted out either from *Great Britain*, *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man* reſpectively, and whereof the Captain or Maſter and Three-fourths at the leaſt of the Mariners are his Majeſty's Subjects, or by Perſons employed by the Maſters or Owners of ſuch Veſſels, without paying any Cuſtom, Subſidy, or other Duty, for the ſame, any Law or Uſage to the contrary notwithſtanding.

Not to extend to any Seal Skins except thoſe imported by Ships qualified as aforeſaid,

and duly entered at the Cuſtomhouſe, &c.

XI. Provided always, That nothing in this Act ſhall extend, or be conſtrued to extend, to give Liberty of importing any ſuch Seal Skins Duty-free, unleſs the Captain or Perſon having the Charge or Command of ſuch Ship or Veſſel importing the ſame ſhall make Oath before the Collector or other Principal Officer of the Cuſtoms at the Port of Importation (who is hereby authoriſed and required to adminiſter ſuch Oath), that all the Skins imported in ſuch Ship or Veſſel were really and *bona fide* the Skins of Seals taken and caught by the Crews thereof, or by Perſons employed by the Maſter or Owner of ſuch Ship or Veſſel, or of ſome other Ship or Veſſel qualified as aforeſaid; and ſuch Seal Skins ſhall be alſo duly entered at the Cuſtomhouſe for the ſaid Port, and landed in the Preſence of the proper Officer or Officers of the Cuſtoms appointed for that Purpoſe; and on Failure of any of theſe Conditions, ſuch Skins ſhall be liable to pay the ſame Duties as they would have been ſubject and liable to if this Act had not been made, any Thing herein contained to the contrary notwithſtanding.

'XII. And whereas it has been a Practice of late Years for divers Perſons to ſeduce the Fiſhermen, 'Sailors, Artificers, and others, employed in carrying on the Fiſhery, arriving at *Newfoundland*, on 'Board Fiſhing and other Veſſels from *Great Britain*, and the *Britiſh* Dominions in *Europe*, to go from 'thence to the Continent of *America*, to the great Detriment of the Fiſhery and the Naval Force of this 'Kingdom:' Now, in order to remedy the ſaid Evil, and to ſecure the Return of the ſaid Fiſhermen,

No Shipmaſter to carry any Fiſhermen, &c. as Paſſengers to any Part of the Continent of America without Permiſſion, under the Penalty of 200 l.

Sailors, Artificers, and others, employed as aforeſaid, to the *Britiſh* Dominions in *Europe*, be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, it ſhall not be lawful for the Maſter, or Perſon having the Charge or Command of any Ship or Veſſel trading to or from any Place within the Government of *Newfoundland*, to carry or convey, as Paſſengers, any ſuch Fiſhermen, Sailors, Artificers, and others, employed as aforeſaid, from thence to any Part of the Continent of *America*, without the Permiſſion under the Hand and Seal of the Governor of the ſaid Iſland of *Newfoundland*, under the Penalty of forfeiting two hundred Pounds for every ſuch Offence.

'XIII. And whereas in ſeveral Acts, paſſed in the eleventh and twelfth Years of *William* the Third, 'the eighth of *George* the Firſt, and ſecond and twelfth of *George* the Second, Proviſion has been made to 'prevent Seamen and Mariners in the Merchant Service being wilfully left beyond Sea, and to ſecure 'and provide for their Return home to ſuch Part of his Majeſty's Dominions whereto they belong: And 'whereas, for want of ſuch Proviſions being extended to Seamen and Fiſhermen going out as Paſſengers 'to *Newfoundland*, and hired and employed in the Fiſheries carried on there, great Numbers of them 'remain in that Country at the End of every Fiſhing Seaſon, who would otherwiſe return home, and 'ſome of them have frequently turned Robbers and Pirates;' for Remedy of which Evil, be it enacted

Regulations for Perſons employing Seamen or Fiſhermen at Newfoundland,

by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall, from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, employ, or cauſe to be employed, at *Newfoundland*, for the Purpoſe of carrying on the Fiſhery there, any Seaman or Fiſherman going as Paſſengers, or any Seaman or Fiſherman hired there, without firſt entering into an Agreement or Contract in Writing with every ſuch Seaman or Fiſherman, declaring what Wages ſuch Seaman or Fiſherman is to have, and the Time for which he ſhall ſerve, which ſhall be ſigned by both Parties; wherein it ſhall be ſtipulated (amongſt other Things) that the Perſon ſo hiring or employing ſhall be at Liberty to reſerve, retain, and deduct, and he is hereby authoriſed, required, and directed, to reſerve, retain, and deduct, out of the Wages of every Perſon ſo hired or employed, a Sum of Money equal to the then current Price of a Man's Paſſage home, not exceeding forty Shillings for each Man, which Money ſuch Hirer or Employer ſhall, at

at the End of each Fiſhing Seaſon, or at the Expiration of the covenanted Time of Service of ſuch Seaman or Fiſherman, pay, or cauſe to be paid, to the Maſter of a Paſſage or other Ship, who ſhall undertake or agree to carry ſuch Seaman or Fiſherman home to the Country whereto he belongs, and ſhall alſo convey ſuch Seaman or Fiſherman to and on Board ſuch Paſſage or other Ship, taking the Maſter's Receipt for the Paſſage Money, which Receipt he ſhall immediately thereupon deliver to ſuch Seaman or Fiſherman.

Employers to pay to Fiſhermen, &c only Half of their Wages, and the other Half in Bills, &c. at their Return home.

XIV. And be it further enacted by the Authority aforeſaid, That no Hirer or Employer of any ſuch Seaman or Fiſherman ſhall pay or advance, or cauſe to be paid or advanced, to ſuch Seaman or Fiſherman, in Money, Liquor, and Goods, or either of them, during the Time he ſhall be in his Service, more than one Half of the Wages which ſhall at any Time be due to him; but ſuch Hirer or Employer ſhall, and is hereby required and directed, immediately at or upon the Expiration of every ſuch Man's covenanted Time of Service, to pay either in Money, or in good Bills of Exchange, payable either in *Great Britain* or *Ireland*, or in the Country to which ſuch Seaman or Fiſherman belongs, the full Balance of his Wages, except the Money herein before directed to be retained for his Paſſage home; and it ſhall not be lawful for any ſuch Hirer or Employer to turn away or diſcharge any ſuch Seaman or Fiſherman, except for wilful Neglect of Duty, or other ſufficient Cauſe, before the Expiration of his covenanted Time of Service; and in caſe the Hirer or Employer of any ſuch Seaman or Fiſherman ſhall refuſe or neglect to comply with any of the Terms herein before mentioned, or ſhall otherwiſe offend againſt this Act, every ſuch Perſon ſo offending ſhall forfeit and pay, for every ſuch Offence, beſides the Balance that ſhall be due to ſuch Seaman or Fiſherman, the Money herein before directed to be retained for his Paſſage home, the Sum of ten Pounds, to the Uſe of ſuch Perſon or Perſons who ſhall inform or ſue for the ſame.

Penalty on Employers neglecting to comply.

If any Diſpute ariſe, Employers obliged to produce the Contract.

XV. And be it further enacted by the Authority aforeſaid, That in all Caſes where Diſputes ſhall ariſe concerning the Wages of any ſuch Seaman or Fiſherman, the Hirer or Employer ſhall be obliged to produce the Contract or Agreement in Writing, herein before directed to be entered into with every ſuch Seaman or Fiſherman.

All Fiſh and Oil liable to the Payment of Wages.

XVI. And be it further enacted by the Authority aforeſaid, That all the Fiſh and Oil which ſhall be taken and made by the Perſon or Perſons who ſhall hire or employ ſuch Seaman or Fiſherman, ſhall be ſubject and liable, in the firſt place, to the Payment of the Wages of every ſuch Seaman or Fiſherman.

Penalty on Seamen or Fiſhermen abſenting themſelves from their Employers without Leave.

XVII. And be it further enacted by the Authority aforeſaid, That in caſe any ſuch Seaman or Fiſherman ſhall at any Time wilfully abſent himſelf from his Duty or Employ, without the Leave and Conſent of his Hirer or Employer, or ſhall wilfully neglect or refuſe to work according to the true Intent and Meaning of ſuch Contract or Agreement, he ſhall, for every Day he ſhall ſo abſent himſelf, or neglect or refuſe to work as aforeſaid, forfeit two Days Pay to ſuch Hirer or Employer; and if any ſuch Seaman or Fiſherman ſhall wilfully abſent himſelf from his ſaid Duty or Employ for the Space of five Days, without ſuch Leave as aforeſaid, he ſhall be deemed a Deſerter, and ſhall forfeit to ſuch Hirer or Employer all ſuch Wages as ſhall at the Time of ſuch Deſertion be due to him (except ſo much as is herein before directed to be reſerved and retained for the Purpoſe of paying his Paſſage home); and it ſhall and may be lawful to and for the Governor of *Newfoundland*, or his Surrogates, or the Commiſſary of the Vice Admiralty Court for the Time being, or for any Juſtice of the Peace in *Newfoundland*, to iſſue his or their Warrant or Warrants to apprehend every ſuch Deſerter, and on the Oath of one or more credible Witneſs or Witneſſes to commit him to Priſon, there to remain until the next Court of Seſſion which ſhall be holden in purſuance of the Commiſſion of the ſaid Governor for the Time being; and, if found guilty of the ſaid Offence at ſuch Seſſion, it ſhall and may be lawful to and for the ſaid Court of Seſſion to order ſuch Deſerter to be publickly whipped as a Vagrant, and afterwards to be put on Board a Paſſage Ship, in order to his being conveyed back to the Country whereto he belongs.

Diſputes, and all Offences, to be determined by the Court of Seſſion, &c. at Newfoundland.

XVIII. And be it further enacted by the Authority aforeſaid, That all Diſputes which ſhall ariſe concerning the Wages of every or any ſuch Seaman or Fiſherman, and all Offences which ſhall be committed by every Hirer or Employer of ſuch Seaman or Fiſherman, againſt this Act, ſhall and may be inquired into, heard, and determined, and the Penalties and Forfeitures thereby incurred ſhall and may be recovered in the Court of Seſſion herein before mentioned, or in the Court of Vice Admiralty having Juriſdiction in the ſaid Iſland of *Newfoundland*.

Act 6 Annæ, reſpecting Sailors employed in Trading Ships, &c. in America not liable to be impreſſed, repealed.

'XIX. And whereas by an Act of Parliament, paſſed in the ſixth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for the Encouragement of the Trade to* America, it is, amongſt other 'Things, enacted, That no Mariner or other Perſon who ſhall ſerve on Board, or be retained to ſerve 'on Board, any Privateer, or Trading Ship or Veſſel, that ſhall be employed in any Part of *America*, 'nor any Mariner or other Perſon being on Shore in any Part thereof, ſhall be liable to be impreſſed or 'taken away by any Officer or Officers of or belonging to any of her Majeſty's Ships of War, impowered 'by the Lord High Admiral, or any other Perſon whatſoever, unleſs ſuch Mariner ſhall have before de'ſerted from ſuch Ship of War: And whereas the ſaid Privilege or Exemption ſo given by the ſaid Act 'to Mariners ſerving on Board Ships or Veſſels employed in any of the Seas or Ports of the Continent of '*America*, or reſiding on Shore there, is prejudicial to the Fiſheries carried on by his Majeſty's Subjects 'of *Great Britain* and *Ireland*, and others his Majeſty's Dominions in *Europe*, and has proved an Encou'ragement to Mariners belonging thereto to deſert in Time of War, or at the Appearance of a War, to 'the *Britiſh* Plantations on the ſaid Continent of *America*;' be it therefore enacted by the Authority aforeſaid, That the ſaid Clauſe, ſo far as it relates to the exempting of Mariners or other Perſons ſerving, or retained to ſerve, in any Ship or Veſſel in the Seas or Ports of the Continent of *America*, or other Perſons on Shore there, from being impreſſed, be and the ſame is hereby repealed.

'XX. And whereas the immoderate Uſe of Rum and other Spirits, imported into *Newfoundland* from 'his Majeſty's Colonies and Plantations in *America*, has been found to be highly detrimental to the Fiſh-

Rum, &c. imported into Newfoundland from America, to pay a Duty of 1 s. per Gallon.

How ſuch Duty is to be collected, recovered, and applied.

'eries carried on there, and it is therefore proper to endeavour to diminiſh the Conſumption thereof;' be it enacted by the Authority aforeſaid, That from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, there ſhall be paid in to his Majeſty, his Heirs and Succeſſors, for every Gallon of Rum, or other Spirits, which ſhall be brought or imported into the Iſland of *Newfoundland* from any *Britiſh* Colony or Plantation on the Continent of *America*, the Sum of one Shilling Sterling Money of *Great Britain*; and the ſame ſhall be collected, recovered and paid, to the Amount of the Value of which ſuch nominal Sum bears in *Great Britain*, and may be received and taken according to the Proportion and Value of five Shillings and Sixpence the Ounce in Silver; and the ſaid Duty hereby granted ſhall be raiſed, levied, collected, paid, and recovered, in the ſame Manner and Form, and by ſuch Rules, Ways, and Means, and under ſuch Penalties and Forfeitures, except in ſuch Caſes where any Alteration is made by this Act, as any other Duties payable to his Majeſty upon Goods imported into any *Britiſh* Colony or Plantation in *America* are raiſed, levied, collected, paid, and recovered, by any Act or Acts of Parliament, as fully and effectually, to all Intents and Purpoſes, as if the ſeveral Clauſes, Powers, Directions, Penalties and Forfeitures relating thereto, were particularly repeated and again enacted in the Body of this preſent Act; and that all the Monies that ſhall ariſe by the ſaid Duty (except the neceſſary Charges of raiſing, collecting, levying, recovering, anſwering, paying, and accounting for the ſame), ſhall be paid into the Receipt of his Majeſty's Exchequer, and applied and appropriated to the ſame Uſes and Purpoſes as the Duties ariſing by that Part of the Cuſtoms, commonly called *The Old Subſidy*, payable in *Great Britain*, are applied and appropriated.

'XXI. And whereas the Bounties given by an Act of Parliament, made in the eleventh Year of the 'Reign of his preſent Majeſty, intituled, *An Act for the better Support and Eſtabliſhment of the* Greenland 'and *Whale Fiſheries*, have been found of great Advantage to the Navigation, Trade, and Manufactures 'of this Kingdom; and it is juſt and expedient that the like Bounties which are granted by that Act to 'Ships fitted out from *Great Britain*, or any of his Majeſty's Dominions in *America*, for thoſe Fiſheries, 'ſhould in like Manner be granted to Ships fitted out for that Purpoſe from the Kingdom of *Ireland*;' be it therefore enacted by the Authority aforeſaid, That from and after the twenty-fifth Day of *December*, one thouſand ſeven hundred and ſeventy-five, the reſpective Bounties herein after mentioned ſhall be allowed for every Ship or Veſſel *Britiſh* built, and owned by his Majeſty's Subjects of *Ireland*, and whereof the Captain or Maſter and at leaſt One-third of the Mariners are his Majeſty's Subjects of *Great Britain* or *Ireland*, which ſhall proceed from any Port in the ſaid Kingdom of *Ireland* within the Time limited by this Act on the Whale Fiſhery to the *Greenland* Seas, and *Davis's Streights*, and the adjacent Seas, under the ſeveral Rules and Reſtrictions herein after expreſſed; that is to ſay, Every ſuch Ship or Veſſel, before ſhe proceeds on ſuch Voyage, ſhall be viſited by the proper Officer or Officers of the Cuſtoms belonging to ſuch Port, who ſhall examine into ſuch Ship or Veſſel, and take an Account of the Tonnage thereof by Admeaſurement, and ſhall certify ſuch his or their Viſitation, Examination, and Admeaſurement, to the Commiſſioners of his Majeſty's Revenue in *Ireland*; and if it appears by the Certificate of ſuch Officer or Officers that ſhe hath on Board ſuch a Number of Men, Proviſions, Boats, Fiſhing Lines, and Inſtruments to be uſed in ſuch Fiſhery as herein after are mentioned; that ſhe is ſtrongly built, and otherwiſe a proper Ship for ſuch Voyage and Fiſhery, and hath on Board among her Crew a ſufficient Number of Harpooners, Steerſmen, and Line-managers, who have been before employed in ſuch Voyages (the Names of ſuch Perſons to be contained in ſuch Certificate); and if it further appears by the Oath of one or more Owner or Owners, and of the Maſter or Chief Officer of ſuch Ship, written at the Foot of ſuch Certificate, and made before the Collector or Comptroller of ſuch Port (who are hereby impowered and required to adminiſter the ſame), that it is really and truly their firm Purpoſe and determined Reſolution, that ſuch Ship ſhall, as ſoon as Licence ſhall be granted, forthwith proceed, ſo manned, furniſhed, and accoutred, on a Voyage to the *Greenland* Seas, or *Davis's Streights*, or the Seas adjacent, and there in the then approaching Seaſon to uſe the utmoſt Endeavours of themſelves and their Ship's Company to take Whales, or other Creatures living in the Sea, and on no other Deſign or View of Profit in ſuch Voyage, and to import the Whale Fins, Oil, and Blubber thereof, into the Kingdom of *Great Britain* (naming the Port to which it is their Intention to return); and if the Maſter, after ſuch Certificate had, and Oath made, do alſo become bound, with two ſufficient Securities, unto his Majeſty, his Heirs and Succeſſors, in the Penalty of ſuch Sum as ſhall be equal to treble the Bounty intended by this Act (which Bond the ſaid Collector, with the Approbation of the Comptroller, is hereby required to take, and is to be in Force for the Term of three Years againſt the Maſter and Sureties for the faithful Dealings of the ſaid Maſter and Ship's Company in regard to the ſaid Ship and Voyage); then, and in all ſuch Caſes, it ſhall and may be lawful for any three or more of the ſaid Commiſſioners of the Revenues in *Ireland* for the Time being, on receiving ſuch Certificates and Oaths made, and it being certified to them by the Collector and Comptroller of ſuch Port, that ſufficient Security hath been given as aforeſaid, to give and grant, and they are hereby required to give and grant to the Maſter and Owners of ſuch Ship, full Licence and Authority to proceed on ſuch Voyage as aforeſaid.

After Dec. 25, 1775, Bounties granted by Act 11 Geo. III. extended to Ireland.

Officers to certify that Ships are properly fitted out, before they proceed on their Voyage.

Commiſſioners of the Revenues in Ireland, on receiving ſuch Certificates, to grant Licence, &c.

What Number of Men, Lines, Boats, &c. Ships of certain Dimenſions ſhall have on Board.

'XXII. And to prevent any Diſputes that may ariſe whether a Ship be properly qualified and duly fitted 'out for the Whale Fiſhery, according to the true Intent and Meaning of this Act, and intitled to a Cer-'tificate thereof from the Cuſtom-houſe Officers,' it is hereby enacted, That every Ship of the Burthen of two hundred Tons, deſigned for this Fiſhery, ſhall and is hereby obliged to have on Board forty Fiſhing Lines of one hundred and twenty Fathom each, forty Harpoon Irons, four Boats with ſeven Men, including a Harpooner, a Steerſman, and a Line-manager, to each Boat, making in the Whole twenty-eight Men beſides the Maſter and Surgeon, with ſix Months Proviſion at the leaſt for ſuch Number of Men; and every Ship of larger Burthen an Increaſe of ſix Men, one Boat, ten ſuch Lines and ten Harpoon Irons more, for every fifty Tons above the ſaid two hundred Tons, together with Proviſions in proportion;

proportion; and every Ship which ſhall be ſo employed in the ſaid Fiſhery ſhall have on Board an Apprentice, indentured for the Space of three Years at the leaſt, for every fifty Tons Burthen, who ſhall be accounted as one of the Number of Men required to be on Board ſuch Ship as aforeſaid.

On Return of Ships, proper Officers to go on Board and inſpect the Cargo, &c. and take an Account of the Names of the Maſters, Harpooners, &c.

XXIII. And be it further enacted by the Authority aforeſaid, That on the Return of ſuch Ship to the Port to which the Maſter and Mate declared on Oath their Intention to return, the proper Officers of the Cuſtoms at ſuch Port ſhall immediately repair on Board, and view the Condition of ſuch Ship and her Lading, and certify the ſame, together with their Obſervations thereon, as alſo of the real Tonnage of the ſaid Ship; and the ſaid Officers are alſo to take an Account or Schedule of the Names of the Maſter, Mate, and other Perſons on Board, diſtinguiſhing therein the Harpooners and Perſons more immediately employed in the ſaid Fiſhery, and to certify the ſame; and the Maſter and Mate ſhall make Oath before the Collector and Comptroller (who are hereby impowered and required to adminiſter the ſame), on the Back of, or annexed to the Licence granted as aforeſaid, which they are hereby then required to deliver up, that they did in purſuance thereof, mentioning the Day of their Departure, proceed on a Voyage directly to the Places aforeſaid, and have not ſince been on any other Voyage, or purſued any other Deſign or View of Profit; and that they did there (mentioning the Time of their Stay in thoſe Seas) uſe the utmoſt Endeavour of themſelves and their Ship's Company to take Whales, and other Creatures living in thoſe Seas; and that all the Whale Fins, Oil, and Blubber, imported (if any) in ſuch Ship, was really and *bona fide* caught and taken in the ſaid Seas by the Crew of ſuch Ship only, or with the Aſſiſtance of the Crew of ſome other Ship duly licenſed for that Voyage, purſuant to the Directions of this Act; all which Schedule, Certificate, Licence, and Oath, ſhall be tranſmitted by the Collector and Comptroller of ſuch Port to the reſpective Commiſſioners of the Cuſtoms for that Part of *Great Britain* where ſuch Ships ſhall arrive; and ſuch Commiſſioners being fully ſatisfied of the faithful Dealings of the Maſter and other Perſons employed in ſuch Ships with reſpect to ſuch Voyage and Fiſhery, ſhall, on Demand, cauſe Payment to be made to the Maſter or Owners, or to his or their Aſſigns, by the Receiver General of the Cuſtoms for that Part of *Great Britain* where ſuch Ship ſhall arrive, the Bounty or Premium following, according to the Admeaſurement of ſuch Ship, duly certified as aforeſaid; (that is to ſay,) For every ſuch Ship as ſhall proceed on the ſaid Fiſhery, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſeventy-five, to the twenty-fifth Day of *December* one thouſand ſeven hundred and ſeventy-ſix, the Sum of forty Shillings *per* Ton; and for every ſuch Ship as ſhall proceed on the ſaid Fiſhery, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſeventy-ſix, to the twenty-fifth Day of *December* one thouſand ſeven hundred and eighty-one, the Sum of thirty Shillings *per* Ton; and for every ſuch Ship as ſhall proceed on the ſaid Fiſhery, from the twenty-fifth Day of *December* one thouſand ſeven hundred and eighty-one, to the twenty-fifth Day of *December* one thouſand ſeven hundred and eighty-ſix, the Sum of twenty Shillings *per* Ton.

Commiſſioners being ſatisfied of the faithful Dealings of the Maſter, &c. to pay the Bounties as directed, according to the Admeaſurement of the Ships.

Certain Proviſoes reſpecting Ships before any Perſon be intitled to the Bounty.

XXIV. Provided always, and it is hereby further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall be allowed or intitled to receive the Bounty herein before granted, for any Ship which ſhall proceed on the ſaid Whale Fiſhery after the twenty-fifth Day of *December* one thouſand ſeven hundred and ſeventy-five, unleſs ſuch Ship ſhall ſail from the Port where ſhe ſhall be ſurveyed, and cleared directly on her intended Fiſhery, on or before the tenth Day of *April* in each and every Year, and ſhall continue with her Crew in the *Greenland* Seas, or *Davis's Streights*, or the adjacent Seas, diligently endeavouring to catch Whales, or other Creatures living in thoſe Seas, and ſhall not depart from thence before the tenth Day of *Auguſt* then following, unleſs ſuch Ship ſhall be laden with the Blubber and Fins of one Whale, caught by the Crew thereof, or with the Aſſiſtance of the Crew of ſome other licenſed Ship, before that Time, or ſhall be forced by ſome unavoidable Accident or Neceſſity to depart ſooner from thoſe Seas; which Accident or Neceſſity ſhall be verified on the Oaths of the Maſter and Mate belonging to ſuch Ship, upon her Return from the ſaid Fiſhery, before the Collector and Comptroller of the Cuſtoms at the Port where ſhe ſhall arrive, who ſhall tranſmit the ſame, together with the Schedule, Licence, and other Documents by this Act required, to the reſpective Commiſſioners of the Cuſtoms for that Part of *Great Britain* where ſhe ſhall arrive.

If Monies ariſing from the Old Subſidy be not ſufficient to pay Bounties, any other Revenue Money may be taken.

XXV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the Cuſtoms in *England* and *Scotland* reſpectively to order the reſpective Receivers General of the Cuſtoms, in caſe the Monies remaining in their Hands ariſing from the Old Subſidy ſhall not be ſufficient at any Time or Times, during the Continuance of this Act, to ſatisfy the ſaid Bounty of forty Shillings *per* Ton, and thirty Shillings *per* Ton, and twenty Shillings *per* Ton, during the ſeveral Periods herein before limited, payable on all Ships employed in the ſaid Fiſhery, according to the Directions of this preſent Act, to pay the ſame out of any Money that ſhall be in their Hands ariſing from any of the Duties and Revenues under their Management reſpectively.

Commiſſioners, at the Beginning of every Seſſion of Parliament, to lay before them an Account of the Ships employed in the Whale Fiſhery, &c.

XXVI. And be it further enacted by the Authority aforeſaid, That the Commiſſioners of his Majeſty's Cuſtoms in *England* and *Scotland* reſpectively ſhall, at the Beginning of every Seſſion of Parliament, lay before both Houſes of Parliament an Account in Writing, under their Hands, of what Number of Ships employed in the Whale Fiſhery to *Davis's Streights* and the *Greenland* Seas, in purſuance of this Act, with their reſpective Names and Burthens, have returned to *Great Britain*, and at what Port in *Great Britain* they were diſcharged, and alſo what Quantity of Oil, Blubber, or Whale Fins, each Ship ſhall have imported, and from what Port in *Ireland* or the *Iſle of Man* they were fitted out.

Ships under 200 Tons intitled to a Bounty proportionable to their Admeaſurement.

'XXVII. And whereas it hath been found by Experience, that Ships under the Burthen of two hundred Tons are fit for the ſaid Fiſhery;' be it therefore enacted and declared by the Authority aforeſaid, That every Owner or Owners of any Ship or Ships under the Burthen of two hundred Tons, which ſhall be employed in the ſaid Fiſhery, who have conformed themſelves in all Reſpects to the Rules and Directions herein before preſcribed to the Owners of Ships of two hundred Tons, ſhall be intitled to the ſaid Bounty, as herein before limited, according to the Admeaſurement of ſuch Ship or Ships reſpectively.

Ships above 400 Tons not intitled to a larger Bounty than a 400 Ton Ship; and Owners not obliged to equip, &c. more than a Ship of 400 Tons.

XXVIII. Provided always, and be it enacted by the Authority aforeſaid, That no Ship to be employed in the ſaid Fiſhery, although ſhe be above the Burthen of four hundred Tons, ſhall be intitled to a larger Bounty than a Ship of four hundred Tons would be intitled to.

XXIX. Provided alſo, That nothing in this preſent Act contained ſhall extend, or be conſtrued to extend, to oblige the Owner or Owners of any Ship above the Burthen of four hundred Tons, in order to intitle him or them to the ſaid Bounty, to fit out, equip, and man any ſuch Ship, otherwiſe than as a Ship of the Burthen of four hundred Tons only is, by this preſent Act, required to be fitted out, equipped, and manned.

No Apprentice, when indentured, to exceed 18, nor be under 14 Years; and no Bounty to be paid unleſs Ships employed belong to ſome of his Majeſty's Subjects where fitted out.

XXX. Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That every Apprentice indentured after the twenty-fifth Day of *December* one thouſand ſeven hundred and ſeventy-five, to ſerve on Board any Ship or Veſſel proceeding on the Fiſheries, in purſuance of this or any other Act of Parliament now in Force, granting any Bounty or Bounties thereon, ſhall not exceed the Age of eighteen Years, nor be under fourteen, at the Time he ſhall be ſo indentured; and that no Bounty ſhall be allowed or paid for any Ship or Veſſel ſo employed, either by virtue of this or any former Act of Parliament, unleſs the whole and entire Property of ſuch Ship or Veſſel ſhall belong to ſome of his Majeſty's Subjects reſiding in that Part of his Majeſty's Dominions from whence ſuch Ship or Veſſel ſhall be reſpectively fitted and cleared out, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Bounties may be inſured.

'XXXI. And, to prevent any Application to Parliament for the Bounty on any Ship employed in either 'of the Fiſheries before mentioned, which may happen to be loſt at Sea before their Return to *Great Britain*,' be it declared and enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Owner or Owners of any Ship, employed, or deſigned to be employed, in the ſaid Fiſheries, or either of them, to inſure the Bounty which ſuch Owner or Owners would have been intitled to upon the Return of ſuch Ship to *Great Britain*, on the Performance of all other Matters directed and appointed by this preſent Act to be performed for obtaining the ſaid Bounties.

Perſons giving falſe Certificates, &c. to forfeit 500 l.

XXXII. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall give or grant any falſe Certificate for any of the Purpoſes required or directed by this Act, ſuch Perſon or Perſons ſhall forfeit the Sum of five hundred Pounds, and be rendered incapable of ſerving his Majeſty, his Heirs or Succeſſors, in any Office whatſoever; and if any Perſon or Perſons ſhall counterfeit, eraſe, alter, or falſify, any Certificate required or directed by this Act, or ſhall knowingly or willingly make uſe of any falſe Certificate, or of any Certificate ſo counterfeited, eraſed, altered, or falſified, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of five hundred Pounds; and every ſuch Certificate ſhall be invalid, and of no Effect.

Forfeitures how to be applied.

XXXIII. And it is hereby further enacted by the Authority aforeſaid, That one Moiety of the Penalties and Forfeitures inflicted by this Act (except in ſuch Caſes where other Directions are given by this Act) ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Officer or Officers of the Cuſtoms as ſhall ſue or proſecute for the ſame in any of his Majeſty's Courts of Record at *Weſtminſter* or *Dublin*, or in the Court of Exchequer in *Scotland*, or in any Court of Admiralty having Juriſdiction in his Majeſty's Colonies or Iſlands reſpectively where the Offence ſhall be committed.

Forfeitures incurred in Newfoundland to be ſued for in the Vice Admiralty Court in ſaid Iſland.

Perſons aggrieved may appeal to the proper Admiralty Court in Britain.

XXXIV. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix, the Penalties and Forfeitures inflicted by any Act of Parliament relating to the Trade or Revenues of the *Britiſh* Colonies or Plantations in *America*, which ſhall be incurred in the ſaid Iſland of *Newfoundland*, ſhall be ſued for, proſecuted, and recovered, in the Court of Vice Admiralty having Juriſdiction in the ſaid Iſland, and in no other; and if any Perſon or Perſons ſhall think him or themſelves aggrieved by any Judgment, Sentence, or Determination of any Court of Vice Admiralty, or other Court having Juriſdiction in *Newfoundland*, upon any Suit or Proſecution commenced there for any Penalty or Forfeiture inflicted by any Act of Parliament relating to the Trade or Revenues of the *Britiſh* Colonies or Plantations in *America*, it ſhall and may be lawful for ſuch Party to appeal from ſuch Judgment, Sentence, or Determination, in the firſt Inſtance, to the proper Court of Admiralty in *Great Britain*, or to his Majeſty in Council; and that no Appeal ſhall in ſuch Caſe lie or be brought in any other Court or Juriſdiction whatſoever, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Duties on Goods exported or imported, to be under the Direction of the Commiſſioners of Cuſtoms, &c.

XXXV. And it is hereby further enacted by the Authority aforeſaid, That from and after the firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix, the Cuſtoms and other Duties which now are or hereafter may be due and payable upon any Goods or Merchandiſes brought or imported into, or exported or carried from, the Iſland of *Newfoundland*, by virtue of this or any Act or Acts of Parliament, and the Officers of his Majeſty's Cuſtoms appointed for executing and carrying into Execution the ſeveral Laws relating to the Trade and Revenue there, ſhall be under the Management and Direction of the Commiſſioners of his Majeſty's Cuſtoms in *England* for the Time being, under the Authority and Direction of the High Treaſurer of *Great Britain*, or the Commiſſioners of the Treaſury for the Time being, any Law, Patent, Cuſtom, or Uſage, to the contrary notwithſtanding.

Deputations granted by the Commiſſioners for North America before Jan. 1, 1776, to any Officers for Newfoundland, to be in Force.

XXXVI. Provided always, and it is hereby further enacted by the Authority aforeſaid, That all Deputations and other Authorities granted by the Commiſſioners of the Cuſtoms for *North America*, before the ſaid firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix, to any Officer or Officers acting in and for the ſaid Iſland of *Newfoundland*, ſhall continue in Force, as fully to all Intents and Purpoſes as if this Act had not been made, until the Deputations or other Authorities ſo granted to ſuch Officer or Officers reſpectively ſhall be revoked, annulled, or made void by the High Treaſurer of *Great Britain*, or Commiſſioners of the Treaſury for the Time being.

Perſons ſued for any Thing done in purſuance of

XXXVII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act of Parliament, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the

the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance of and by the Authority of this Act: And if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant or Defendants have appeared, or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff, the Defendant or Defendants ſhall recover treble Coſts, and have the like Remedy for the ſame as Defendants have in other Caſes by Law.

this Act, may plead the General Iſſue,

and recover treble Coſts.

CAP. XXXII.

An Act to repeal an Act, paſſed in the thirty-firſt Year of the Reign of her Majeſty Queen *Elizabeth* (intituled, *An Act againſt the erecting and maintaining of Cottages*).

Preamble.

'WHEREAS an Act was paſſed in the thirty-firſt Year of the Reign of her Majeſty Queen *Elizabeth*, intituled, *An Act againſt the erecting and maintaining of Cottages:* And whereas the ſaid Act has laid the induſtrious Poor under great Difficulties to procure Habitations, tends very much to leſſen Population, and in divers other Reſpects has been found inconvenient to the labouring Part of the Nation in general;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act ſhall be and the ſame is hereby repealed.

Act 31 Eliz. againſt erecting of Cottages,

is by this Act repealed.

CAP. XXXIII.

An Act for ſettling *Buckingham Houſe*, with the Appurtenances, upon the Queen, in caſe ſhe ſhall ſurvive his Majeſty, in lieu of his Majeſty's Palace of *Somerſet Houſe*; for enabling the Lords Commiſſioners of his Majeſty's Treaſury to ſell and diſpoſe of *Ely Houſe* in *Holborn*, and for applying the Money to ariſe by Sale thereof, together with other Monies, in erecting and eſtabliſhing Publick Offices in *Somerſet Houſe*, and for embanking certain Parts of the River *Thames* lying within the Bounds of the Manor of the *Savoy*, and for other Purpoſes therein mentioned.

Preamble.

'WHEREAS by virtue of an Act, made in the ſecond Year of the Reign of his preſent Majeſty, intituled, *An Act for enabling his Majeſty to make Proviſion for ſupporting the Royal Dignity of the Queen, in caſe ſhe ſhall ſurvive his Majeſty*; and by certain Letters Patent or Indenture under the Great Seal of *Great Britain*, granted and executed in purſuance thereof, bearing Date the ſecond Day of *June*, in the ſecond Year of his Majeſty's Reign, all that his Majeſty's Palace or Capital Meſſuage, called *Denmark Houſe*, otherwiſe *Somerſet Houſe*, otherwiſe *Strand Houſe*, with all its Rights, Members, and Appurtenances whatſoever, were, among other Things, for the better Accommodation of her Majeſty, in caſe ſhe ſhould ſurvive his Majeſty, limited to the Uſe of his Majeſty during his Life, and after the Deceaſe of his Majeſty, in caſe her Majeſty ſhould him ſurvive, then to the Uſe of certain Truſtees therein named, and their Heirs, during the Life of her Majeſty, upon Truſt, to permit her Majeſty to hold and enjoy the ſame during her Majeſty's Life, and from and after the Deceaſe of her Majeſty, to the Uſe of the ſame Truſtees for and during the Term of one Year from and immediately after her Majeſty's Deceaſe, upon Truſt, for the ſole Benefit and Behoof of her Majeſty's Executors, Adminiſtrators, and Aſſigns, during the ſame Term, with Remainder to his Majeſty, his Heirs and Succeſſors: And whereas his Majeſty, ſince his Acceſſion to the Imperial Crown of theſe Realms, hath purchaſed, with his own proper Money, a Capital Meſſuage, heretofore commonly called or known by the Name of *Buckingham Houſe*, and alſo certain Lands and Tenements thereunto belonging or adjoining, and hath alſo added to the ſame Part of the Ground commonly called or known by the Name of *The Green Park*, which is now uſed and enjoyed as Part of the Garden of the ſaid Capital Meſſuage called *Buckingham Houſe:* And whereas the ſaid Houſe heretofore called *Buckingham Houſe*, with its Appurtenances, in which his Majeſty now reſides, would, in reſpect of its Situation, as well as in every other Reſpect, afford a much more ſuitable and commodious Place of Reſidence for the Queen, in caſe ſhe ſhall ſurvive his Majeſty, than *Somerſet Houſe*, and his Majeſty is moſt graciouſly pleaſed and deſirous that the ſaid Capital Meſſuage, called *Buckingham Houſe*, and other the Premiſes which are now laid to and enjoyed therewith, ſhall be veſted in or ſettled in Truſt for her Majeſty, her Executors and Adminiſtrators, for the like Eſtates and Intereſts which her Majeſty, her Executors and Adminiſtrators, can or may have or claim in and to *Somerſet Houſe* aforeſaid, by virtue of the ſaid recited Act, and Letters Patent or Indenture, or either of them, and her Majeſty is alſo willing and deſirous to accept the ſame in lieu thereof: And whereas the ſaid Palace of *Somerſet Houſe* may, with great publick Advantage, be converted into Houſes and Apartments for holding and tranſacting the Buſineſs of the ſeveral Publick Offices herein after mentioned, for which Purpoſe his Majeſty is graciouſly pleaſed to conſent that the ſame ſhall be appropriated accordingly;' be it therefore enacted, ordained, and eſtabliſhed, by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid recited Act, and all Letters Patent, and all and every Indenture and Indentures under the Great Seal of *Great Britain* made in purſuance thereof, and all Gifts, Grants, Settlements, and Aſſurances, whereby the ſaid Palace or Capital Meſſuage, commonly called *Somerſet Houſe*, and all or any of its Rights, Members, and

Act 2 Geo. III. recited.

All Letters Patent, &c. whereby Somerſet Houſe is granted to her Majeſty, by this Act repealed.

Appurtenances, are given, granted, or veſted for or in Truſt for her Majeſty, ſhall be and the ſame are hereby reſpectively repealed, annulled, and made void, with reſpect to the ſaid Premiſes only, and in no other reſpect whatſoever.

Buckingham Houſe, with certain Lands adjacent, veſted in Truſtees, to the Uſe of his Majeſty, &c.

II. And be it further enacted by the Authority aforeſaid, That all that his Majeſty's Houſe, commonly called or known by the Name of *Buckingham Houſe*, late in the Tenure or Occupation of Sir *Charles Sheffield*, Baronet, his Aſſigns or Under-tenants, with all its Rights, Members, and Appurtenances, and all and ſingular Meſſuages, Tenements, Houſes, Outhouſes, Coach-houſes, Stables, Edifices, Buildings, Courts, Yards, Gardens, and Appurtenances whatſoever, to the ſame and other the Premiſes, or any of them, belonging or appertaining, or accepted, reputed, taken, uſed, or enjoyed, as Part, Parcel, or Member thereof, and all that Piece or Parcel of Paſture Ground or Park, formerly called or known by the Name of *Goring Great Garden*, and afterwards called or known by the Name of *Buckingham Park*, or by whatſoever Name or Names the ſame hath lately or is now called or known, and alſo all thoſe Pieces or Parcels of Ground abutting or adjoining to the ſaid Premiſes, or any of them, late in the ſeveral Tenures or Occupations of *Alexander Gardner*, *Helen Rumbold*, *William Storach*, *George Elkins*, or any of them, all which ſaid Premiſes, as well Freehold as Leaſehold, were heretofore ſituate, lying and being in the Pariſh of *Saint Martin in the Fields*, but now are ſituate, lying and being in the Pariſh of *Saint George Hanover Square*, in the County of *Middleſex*, and alſo all ſuch other Meſſuages, Cloſes, Wood-grounds, Walks, Lands, Tenements, and Hereditaments whatſoever, which now are uſed with the ſaid Premiſes, or any Part of them, together with all Rights, Privileges, Exemptions, Ways, Paths, Paſſages, Eaſements, and free Liberty of Ingreſs and Egreſs, held, uſed, and enjoyed therewith by his Majeſty, ſhall be, and the ſame are hereby veſted in the Right Honourable *Henry* Earl of *Suffolk* and *Berkſhire*, the Right Honourable *William Henry* Earl of *Rochford*, the Right Honourable *William* Earl of *Dartmouth*, his Majeſty's three Principal Secretaries of State, and the Right Honourable *Frederick North* commonly called *Lord North*, Firſt Lord Commiſſioner of his Majeſty's Treaſury, and Chancellor and Under-treaſurer of his Majeſty's Exchequer, and their Heirs, to the Uſe of his Majeſty during his Life, and after the Deceaſe of his Majeſty, in caſe her Majeſty ſhall him ſurvive, then to the Uſe of her Majeſty and her Aſſigns, during the Term of her Majeſty's natural Life, and from and after the Deceaſe of her Majeſty, to the Uſe, Intent, and Purpoſe, that the Executors, Adminiſtrators, and Aſſigns of her Majeſty ſhall and may have, hold, and enjoy the ſaid Palace, or Capital Meſſuage called *Buckingham Houſe*, with the Appurtenances, for and during the Term of one whole Year, to commence and take Effect from and immediately after the Deceaſe of her Majeſty, and from and immediately after the End and Determination of the ſaid Term of one Year, then to the Uſe of his Majeſty, his Heirs and Succeſſors, notwithſtanding any Reſtraint or other Matter or Thing contained in an Act made in the firſt Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for the better Support of her Majeſty's Houſehold, and the Honour and Dignity of the Crown*; and the ſaid Capital Meſſuage, heretofore called *Buckingham Houſe*, ſhall be accepted in Law, deemed, reputed, and called, *The Queen's Royal Palace*.

and the ſaid Houſe to be called The Queen's Royal Palace.

'III. And whereas his Majeſty hath laid out and expended a conſiderable Sum of Money in the Purchaſe and Improvement of the ſaid Capital Meſſuage, heretofore called *Buckingham Houſe*, and other the Premiſes thereunto belonging, in conſideration whereof, as alſo for and in conſideration of his Majeſty's conſenting to convert and conſign the ſaid Palace or Capital Meſſuage, called *Somerſet Houſe*, for the Uſes herein-after mentioned,' be it further enacted by the Authority aforeſaid, That out of all or any of the Revenues ariſen or to ariſe within the Receipt and Government of all or any of the ſeveral Officers of the Revenue, whoſe Offices are erected and eſtabliſhed, or are to be erected and eſtabliſhed by virtue of this Act, there ſhall and may be paid, iſſued, and applied, any Sum or Sums of Money, not exceeding the Sum of one hundred thouſand Pounds, at ſuch Time and Times, and in ſuch Proportions reſpectively, as the Lords Commiſſioners of his Majeſty's Treaſury now or for the Time being, or any three of them, or his Majeſty's Lord High Treaſurer for the Time being, ſhall direct, limit, or appoint, who are hereby authoriſed to iſſue their Warrants for that Purpoſe to ſuch Perſon and Perſons as his Majeſty ſhall, by Warrant or Warrants under his Royal Sign Manual in that Behalf, authoriſe and impower to receive the ſame, to and for the Uſe of his Majeſty.

100,000l. granted to his Majeſty for the Conſiderations expreſſed in this Act.

'IV. And whereas it may be found neceſſary to the laying out the ſeveral Offices to be eſtabliſhed in his Majeſty's ſaid Palace and Capital Meſſuage called *Somerſet Houſe*, and rendering the ſame convenient and complete, that ſeveral Pieces of Ground in and adjacent to the Scite of the ſaid Palace or Capital Meſſuage ſhould be ſet out and allotted for thoſe Purpoſes, and that likewiſe ſome Buildings, ſhould be pulled down and removed, and other Buildings added thereto;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Lords Commiſſioners of his Majeſty's Treaſury, or any three of them, or the Lord High Treaſurer for the Time being, on Behalf of his Majeſty, his Heirs and Succeſſors, from Time to Time and at all Times hereafter, to treat, contract, and agree, for the abſolute Purchaſe, Sale, Releaſe, or Surrender, of any Eſtate or Intereſt in any Meſſuages, Lands, Tenements, or Hereditaments, for the Purpoſes aforeſaid, with the Owner or Owners, Leſſee or Leſſees, of ſuch reſpective Eſtate and Eſtates, for ſuch Sum or Sums of Money, or upon ſuch other Terms or Conditions as the ſaid Commiſſioners, or any three of them, or the Lord High Treaſurer for the Time being ſhall think fitting; and that upon the executing ſuch Contracts or Agreements, by or on the Behalf of ſuch Owner or Owners as aforeſaid, or upon executing ſuch Conveyances, Aſſignments, Releaſes, or Surrenders, as on ſuch Contract or Contracts ſhall be agreed on for that Purpoſe, it ſhall and may be lawful to and for the ſaid Commiſſioners of the Treaſury, or any three of them, or to and for the Lord High Treaſurer for the Time being, and he and they are and is hereby impowered to order and direct the Payment of ſuch Sum and Sums of Money, from Time to Time, as ſhall be ſo contracted and agreed on for ſuch Purchaſe or Purchaſes, to ſuch Perſon or Perſons as, according to the Terms of ſuch Contracts or Agreements ſhall be intitled to have and receive the ſame.

Lords Commiſſioners, &c. impowered to treat or contract for the Purchaſe of any Meſſuages, &c.

and to pay the Purchaſe money to the Owners, &c.

V. And

V. And be it further enacted by the Authority aforeſaid, That from and immediately after ſuch Payment of the Purchaſe-money to the Perſon or Perſons ſo intitled to receive the ſame, as aforeſaid, or if no Agreement ſhall be made, on making ſuch Satisfaction as herein-after is mentioned, the ſeveral Meſſuages, Lands, Tenements, and Hereditaments, in ſuch Contracts, Agreements, and Conveyances, mentioned and compriſed, or intended ſo to be, together with all Rights, Members, and Appurtenances whatſoever to the ſame, or any Part thereof belonging, and uſually held and enjoyed therewith, ſhall be, and the ſame are hereby declared to be, from Time to Time unalienably veſted in his Majeſty, his Heirs and Succeſſors, for the Purpoſes of this Act.

After Payment of the Purchaſe-money, &c. the ſeveral Meſſuages, &c. veſted in his Majeſty.

VI. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Truſtees and Feoffees in Truſt, Guardians and Committees for Lunaticks and Idiots, Executors, Adminiſtrators, and Guardians whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſons whatſoever, and to and for all Femes-covert who are or ſhall be ſeiſed in their own Right, and to and for all and every Perſon and Perſons whomſoever who are or ſhall be ſeiſed or poſſeſſed of or intereſted in any Lands, Tenements, or Hereditaments, which ſhall be neceſſary to be purchaſed for any of the Purpoſes of this Act, to ſell and convey all or any ſuch Lands, Tenements, Hereditaments, Eſtates, and Intereſts, or any Part thereof, to the Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer for the Time being; and that all Contracts, Agreements, Bargains, Sales, and Conveyances, which ſhall be made by ſuch Bodies Politick, Corporate or Collegiate, Corporations Aggregate, Truſtees, and other Perſons as aforeſaid, ſhall be good and valid in Law to all Intents and Purpoſes, not only to convey the Eſtate and Intereſt of the Bodies Politick, Corporate, or Collegiate, Corporations Aggregate, Truſtees, and other Perſon and Perſons conveying, but alſo to convey all Right, Eſtate, Intereſt, Uſe, Property, Claim, and Demand whatſoever, of their ſeveral and reſpective Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or other Perſons whomſoever, and all claiming or to claim, by, from, or under them; any Law, Statute, Uſage, or any other Matter or Thing whatſoever to the contrary thereof in any-wiſe notwithſtanding: And all ſuch Bodies Politick, Corporate, or Collegiate, Corporations Aggregate, Truſtees, and other Perſons ſo conveying as aforeſaid, ſhall be and are hereby indemnified for what they ſhall do by virtue and in purſuance of this Act, notwithſtanding any Omiſſion or Miſtake in Matter of Form whatſoever: And if it ſhall happen that any Perſon or Perſons, Bodies Politick, Corporate or Collegiate, or other Perſon or Perſons, ſeiſed or poſſeſſed or intereſted in any ſuch Lands, Tenements, or Hereditaments, as aforeſaid, ſhall refuſe to treat or agree, or will not agree for the Sale and Conveyance of their reſpective Eſtates, Terms, or Intereſts therein, or by reaſon of Abſence or Diſability cannot or do not agree, or there ſhall be no Perſon or Perſons in being who, as Truſtee or otherwiſe under the Powers of this Act, can agree with the Commiſſioners of the Treaſury, or the Lord High Treaſurer for the Time being, or with any Perſon or Perſons by him or them in this Behalf authoriſed and appointed, or ſhall not produce or evince a clear Title to the Premiſes they are in Poſſeſſion of, or to the Term or Intereſt they claim, to the Satisfaction of the Commiſſioners of the Treaſury, or Lord High Treaſurer for the Time being, or of the Perſon or Perſons by them ſo authoriſed or appointed; then, and in every ſuch Caſe, in order to ſettle and aſcertain the Value of ſuch Eſtate or Eſtates, and of any preſent Intereſts or Intereſt, Term or Terms of Years, or other Right or Property of ſuch Perſon or Perſons, it ſhall and may be lawful for any one or more Perſon or Perſons, to be appointed for that Purpoſe by his Majeſty, his Heirs or Succeſſors, under his or their Sign Manual, and ſuch Perſon or Perſons is or are hereby authoriſed, thirty Days at the leaſt before any General Quarter Seſſions of the Peace to be held for the City and Liberty of *Weſtminſter*, to give, or cauſe to be given, to ſuch reſpective Owner or Owners, or to be left at their laſt Places of Abode reſpectively, a Notice in Writing, deſcribing the ſaid Premiſes, and purporting that the Price or Conſideration of the ſaid Premiſes will be adjuſted and ſettled by a Jury at the ſaid Seſſions; and the Juſtices, at their ſaid Seſſions, upon Proof to them made of ſuch Notice or Notices given, ſhall, and they are hereby authoriſed and required, out of the Perſons ſummoned, impannelled, and returned to ſerve on the Jury at the ſaid Seſſions to cauſe a Jury of twelve Perſons to be drawn by ſome Perſons to be by the ſame Court appointed, in ſuch Manner as Juries for the Trial of Iſſues joined in his Majeſty's Courts at *Weſtminſter*, by an Act made in the third Year of the Reign of his late Majeſty, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; and all Parties concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not be at Liberty to challenge the Array; and the ſaid Juſtices are hereby authoriſed and impowered, by Precept or Precepts, from Time to Time as Occaſion ſhall require, to call before them all and every Perſon and Perſons whomſoever who ſhall be thought proper or neceſſary to be examined as Witneſſes before them on their Oath or Oaths concerning the Premiſes; and the ſaid Juſtices, if they think fit, ſhall and may likewiſe authoriſe the ſaid Jury to view the Place or Places in queſtion in ſuch Manner as they ſhall direct; and the ſaid Juſtices ſhall have Power to command ſuch Jury, Witneſſes, and Party, to attend until all ſuch Affairs for which ſuch Jury was impannelled ſhall be concluded; and the ſaid Jury, upon their Oath (which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Juſtices are hereby impowered and required to adminiſter), ſhall inquire of the Value of ſuch Meſſuages, Lands, Tenements, and Hereditaments, and of the Value of the reſpective Eſtate and Intereſt of every Perſon ſeiſed or poſſeſſed thereof, or intereſted therein, or of or in any Part thereof, and ſhall aſſeſs and award the Sum or Sums to be paid to every ſuch Perſon or Perſons for the Purchaſe of ſuch their Eſtates, Terms, and Intereſts; and the ſaid Juſtices ſhall give Judgment for ſuch Sum and Sums of Money ſo to be aſſeſſed, which ſaid Verdict or Verdicts, and the ſaid Judgment thereupon, ſhall be binding and concluſive to all Intents and Purpoſes againſt all and every Perſon or Perſons whomſoever.

Bodies Politick, &c. impowered to treat with the Commiſſioners.

If any Perſon, Bodies Politick, &c. refuſe to treat,

Notice to be given, that the Price of the Premiſes will be ſettled by a Jury.

Juſtices, on Proof of Notice given, to ſummon a Jury.

Jurymen may be challenged, but not the Array. Witneſſes may be examined.

Jury, on their Oaths, to aſſeſs the Value of every Perſon's Eſtate,

and Juſtices to give Judgment thereon, which ſhall be final.

VII. And

After Payment of Money ſo awarded, every Perſon to make legal Conveyances to the Commiſſioners of the Treaſury, &c.

VII. And be it further enacted, That upon Payment of ſuch Sum and Sums of Money ſo to be awarded or adjudged, the Perſon or Perſons to whom the ſame ſhall be ſo awarded, for the Purchaſe of the ſaid Lands, Tenements, or Hereditaments, or for the Purchaſe of any Eſtate, Term, or Intereſt therein, ſhall make and execute, or cauſe and procure to be made and executed, good, valid, and legal Conveyances, Aſſignments, and Aſſurances, in the Law, to the Commiſſioners of his Majeſty's Treaſury, or Lord High Treaſurer for the Time being, or to ſuch Perſon or Perſons as he or they ſhall order, direct, or appoint, of the ſaid Lands, Tenements, or Hereditaments, or of ſuch Eſtate, Term, or Intereſt, for which ſuch Sum or Sums of Money ſhall be ſo awarded, and ſhall procure all neceſſary Parties to execute ſuch Conveyances, Aſſignments, and Aſſurances, and ſhall do all Acts, Matters, and Things neceſſary and requiſite to make a good, clear, and perfect Title, to the Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer for the Time being, or the Perſon or Perſons ſo to be appointed by him or them, as aforeſaid; and ſuch Conveyances, Aſſignments, and Aſſurances, ſhall contain all reaſonable and uſual Covenants, as on the Part of the Commiſſioners of his Majeſty's Treaſury, or Lord High Treaſurer for the Time being, or of the Perſon or Perſons to be appointed by him or them, as aforeſaid, ſhall be reaſonably required: And in caſe ſuch Perſon or Perſons to whom ſuch Sum or Sums ſhall be ſo awarded as aforeſaid, ſhall not be able to evince their Title to the Premiſes, or ſhall refuſe ſo to do, being thereto required, or ſuch Sum or Sums ſo aſſeſſed or awarded as aforeſaid, being tendered to be paid to him, her, or them, to whom the ſame ſhall have been awarded, ſhall be refuſed; or in caſe ſuch Perſon or Perſons, to whom ſuch Sum and Sums of Money ſhall be ſo awarded, cannot be found within the Liberty of *Weſtminſter* aforeſaid; or in caſe, by reaſon of Diſputes depending in any Court of Law or Equity, or for any other Cauſe, it ſhall not appear what Perſon or Perſons is or are intitled to the Premiſes in queſtion; then, and in every ſuch Caſe, it ſhall and may be lawful to and for the Juſtices, at any General Quarter Seſſions to be held for the City and Liberty of *Weſtminſter* aforeſaid, to order the ſaid Sum and Sums to be aſſeſſed and awarded as aforeſaid, as and for the Value of and Purchaſe-money for the ſaid Lands, Tenements, and Hereditaments, to be paid into the Bank of *England*, in the Name and with the Privity of the Accountant General of the High Court of Chancery, to be placed to his Account, to the Credit of the Parties intereſted in ſuch Lands, Tenements, or Hereditaments, or of ſo many of them as ſhall be then in *eſſe*, deſcribing them, ſubject to the Order, Controul, and Diſpoſition of the ſaid Court of Chancery, which ſaid Court of Chancery, on the Application of any Perſon or Perſons making Claim to ſuch Sum by Motion or Petition, ſhall be and is hereby impowered, in a ſummary way of Proceeding, or otherwiſe, as to the ſaid Court ſhall ſeem meet, to order the Diſtribution of, according to the reſpective Eſtates or Eſtate, Title or Intereſt, of the Perſon or Perſons making Claim thereunto, of, in, or to ſuch Lands, Tenements, or Hereditaments, to be made appear to and to be declared by the ſaid Court, and according to the Value thereof aſſeſſed as aforeſaid, and to make ſuch other Order in the ſaid Premiſes as to the ſaid Court ſhall ſeem juſt and reaſonable.

In caſe Perſons cannot evince clear Titles to the Premiſes, &c. the Money aſſeſſed to be paid into the Bank.

After ſuch Verdict, and Payment into the Bank, Lands, &c. veſted in the Commiſſioners.

VIII. And be it further enacted, That immediately from and after ſuch Verdict, Judgment, and Order of the ſaid Court of Seſſions, and Payment into the Bank, as aforeſaid, all the Eſtate, Right, Title, Term, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons for whoſe Uſe ſuch Money ſhall be paid in, to, and out of the ſaid Lands, Tenements, Hereditaments, and Premiſes, ſhall be transferred to and veſted in the Lords Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer for the Time being, for the Purpoſes herein-after mentioned, and he and they ſhall be and be deemed in Law to be thenceforth in the actual Seiſin and Poſſeſſion thereof to all Intents and Purpoſes, as fully and effectually as if every Perſon, having any Eſtate in the Premiſes, had actually conveyed the ſame to them by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery and Seiſin, Fine and Recovery, Aſſignment, or any other legal Conveyance whatſoever; and ſuch Payment ſhall extend to and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, in Reverſion or Remainder, as effectually as a Fine or Recovery, or either of them, would do, if levied or ſuffered by the proper Parties in due Form of Law; and the Lords Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer for the Time being, or other Perſon or Perſons to whom the ſaid Premiſes ſhall by the Commiſſioners of the Treaſury, or Lord High Treaſurer for the Time being, be ordered or appointed to be conveyed as aforeſaid, ſhall be quieted in the Seiſin and Poſſeſſion of the Lands, Tenements, and Hereditaments, for which ſuch Money ſhall be ſo paid as aforeſaid, and ſhall not be anſwerable or accountable in any Court of Law or Equity for the ſaid Money any otherwiſe than according to the Tenor, Purport, and true Meaning of this Act.

If Femes-covert be ſeiſed in Fee-ſimple, the Purchaſe-money to be reinveſted in the Purchaſe of other Lands.

IX. And be it further enacted, That in caſe any Feme-covert is or ſhall be ſeiſed in Fee-ſimple, or in Tail General or Special, or for Life, or for any leſſer Intereſt of any ſuch Lands, Tenements, and Hereditaments, ſo to be purchaſed as aforeſaid, to her ſeparate Uſe, free from the Controul or intermeddling of her Huſband, the Purchaſe-money ariſing from the Sale of ſuch Eſtate, Term, or Intereſt, of ſuch Feme-covert, on the Conveyance of ſuch Eſtate, Term, or Intereſt, to the Commiſſioners of the Treaſury, or Lord High Treaſurer for the Time being, or other Perſon or Perſons to be appointed as aforeſaid, ſhall be paid to ſuch Perſon or Perſons as ſhe ſhall by Writing under her Hand nominate to receive the ſame, in Truſt, to be reinveſted in Lands, Tenements, or Hereditaments, to be conveyed and ſettled for ſuch Uſes, Eſtate, and Intereſt, as the ſaid Feme-covert had in the Premiſes ſo purchaſed as aforeſaid.

Purchaſe-money for Lands, &c. under Limitation to be paid into the Bank,

X. And be it further enacted, That in caſe any Meſſuages, Lands, Tenements, or Hereditaments, which ſhall be purchaſed for the Purpoſes contained in this Act, ſhall be ſo ſettled, or ſtand limited by way of legal Limitation, as that the Perſon or Perſons in Poſſeſſion thereof ſhall not be intitled to an Eſtate of Inheritance therein, although the ſaid Meſſuages, Lands, Tenements, and Hereditaments, be not veſted in any Truſtee or Truſtees, then the Purchaſe-money ariſing from the Sale of ſuch Eſtate ſhall be paid into the Bank, in the Name and with the Privity of the Accountant General of the ſaid Court of

of Chancery, upon Truſt, to be reinveſted, by and with the Approbation of the ſaid Court of Chancery, to be ſignified by an Order or Orders, upon Motion in open Court, or Petition after ſuch Reference (if any) as to the ſame Court ſhall ſeem meet, in the Purchaſe of other Meſſuages, Lands, Tenements, or Hereditaments, to be conveyed and ſettled to and upon, and ſubject to the like Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Meſſuages, Lands, Tenements, and Hereditaments, which ſhall be purchaſed by the Commiſſioners of the Treaſury, or Lord High Treaſurer for the Time being, or other Perſon or Perſons as aforeſaid, were reſpectively ſettled, limited, or aſſured, at the Time of purchaſing the ſame, or ſo many thereof as, at the Time of making ſuch Conveyances and Settlements, ſhall be exiſting and capable of taking Effect; and in the mean Time, and until ſuch Purchaſe can be found, in Truſt, by and with the like Approbation, ſo ſignified as aforeſaid, to be inveſted in Government Securities, and the Intereſt and Dividends ariſing therefrom to be paid and applied to ſuch Perſon and Perſons as would be intitled to the Rents and Profits of the Premiſes, in caſe the ſame had not been veſted in the Commiſſioners of the Treaſury, or Lord High Treaſurer for the Time being, or any Perſon to be appointed as aforeſaid; and upon Payment of ſuch Purchaſe-money by the Commiſſioners of the Treaſury, or Lord High Treaſurer for the Time being, to ſuch Perſon or Perſons ſo as aforeſaid nominated to receive the ſame, the Premiſes for which the ſame ſhall be ſo paid ſhall be and are hereby veſted in the Commiſſioners of the Treaſury, or Lord High Treaſurer for the Time being.

and applied to purchaſe Lands ſubject to the like Uſes as thoſe purchaſed by the Commiſſioners;

and till ſuch Purchaſe can be made, to be inveſted in Government Securities, &c.

XI. And be it further enacted, That the Principal Money ariſing from the Sale of any Meſſuages, Lands, Tenements, or Hereditaments, which ſhall be purchaſed for the Purpoſes contained in this Act; of any Body Politick, Corporate or Collegiate, Corporation Aggregate or Sole, being Feoffees in Truſt, Guardians, Committees, or other Truſtees, ſhall be paid to them reſpectively, or to ſuch Perſons as they ſhall reſpectively nominate to receive the ſame, in Truſt, with all convenient Speed then afterwards to be reinveſted in the Purchaſe of other Meſſuages, Lands, Tenements, or Hereditaments, to be conveyed and ſettled to and upon, and ſubject to the like Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Meſſuages, Lands, Tenements, and Hereditaments, which ſhall be purchaſed from them reſpectively as aforeſaid, were reſpectively ſettled, limited, and aſſured, at the Time of ſuch the purchaſing of the ſame, or ſo many thereof as at the Time of making ſuch Conveyances and Settlements ſhall be exiſting and capable of taking effect; and in the mean Time, and until ſuch Purchaſe can be found, in Truſt, to be inveſted in Government Securities, and the Intereſt and Dividends ariſing therefrom to be paid and applied to ſuch Bodies Politick, Corporate or Collegiate, Corporations Aggregate, Truſtees, and other Perſon and Perſons as would be intitled to the Rents and Profits of the Premiſes, in caſe the ſame had not been veſted in the Commiſſioners of his Majeſty's Treaſury, or Lord High Treaſurer for the Time being, by virtue of this Act.

How Money ariſing by the Sale of Lands belonging to Bodies Corporate, &c. is to be applied.

'XII. And whereas a further carrying on of the Embankment already made in divers Places on the North 'Shore of the River *Thames*, between *Weſtminſter Bridge* and the New Bridge at *Blackfriars*, by extending 'ſuch Embankments from the South-eaſt Corner of *Kitchiner*'s Wharf in one uniform Line to *Strand Lane* 'Stairs, lying within his Majeſty's Manor of the *Savoy*, would contribute to the Improvement of the Na- 'vigation of the *Thames*, and to the Advantage as well as Ornament of the Offices hereafter to be eſta- 'bliſhed, and of his Majeſty's Precinct of the *Savoy*;' be it therefore enacted, by the Authority aforeſaid, That it ſhall and may be lawful to and for any one or more Perſon or Perſons, to be appointed for that Purpoſe by his Majeſty, his Heirs or Succeſſors, under his or their Sign Manual, and ſuch Perſon and Perſons is and are hereby authoriſed to incloſe and embank, or cauſe to be incloſed and embanked, ſo much of the Ground and Soil of the ſaid River as lies unembanked on the North Side thereof, from the South-eaſt Corner of *Kitchiner*'s Wharf, and projecting from thence thirty Feet into the River, and ſo continued in a uniform Line, ſo as to give a proper Direction to the Stream, and extending from thence Eaſtward to *Strand Lane* Stairs; the Foundation of the ſaid Front Wall, to be made with ſuch Set-off towards the ſaid River, and the ſaid Wall to be guarded with ſuch Piles and other Defences, as ſhall be thought requiſite and expedient for ſecuring the Stability or Duration thereof.

Perſons appointed by his Majeſty may embank the River, from Kitchiner's Wharf, projecting 30 Feet to Strand Lane Stairs.

XIII. And be it further enacted by the Authority aforeſaid, That the Ground and Soil of the ſaid River, ſo to be incloſed and embanked in the Front of the ſaid Palace or Capital Meſſuage of *Somerſet Houſe*, and Garden thereunto belonging, ſhall veſt, and the ſame are hereby veſted in his Majeſty, his Heirs and Succeſſors, for the Uſes and Purpoſes herein-after mentioned; and all the Reſt and Reſidue of the Ground and Soil of the ſaid River, to be incloſed and embanked as aforeſaid, ſhall veſt in, and the ſame is hereby veſted in his Majeſty, his Heirs and Succeſſors, in Right of and as Parcel and Member of his Dutchy of *Lancaſter*.

Embankment veſted in his Majeſty, &c.

XIV. And be it further enacted, That it ſhall and may be lawful to and for the Owner or Owners, Proprietor or Proprietors, for the Time being, of the reſpective Houſes, Wharfs, and Grounds, ſituate between the *Adelphi* Terras and the Weſt Corner of the Buildings called *The Savoy*, to make ſuch Embankments, and erect ſuch Houſes and other Buildings, on the ſaid Grounds, as the Lord High Treaſurer, or Commiſſioners of his Majeſty's Treaſury for the Time being, ſhall, by Warrant under his or their Hand or Hands, authoriſe and direct, any Thing herein, or in an Act, intituled, *An Act for enabling certain Perſons to incloſe and embank Part of the River* Thames, *adjoining to* Durham-yard, Saliſbury-ſtreet, Cecil-ſtreet *and* Beaufort-buildings, *in the County of* Middleſex, contained to the contrary notwithſtanding.

Owners of Wharfs may embank within certain Limits ſpecified as his Majeſty's Commiſſioners ſhall direct.

'XV. And whereas it is but juſt and reaſonable, that any Bodies Politick or Corporate, and all other 'Perſon and Perſons who claim any Right to the Soil of the River *Thames*, ſo intended to be incloſed as 'aforeſaid, ſhould be at Liberty to try ſuch Right at Law;' be it therefore enacted, That it ſhall and may be lawful to and for every ſuch Perſon and Perſons, Bodies Politick and Corporate, Sole or Aggregate, to proceed to Trial of ſuch Claim or Right before the Chief Juſtice, or any other of the Judges of the Court of King's Bench or Court of Common Pleas reſpectively, at the Sittings of *Niſi Prius* in the ſaid County of *Middleſex*, in or after *Michaelmas* Term now next enſuing, in a feigned Action for

Perſons claiming Right in the Soil of the River may try their Right of Claim at Law.

that Purpoſe, to be commenced in either of his Majeſty's ſaid Courts, on or before the Firſt Day of *Trinity* Term next enſuing, wherein ſuch Perſon or Perſons, Bodies Politick or Corporate, as aforeſaid, ſhall be Plaintiff or Plaintiffs upon one or more Iſſue or Iſſues, to be ſettled in the Court of which the ſaid Action ſhall be commenced; if the Parties ſhall differ about the Settling thereof, ſuch Iſſue or Iſſues to be tried by a Special Jury of Freeholders of the ſaid County of *Middleſex*, whoſe Verdict thereupon, if the ſame ſhall be ſatisfactory to the Court where the Cauſe is tried, ſhall be final and concluſive to all the ſaid Parties; and in caſe a Verdict ſhall be found for ſuch Plaintiff or Plaintiffs as to the ſaid Right, the ſaid Jury ſhall upon their Oaths enquire, as well what Damages have been or will be ſuſtained by, and what Recompence ought to be made for, ſo much of the Soil of the ſaid River *Thames* as ſhall be taken away for the Purpoſes of embanking as aforeſaid, as well as the reſpective Parts and Proportions of ſuch Damages and Satisfaction which ought to be paid and borne in Proportion to their reſpective Intereſts therein, by or in reſpect of his Majeſty's ſaid Palace of *Somerſet Houſe*, and his ſaid Manor of the *Savoy*, and to indorſe the ſame upon the *Poſtea*; and for the better aſcertaining ſuch Damages, and the Proportions thereof, as aforeſaid, the Court in which the ſaid Action ſhall be commenced ſhall, upon the Application of either of the Parties, cauſe the ſaid Jury to view the Places in queſtion, to which ſaid Jury all Parties, and all others intereſted, ſhall have their lawful Challenges; and the ſaid Court where the ſaid Action ſhall be tried ſhall, upon the Verdict of the ſaid Jury in ſuch feigned Action, give Judgment thereon according to Law; which Judgment ſhall be recorded by the ſaid Court, and ſhall finally bind and conclude all Parties, and all others intereſted in the ſaid Embankment.

If Parties differ, the Iſſue to be tried by a Jury.

Court, upon the Verdict of the Jury, to give Judgment, which ſhall be final.

XVI. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, all that his Majeſty's ſaid Palace or Capital Meſſuage, called by the Name of *Denmark Houſe*, otherwiſe *Somerſet Houſe*, otherwiſe *Strand Houſe*, ſituate in or near the Pariſh of *Saint Mary at Strand*, in the County of *Middleſex*, with all its Rights, Members, and Appurtenances whatſoever, and all and ſingular Houſes, Outhouſes, Stables, Coach-houſes, Edifices, Buildings, Courts, Yards, Gardens, and Appurtenances whatſoever, to the ſaid Palace or Capital Meſſuage belonging or appertaining, or accepted, reputed, taken, or enjoyed, as Part, Parcel, or Member thereof, or of any Part thereof; and alſo ſo much of the Ground and Soil of the ſaid River *Thames*, ſo to be incloſed and embanked as aforeſaid, as lieth in the Front of the ſaid Palace or Capital Meſſuage called *Somerſet Houſe*, and the Garden thereunto belonging; and alſo all ſuch Meſſuages, Lands, Tenements, and Hereditaments, as ſhall at any Time be purchaſed by the Lords Commiſſioners of the Treaſury, or any three of them, or by the Lord High Treaſurer for the Time being, by virtue of the Powers and Authorities contained in this Act, together with all Erections and Buildings now erected and built upon the ſaid Premiſes, or any Part thereof, or that ſhall or may at any Time hereafter be erected and built thereon, or on any Part thereof, ſhall be, and the ſame are hereby declared to be veſted in his Majeſty, his Heirs and Succeſſors, freed and diſcharged, and abſolutely acquitted, exempted, and indemnified, of, from, and againſt, all former Grants, Charters, Titles, Eſtates, or other Incumbrances whatſoever, for the Uſe, Intent, and Purpoſe of erecting and eſtabliſhing, within the ſame, or upon the Ground and Scite thereof, the ſeveral Publick Offices hereafter mentioned; that is to ſay, The Salt Office, the Stamp Office, the Tax Office, the Navy Office, the Navy Pay Office, the Navy Victualling Office, the Publick Lottery Office, the Hawkers and Pedlars Office, the Hackney Coach Office, the Surveyor General of the Crown Lands Office, the Auditors of the Impreſts Office, the Pipe Office, the Office of the Dutchy of *Lancaſter*, the Office of the Dutchy of *Cornwall*, the Office of Ordnance, the King's Barge-maſter's Houſe, the King's Barge-houſes, and ſuch other Publick Offices and Buildings as ſhall be thought fit by his Majeſty, his Heirs and Succeſſors, and convenient to erect and eſtabliſh there, notwithſtanding any Reſtraint, or any other Matter or Thing contained in an Act of Parliament made in the firſt Year of the Reign of her late Majeſty Queen *Anne* (intituled, *An Act for the better Support of her Majeſty's Houſehold, and the Honour and Dignity of the Crown*); or any Thing in the ſaid recited Act, made in the ſecond Year of the Reign of his preſent Majeſty (intituled, *An Act for enabling his Majeſty to make Proviſion for ſupporting the Royal Dignity of the Queen, in caſe ſhe ſhall ſurvive his Majeſty*); or any other Law, Statute or Uſage to the contrary thereof in any-wiſe notwithſtanding.

After paſſing this Act, Somerſet Houſe, with all its Appurtenances, &c. veſted in his Majeſty,

for the Purpoſe of erecting publick Offices,

When the Offices are erected, every one to be called after the Buſineſs of ſuch reſpective Office, and all Acts, Matters, &c. done there to be valid in Law.

XVII. And be it further enacted by the Authority aforeſaid, That when all or any of the ſaid ſeveral Offices, and ſuch as may hereafter be erected or eſtabliſhed, ſhall be ſo built and eſtabliſhed, as aforeſaid, the ſame ſhall be ſeverally and reſpectively accepted in Law to be the proper Office, and ſhall be called after the Denomination of the Revenue or Buſineſs of ſuch reſpective Office; and that all and every Act and Acts, Thing and Things, Matters and Concerns reſpectively, made, done, or executed there concerning ſuch Office, or the Receipt and Management of any of his Majeſty's ſaid Revenues reſpectively, ſhall be and are hereby declared to be as good and valid in the Law, to all Intents and Purpoſes, as ſuch Act or Acts, Matters, Things, or Concerns, would have been, had the ſame been made, done and executed at any ancient, preſent, or accuſtomed Office, had this Act never been made.

As by Act 12 Geo. III. Ely Houſe, &c. became veſted in his Majeſty for the Purpoſes therein mentioned,

'XVIII. And whereas by an Act made in the twelfth Year of the Reign of his preſent Majeſty (in-
'tituled, *An Act for veſting* Ely Houſe *in* Holbourn *in his Majeſty, his Heirs and Succeſſors, and for apply-*
'*ing the Purchaſe-money, with another Sum therein mentioned, in the purchaſing a freehold Piece of Ground in*
'Dover-ſtreet, *in the building and fitting up another Houſe thereon for the future Reſidence of the Biſhops of*
'Ely, *and the Surplus to the Benefit of the See, and for other Purpoſes therein mentioned)*, all that Houſe called
'*Ely* Houſe, ſituate in *Holbourn* in the County of *Middleſex*, and all that and thoſe the Chapel, Coach-
'houſes, Stables, and other Offices, Gardens, and Yard thereto belonging, with all the Rights, Mem-
'bers, and Appurtenances to the Houſe and Premiſes belonging, upon ſuch Compenſation, and with ſuch
'Saving, as therein particularly expreſſed in that Behalf, became veſted in his Majeſty, his Heirs and Suc-
'ceſſors, to the Intent, among other Things, that the ſame ſhould be applied to erect and eſtabliſh Pub-
'lick Offices thereon, as in and by the ſaid recited Act, relation thereunto being had, may more fully
'appear: And whereas the ſaid Houſe called *Ely Houſe*, and other the Premiſes, have been found not ſo
'convenient

'convenient for the Purpoſes aforeſaid as the ſaid Palace or Capital Meſſuage called *Denmark Houſe*, otherwiſe *Somerſet Houſe*; and Part of the ſaid Palace or Capital Meſſuage called *Denmark Houſe*, otherwiſe *Somerſet Houſe*, or of the Meſſuages, Lands, and Tenements, to be purchaſed as herein-before is provided, or of the Land to be acquired and taken in by ſuch Embankment as is herein-before mentioned, may not be required, or neceſſary to the Erection and Eſtabliſhment of the Offices aforeſaid; and it will be very advantageous to the Publick that the ſaid *Ely Houſe*, and all the Premiſes thereto belonging, and all ſuch Part of the ſaid Palace or Capital Meſſuage called *Denmark Houſe*, otherwiſe *Somerſet Houſe*, and other the Premiſes as ſhall not be neceſſary to the Erection and Eſtabliſhment of the Offices aforeſaid, ſhould be ſold; and alſo all ſuch Grounds, Buildings, Meſſuages, and Tenements, with their Appurtenances, as are now uſed and employed as and for any of the Publick Offices to be erected and eſtabliſhed as aforeſaid, and whereof or wherein his Majeſty, or any Perſon or Perſons in Truſt for him, have or hath any Eſtate or Intereſt, other than and except ſuch Houſes, Rooms, or Apartments, as are Part of his Majeſty's Royal Palace of *Whitehall*, ſhould, after the Removal of ſuch Offices, be likewiſe ſold, for ſuch Eſtate and Intereſt as his Majeſty, or any other Perſon or Perſons in Truſt for him, have or hath therein, or that the ſaid Houſe called *Ely Houſe*, and other the Premiſes, ſhould be otherwiſe diſpoſed of to the beſt Advantage, and that the Purchaſe-money or other Profits thereof, to be paid into the Hands of the Lords Commiſſioners of his Majeſty's Treaſury for the Time being, or into the Hands of ſuch Perſon as they or any three of them ſhall, by Warrants under their Hands, direct or appoint to receive the ſame, ſhould be applied and diſpoſed of in erecting and eſtabliſhing ſuch Publick Offices as aforeſaid, upon the Terms and in the Manner herein-after mentioned for that Purpoſe; and his Majeſty is therefore pleaſed and contented that the ſame be enacted, ordained, and eſtabliſhed accordingly;' be it therefore ordained, enacted, and eſtabliſhed, by the Authority aforeſaid, That the ſaid Houſe, called *Ely Houſe*, and all that and thoſe the Chapel, Coach-houſes, Stables, and other Offices, Gardens, and Yard thereunto belonging, with their and every of their Rights, Members, and Appurtenances, which by the ſaid recited Act were veſted or intended to be veſted in his Majeſty, his Heirs and Succeſſors, as aforeſaid, and alſo all ſuch Part and Parts of the ſaid Palace and Capital Meſſuage called *Denmark Houſe*, otherwiſe *Somerſet Houſe*, and other the Premiſes, except as before excepted, as ſhall not be neceſſary for the Erection and Eſtabliſhment of the ſeveral Offices aforeſaid, and alſo all ſuch Grounds, Buildings, Meſſuages, and Tenements, with their Rights, Members, and Appurtenances, as are now uſed and employed as and for any of the Publick Offices hereafter to be erected and eſtabliſhed as aforeſaid, and whereof or wherein his Majeſty, his Heirs and Succeſſors, or any Perſon or Perſons in Truſt for him or them, now have or hath, or can or may have, any Eſtate or Intereſt, except as before excepted, ſhall be veſted in, and the ſame are hereby veſted in the Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer for the Time being, to the Intent that the ſame may be bargained, ſold, or leaſed, diſpoſed of, and applied to and for the ſeveral Purpoſes herein-after mentioned; and that it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three of them, or the Lord High Treaſurer for the Time being, to treat, contract, and agree, with any Perſon or Perſons, Bodies Politick or Corporate, their Heirs, Succeſſors, and Aſſigns, for the Sale, or for the leaſing of all or any Part of the Eſtate, Right, Title, or Intereſt, in or to all or any of the Premiſes ſo veſted in the Commiſſioners of the Treaſury as aforeſaid, for the moſt Money that can be got for the ſame, or upon Terms and Conditions the moſt advantageous as can be got: And that upon the executing ſuch Contracts or Agreements by the Commiſſioners of his Majeſty's Treaſury, or any three of them, or the Lord High Treaſurer for the Time being, or upon executing ſuch other Conveyances, Surrenders, or Demiſes, as in ſuch Contract or Contracts ſhall be agreed on for that Purpoſe, and Payment of the Price at ſuch Time or Times as ſhall be agreed on, into the Hands of ſuch Perſon or Perſons as ſhall be appointed for that Purpoſe as aforeſaid, to be applied and diſpoſed of according to the Directions of this preſent Act, ſuch Conveyances, Aſſignments, Surrenders, and Demiſes ſhall be good and effectual in the Law, to all Intents and Purpoſes, and ſhall acquit and diſcharge every ſuch Purchaſer or Leſſee, his and their Heirs, Succeſſors, Executors, Adminiſtrators, and Aſſigns, as againſt his Majeſty, his Heirs and Succeſſors, and all other Perſon or Perſons claiming or to claim, by, from, under, or in Truſt for him or them, or the ſaid Commiſſioners or their Truſtees, notwithſtanding any Reſtriction or other Matter or Thing contained in the ſaid Act of the firſt of her late Majeſty Queen *Anne*, or any other Law or Statute whatſoever.

the ſaid Houſe, and ſuch Parts of Somerſet Houſe, &c. as may not be neceſſary for the Publick Offices, now veſted in the Commiſſioners, and may be ſold, &c.

Conveyances, Aſſignments, &c. to Purchaſers to be good in Law againſt all Claims, &c.

XIX. And be it further enacted by the Authority aforeſaid, That all and every Sum and Sums of Money ariſing by ſuch Sales or Contracts, or by any Conveyances, Aſſignments, Surrenders, or Demiſes, made in purſuance thereof, of the ſaid Houſe called *Ely Houſe*, and other the Premiſes ſo by this Act veſted in the Commiſſioners of the Treaſury as aforeſaid, or of any Part thereof, ſhall be iſſued and applied, and are hereby appropriated and applied to the Uſes and for the Purpoſes following, that is to ſay, In the firſt place, for paying and defraying all Expences incurred in and about executing and completing ſuch Sale or Sales as aforeſaid, or relating thereto reſpectively; and after Payment of ſuch Charges and Expences aforeſaid, the Surplus and Reſidue of the ſaid Money ſhall be applied for and towards the Expences of incloſing and embanking ſo much of the Ground and Soil of the River *Thames*, ſo to be incloſed as aforeſaid, as lieth in the Front of the ſaid Palace or Capital Meſſuage called *Denmark Houſe*, otherwiſe *Somerſet Houſe*, and the Garden thereunto belonging; and for and towards Payment of the Conſideration for any Purchaſe to be made in purſuance of this Act; and for and towards the Expences of laying out, building, finiſhing, completing, and maintaining all and each of the ſeveral Publick Offices herein-before mentioned; and it ſhall and may be lawful for the Commiſſioners of his Majeſty's Treaſury, or any three of them, or the Lord High Treaſurer for the Time being, to iſſue his or their Warrant from Time to Time for the Payment and Application of ſuch Sum and Sums of Money accordingly.

How the Money ariſing by the Sale of Ely Houſe, &c. is to be applied.

XX. And be it enacted by the Authority aforeſaid, That in caſe the Money ariſing by ſuch Sale or Sales, Demiſes or Surrenders of the ſaid Houſe called *Ely Houſe*, and other the Premiſes, ſo veſted in the Commiſſioners

If Money ariſing by ſales, &c. be not ſufficient, Mo-

ney granted for Naval Services, &c. may be applied,

Commiſſioners of his Majeſty's Treaſury, to be ſold or demiſed as aforeſaid, ſhall not be ſufficient to anſwer the Purpoſes for which the ſame is appropriated as aforeſaid, that then it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury, or any three of them, or the Lord High Treaſurer for the Time being, and he or they are hereby impowered, by Warrant under his or their Hand or Hands, by or out of all or any of the Aids or Supplies granted or to be granted by Parliament, for or towards all or any of the Naval Services, and out of all or any of the Revenues ariſing or to ariſe to his Majeſty, within the Receipt, Management, or Government of all or any of the ſeveral Offices erected and eſtabliſhed, or to be erected and eſtabliſhed by virtue of this Act, to order and direct, from Time to Time, ſuch Sum and Sums of Money as he or they ſhall judge neceſſary for anſwering the Purpoſes aforeſaid, and

Saving Clauſe.

carrying the Intentions of this Act into effectual Execution: Saving always to all and every Perſon and Perſons, their Heirs, Executors, and Adminiſtrators, and all Bodies Politick and Corporate, and their Succeſſors, (other than and except the King's moſt excellent Majeſty, his Heirs and Succeſſors, and other than ſuch Perſon or Perſons ſeiſed or poſſeſſed) in Truſt for his Majeſty, his Heirs and Succeſſors, all ſuch Eſtate, Right, Title, Intereſt, and Demand whatſoever, which they, or any of them, have, or might have had, of, in, to, or out of the ſaid Palace called *Denmark Houſe*, otherwiſe *Somerſet Houſe*, or to the ſaid Capital Meſſuage, late called *Buckingham Houſe*, and other the Premiſes, or any Part thereof, before the making of this Act, as fully and effectually, to all Intents and Purpoſes, as if this Act had not been made; any Thing herein contained to the contrary notwithſtanding.

Commiſſioners of the Treaſury indemnified for what they ſhall do in purſuance of this Act.

XXI. And be it further enacted by the Authority aforeſaid, That the ſaid Lords Commiſſioners of his Majeſty's Treaſury now or for the Time being, or the Lord High Treaſurer for the Time being, and each and every other Perſon and Perſons authoriſed by them, or any three of them, to do any Act in Execution of any of the Powers intended to be hereby veſted in them reſpectively, as aforeſaid, are and ſhall be hereby indemnified for what they ſhall do in purſuance of this Act: And that if any Action ſhall be brought or Suit commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or in relation to any of the Premiſes herein-before mentioned, every ſuch Action or Suit ſhall be laid or brought within three Calendar Months after the Fact committed; ſuch Action ſhall be laid in the County of *Middleſex*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may be at Liberty to plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, without ſpecially pleading the ſame: And this Act and every Clauſe and Matter therein ſhall by all and every Judge and other Perſon and Perſons be conſtrued and adjudged as largely and beneficially as can be for the Ends and Purpoſes herein expreſſed.

Actions to be brought within three Months, &c.

Defendants may plead the General Iſſue.

Publick Act.

XXII. And it is hereby declared to be a Publick Act of Parliament; and all Judges, Juſtices, and others, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. XXXIV.

An Act for encouraging the Manufactures of Rape Oil, and other Vegetable Oils, in this Kingdom, by reducing the Duties on Rape Seed, and other Seeds producing Oil imported from *Ireland*; and for allowing the free Importation of Rape Cakes for Manure from *Ireland* to this Kingdom.

Preamble. Act 12 Car. II.

'WHEREAS by an Act, paſſed in the twelfth Year of the Reign of his late Majeſty King *Charles* the Second, intituled, *An Act for granting to his Majeſty a Subſidy of Tonnage and Poundage, and other Sums of Money payable on Merchandiſe exported and imported*, heavy Duties have been impoſed upon Rape Seed, and upon Oil extracted from Rape Seed, and other Vegetable Oils imported from *Ireland*, which Duties, by an Act paſſed in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, have been made perpetual; and the ſaid Duties have been found by Experience to amount to a Prohibition of the Importation of the ſaid Commodities from his Majeſty's ſaid Kingdom of *Ireland*: And whereas this Kingdom, not being able to ſupply its own Conſumption, is obliged to purchaſe large Quantities of Oils of different Sorts from Foreigners, in the place of many of which Sorts now imported on low Duties, Oils made in this Kingdom of Rape Seed imported from *Ireland* might be advantageouſly ſubſtituted, and particularly for the Uſe of the Woollen Manufacture: And whereas there is Reaſon to apprehend that there may be a Deficiency in the Quantity of Whale Oil and other Fiſh Oil, ſo neceſſary for a Variety of Manufactures, which Deficiency may be beſt provided againſt by a Supply of Vegetable Oil to be manufactured in this Kingdom;' may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-five, whenever the Price of middling *Britiſh* Rape Seed, at the Ports and Places where Rape Seed ſhall be imported into this Kingdom, ſhall appear, according to the Methods directed by the ſeveral Acts of Parliament for aſcertaining the Rates and Prices of Corn and Grain imported, to be at or above the Price of ſeventeen Pounds and ten Shillings *per* Laſt, all Duties heretofore impoſed upon or payable on Account of any Rape Seed, or other Seed, commonly made uſe of for the Purpoſe of extracting Oil from the ſame, imported from *Ireland*, ſhall ceaſe, determine, and be no longer paid; and in lieu thereof, there ſhall be paid to his Majeſty, his Heirs and Succeſſors, a Duty of one Shilling *per* Laſt, and no more, upon all Rape Seed, and upon all other Seeds commonly made uſe of for the Purpoſe of extracting Oil therefrom, ſuch Seeds being of the Growth of *Ireland*, and imported from thence into *Great Britain*.

by Act 11 Geo. I. made perpetual.

After Aug. 1. 1775, when Rape Seed ſhall be above 17l. 10s. per Laſt, all former Duties on ſuch Seed imported from Ireland ſhall ceaſe; and in lieu thereof 1s. per Laſt ſhall be paid, and no more.

How Duties are to be collected, and applied.

II. And be it further enacted, That the ſaid Duties ſhall be levied, collected, paid, and applied, in ſuch and the ſame Manner, and for ſuch and the ſame Uſes and Purpoſes, as the Duties granted by the ſaid Act of

of the twelfth Year of the Reign of his late Majeſty King *Charles* the Second are directed to be levied, collected, paid, and applied.

III. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *Auguſt* next, it ſhall and may be lawful to import, into any Part of *Great Britain*, from *Ireland*, all Rape Cakes, or Cakes made of Rape Seed, commonly uſed for the Purpoſe of Manure, Duty-free.

Rape Cakes for Manure may be imported from Ireland Duty-free.

CAP. XXXV.

An Act to permit the free Importation of raw Goat Skins into this Kingdom for a limited Time.

Preamble.

'WHEREAS it would tend greatly to encourage and improve the Manufacture of red, green, and 'blue Leather in this Kingdom, if the Importation of raw and undreſſed Goat Skins Duty-free was 'permitted for a limited Time;' may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted, by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twentieth Day of *June*, one thouſand ſeven hundred and ſeventy-five, it ſhall and may be lawful to and for any Perſon or Perſons to import and bring into this Kingdom, in *Britiſh*-built Ships or Veſſels, navigated according to Law, from any Port or Place whatſoever, any Goat Skins raw or undreſſed, without paying any Subſidy, Cuſtom, or other Duty whatſoever for the ſame, for the Space of five Years from the ſaid twentieth Day of *June*, one thouſand ſeven hundred and ſeventy-five, or at any Time thereafter before the End of the then next Seſſion of Parliament, any Law, Cuſtom, or Uſage to the contrary notwithſtanding.

After June 20, 1775, raw Goats Skins may be imported from any Place into this Kingdom Duty-free for 5 Years.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That due Entry ſhall be made of all ſuch Goat Skins at the Cuſtom-houſe belonging to the Port into which the ſame ſhall be imported, in ſuch Manner and Form as was uſed and practiſed before the making of this Act; and ſuch Goat Skins ſhall be landed in the Preſence of the proper Officer or Officers of the Cuſtoms appointed for that Purpoſe; and if any Perſon or Perſons, upon the Importation of ſuch Goat Skins, ſhall not obſerve and perform the ſaid Rules and Regulations herein-before mentioned, every ſuch Perſon ſhall be liable to pay ſuch and the ſame Duties as ſuch Goat Skins would have been ſubject and liable to if this Act had not been made, any Thing herein contained to the contrary notwithſtanding.

Due Entry of all ſuch Goat Skins to be made at the Cuſtom-houſe;

and on Default, to be liable to former Duties.

CAP. XXXVI.

An Act to explain and amend an Act, made in the tenth Year of the Reign of his preſent Majeſty, intituled, *An Act to enable the Speaker of the Houſe of Commons to iſſue his Warrants to make out New Writs for the Choice of Members to ſerve in Parliament, in the Room of ſuch Members as ſhall die during the Receſs of Parliament*; and for enabling the Speaker of the Houſe of Commons to make out New Writs for the Choice of Members to ſerve in Parliament, in the Room of ſuch Members as ſhall during the Receſs of Parliament become Peers of *Great Britain*, and be ſummoned to Parliament; and for ſuſpending the Execution of the ſaid Act with reſpect to the Borough of *Shafteſbury*, in the County of *Dorſet*, during the next Receſs of Parliament.

Preamble. Act 10 Geo. III. recited.

'WHEREAS by an Act, paſſed in the tenth Year of his preſent Majeſty's Reign, intituled, *An Act 'to enable the Speaker of the Houſe of Commons to iſſue his Warrants to make out New Writs for the 'Choice of Members to ſerve in Parliament, in the Room of ſuch Members as ſhall die during the Receſs of Par-'liament*, the Speaker of the Houſe of Commons is required to iſſue his Warrants to the Clerk of the 'Crown to make out new Writs in the Room of Members who die during a Receſs of Parliament for more 'than twenty Days, whether by Prorogation or Adjournment, the Deaths of ſuch Members having been 'certified in Writing to him under the Hands of two Members of the Houſe of Commons, and fourteen 'Days Notice being firſt given by the Speaker of the Houſe of Commons thereof, and of his Intentions 'to iſſue ſuch Warrants, by inſerting ſuch Notice in the *London Gazette:* And whereas Inconveniencies 'might ariſe if ſuch Notice ſhould be inſerted in the *London Gazette*, and ſuch Warrant ſhould be iſſued 'by the Speaker of the Houſe of Commons, in the Caſe of the Death of a Member, which ſhall not be 'certified to the Speaker of the Houſe of Commons ſo long before the actual Meeting of the Houſe of 'Commons for the Diſpatch of Buſineſs as that the ſaid Notice may be inſerted, and the fourteen Days ex-'pire, before the ſaid Meeting of the Houſe of Commons; or in the Caſe of the Death of a Member againſt 'whoſe Election or Return a Petition had been preſented to the Houſe of Commons, and was depending 'at the Time of ſuch Prorogation or Adjournment:' For preventing the ſame, be it declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That nothing in the ſaid Act contained extends, or ſhall be conſtrued to extend, to require the Speaker of the Houſe of Commons to inſert Notice in the *London Gazette*, or iſſue his Warrant to make out a new Writ in the Room of any Member deceaſed, whoſe Death ſhall not be duly certified to the Speaker of the Houſe of Commons ſo long before the actual Meeting of the Houſe of Commons for the Diſpatch of Buſineſs as that the Speaker of the Houſe of Commons may be able to inſert Notice thereof, and of his Intention to iſſue ſuch Warrant, fourteen Days at the leaſt before ſuch Meeting of the

Explanation of ſaid Act with reſpect to the iſſuing of Writs for Members to ſerve in Parliament.

Houſe of Commons; or for the Election of a Member to ſerve in Parliament for any County, Shire, City, Borough, Cinque-port, or Place, in the Room of any Member deceaſed, againſt whoſe Election or Return for ſuch County, Shire, City, Borough, Cinque-port, or Place, a Petition had been preſented to the Houſe of Commons, and was actually depending at the Time of ſuch Prorogation or Adjournment.

'II. And whereas it would tend ſtill further to promote the Purpoſes of the ſaid Act of the tenth Year 'of his preſent Majeſty, and to prevent thoſe Inconveniences and Diſorders which may be occaſioned for 'want of more ſpeedy Elections of Members of the Houſe of Commons, if the Proviſions of the ſaid Act 'were extended to the Caſes of Members who ſhall become Peers of *Great Britain*,' be it enacted by the Authority aforeſaid, That from and after the End of this preſent Seſſion of Parliament, it ſhall and may be lawful for the Speaker of the Houſe of Commons for the Time being, during the Receſs of Parliament for more than twenty Days, whether by Prorogation or Adjournment, and he is hereby required to iſſue his Warrants to the Clerk of the Crown, to make out new Writs for electing Members of the Houſe of Commons in the Room of ſuch Members as ſhall, during ſuch Receſs, become Peers of *Great Britain*, as ſoon as he ſhall receive Notice, by a Certificate under the Hands of two Members of the Houſe of Commons, that a Writ of Summons hath been iſſued under the Great Seal of *Great Britain* to ſummon the ſaid Members to Parliament.

Speaker to iſſue his Warrants, during a Receſs, for electing Members in the Room of thoſe become Peers of Great Britain.

III. Provided alſo, That after the Receipt of ſuch Certificate, the like Notice in the *London Gazette* ſhall be given by the Speaker, as is required in the Caſe of Members deceaſed; and ſuch Notice and Warrant ſhall be ſubject and liable to the ſame Exceptions and Regulations as are required by the ſaid Act and by this preſent Act, in the Caſe of Notices to be given, and Warrants to be iſſued in the Room of Members dying during a Receſs.

The like Notice to be given as of Members deceaſed.

'IV. And whereas it has appeared to the Houſe of Commons, that there was the moſt notorious Bribery 'and Corruption at the laſt Election of Members to ſerve in this preſent Parliament for the Borough of '*Shafton* otherwiſe *Shafteſbury*, in the County of *Dorſet*: And whereas, in conſequence thereof, and until 'the Houſe of Commons ſhall have an Opportunity of making a further Inquiry into the Perſons con-'cerned in the ſaid Bribery and Corruption, the Houſe of Commons have provided, that no Writ do iſſue 'for the electing of a Burgeſs to ſerve in Parliament for the ſaid Borough during the preſent Seſſion of 'Parliament; but as it may happen that, during the next Receſs of Parliament, the Speaker of the Houſe 'of Commons may, by virtue of the ſaid recited Act of the tenth Year of his preſent Majeſty, be required 'to iſſue his Warrant to the Clerk of the Crown to make out a new Writ for the electing of a Burgeſs to 'ſerve in Parliament for the ſaid Borough of *Shafteſbury*: And whereas the iſſuing ſuch Writ during the 'next Receſs of Parliament might tend to defeat thoſe Meaſures which it may be proper to take in con-'ſequence of the ſaid notorious Bribery and Corruption;' be it enacted by the Authority aforeſaid, That the Speaker of the Houſe of Commons ſhall not be enabled, by virtue of the ſaid recited Act, to iſſue his Warrant to the Clerk of the Crown to make out a new Writ for the ſaid Borough of *Shafton* otherwiſe *Shafteſbury*, in the County of *Dorſet*, during the ſaid next Receſs of Parliament.

Speaker not to iſſue any Warrant, &c. for the Borough of Shafton.

CAP. XXXVII.

An Act to permit the Importation of Painted Earthen Ware (except Galley Tiles), the Manufacture of *Europe*, to be ſold in *Great Britain*, and for charging the ſame with a Duty *ad valorem*.

Preamble.

Act 3 Edw. IV. recited.

Act 11 Geo. I. recited.

'WHEREAS by an Act of Parliament, made in the third Year of the Reign of King *Edward* the 'Fourth (intituled, *Certain Merchandiſes not lawful to be brought ready wrought into this Realm*), 'amongſt ſeveral Articles therein mentioned, any Manner of painted Wares are prohibited to be brought 'into this Realm, to be uttered and ſold within the ſame: And whereas by the additional Book of Rates, 'made in the eleventh Year of the Reign of his late Majeſty King *George* the Firſt, Earthen Ware of all 'Sorts (except *India* or *China* not to be uttered or ſold, and not otherwiſe rated), the Pound Weight, 'broken or whole, is rated at Ten-pence, which Rate is conſiderably under the true real Value of ſuch 'Earthen Ware: And whereas, notwithſtanding the ſaid recited Act, great Quantities of Earthen Ware, 'made and painted in foreign Parts of *Europe*, have been clandeſtinely brought and imported into this 'Kingdom, and run on Shore and ſold here, and there is great Reaſon to believe that ſeveral Parcels of 'ſuch painted Earthen Ware, which have been entered not to be uttered or ſold, and paid the Duties im-'poſed thereon by Law, according to the Rate before mentioned, of Ten-pence the Pound Weight, have 'nevertheleſs been afterwards ſold and diſpoſed of in this Kingdom, to the Diſcouragement of the Manu-'factures of this Sort of Ware carried on in ſeveral Parts of *Great Britain*, and to the Prejudice of the 'United Company of Merchants of *England* trading to the *Eaſt Indies*, the *China* Earthen Ware imported 'by them being ſubject to a much higher Duty:' Now, for Remedy thereof, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twentieth Day of *June*, one thouſand ſeven hundred and ſeventy-five, it ſhall and may be lawful for any Perſon or Perſons to import into this Kingdom any Sort of painted Earthen Ware, being the Manufacture of *Europe*, to be uttered or ſold in *Great Britain* (except Galley Tiles), any Thing in the before-recited Act, made in the third Year of the Reign of King *Edward* the Fourth, or any other Act, to the contrary notwithſtanding.

After June 20, 1775, any Sort of Earthen Ware, being the Manufacture of Europe, may be imported into this Kingdom, (except Galley Tiles.)

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twentieth Day of *June*, the before-mentioned Rate of Ten-pence the Pound Weight, for Earthen Ware of all Sorts (except *India* or *China* not to be uttered or ſold, and not otherwiſe rated), ſhall be, and the ſame is hereby repealed, and the ſeveral Duties payable upon the Importation of ſuch Earthen Ware according to that Rate,

Former Rate of 10 d. per lb. to ceaſe;

Rate, ſhall ceaſe, determine, and be no longer paid; and in lieu and inſtead thereof, all Earthen Ware (except *India* or *China*) not otherwiſe rated, whether painted or not, which, from and after the ſaid twentieth Day of *June*, ſhall be imported or brought into this Kingdom, either for private Uſe, or to be uttered or ſold in *Great Britain*, ſhall be liable to and pay for the old Subſidy, granted by the Act of Tonnage and Poundage, made in the twelfth Year of the Reign of King *Charles* the Second, ten Pounds ten Shillings for every one hundred Pounds, according to the true Value and Price of ſuch Earthen Ware; to be aſcertained by the Oath or Affirmation of the Importer or Proprietor thereof, in the Preſence of the Cuſtomer, Collector, Comptroller, and Surveyor of his Majeſty's Cuſtoms at the Port of Importation, or any two of them; and the ſeveral further Subſidies, additional Duties, and all other Impoſts and Duties whatſoever, to which ſuch Earthen Ware was ſubject and liable to, at the Rate of Ten-pence *per* Pound Weight, before the making of this Act, ſhall in like Manner be paid proportionably according to ſuch Value and Price, and not according to any other Rate or Value.

and inſtead thereof, all Earthen Ware, &c. to pay 10*l.* 10*s.* for every 100*l.* ad valorem;

to be aſcertained on Oath of the Importer, &c.

III. And be it further enacted by the Authority aforeſaid, That ſuch Earthen Ware ſhall be ſubject and liable to the ſame Rules, Regulations, Reſtrictions, and Forfeitures, that other unrated Goods, undervalued by the Importer or Proprietor, are ſubject and liable to by Law; and the ſeveral Subſidies, Impoſitions, and Duties, made payable by this Act upon ſuch Earthen Ware, ſhall be raiſed, levied, collected, recovered, paid and applied, in ſuch Manner and Form, and by ſuch Ways and Means, and under the like Penalties and Forfeitures, and with ſuch Diſcounts, Allowances, and Drawbacks, as the ſaid former Subſidies and other Duties were raiſed, levied, collected, recovered, paid, and applied, and were ſubject and liable to; and all the Powers, Penalties, Proviſions, Articles, and Clauſes, contained in the ſeveral Acts of Parliament which granted or continued the ſame reſpectively, ſhall continue in full Force and Effect, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, recovering, paying, and applying the ſaid reſpective Subſidies, Impoſitions, and other Duties, according to the true Intent and Meaning of this preſent Act, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Clauſes, Powers, and Proviſions, had been repeated and enacted in the Body of this preſent Act.

Earthen Ware ſubject to the ſame Rates, &c. as other unrated Goods, &c.

Duties, &c. to be collected and applied as the former Duties; and the Powers of the Acts which granted the ſame continued in full Force.

CAP. XXXVIII.

An Act for raiſing a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-five. 1,250,000*l.*

CAP. XXXIX.

An Act to impower Juſtices of the Peace to adminiſter Oaths where any Penalty is to be levied, or Diſtreſs to be made, in purſuance of any Act of Parliament, wherein the ſame is not expreſsly directed.

Preamble.

'WHEREAS it is frequently neceſſary for Juſtices of the Peace to adminiſter Oaths or Affirmations, where Penalties are to be levied, or Diſtreſſes to be made, in purſuance of Acts of Parliament, which they have no Power to adminiſter, unleſs authoriſed ſo to do by ſuch Acts reſpectively;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in all Caſes where any Penalty is directed to be levied, or Diſtreſs to be made, by any Act of Parliament now in Force, or hereafter to be made, it ſhall and may be lawful for any Juſtice or Juſtices acting under the Authority of ſuch Acts reſpectively, and he and they is and are hereby authoriſed and impowered to adminiſter an Oath or Oaths, Affirmation or Affirmations, to any Perſon or Perſons, for the Purpoſe of levying ſuch Penalties, or making ſuch Diſtreſſes reſpectively.

In all Caſes where Penalties, &c. are directed to be levied under Acts, Juſtices are impowered to adminiſter Oaths, &c. for levying ſuch Penalties, &c.

CAP. XL.

An Act for amending and explaining an Act, paſſed in the fourteenth Year of his Majeſty's Reign, intituled, *An Act to eſtabliſh a Fund towards further defraying the Charges of the Adminiſtration of Juſtice, and Support of the Civil Government within the Province of* Quebec, *in* America.

Preamble. Clauſe in Act 14 Geo. III. recited.

'WHEREAS by an Act, paſſed in the fourteenth Year of his Majeſty's Reign (intituled, *An Act to eſtabliſh a Fund towards further defraying the Charges of the Adminiſtration of Juſtice, and Support of the Civil Government within the Province of* Quebec, *in* America), it is, amongſt other Things, enacted, That if any Goods, chargeable with any of the Duties in the ſaid Act mentioned, ſhall be brought into the ſaid Province by Land Carriage, the ſame ſhall paſs and be carried through the Port of *Saint John's*, near the River *Sorrel*; or if ſuch Goods ſhall be brought into the ſaid Province by any Inland Navigation, other than upon the River *Saint Lawrence*, the ſame ſhall paſs and be carried upon the ſaid River *Sorrel* by the ſaid Port, and ſhall be there entered with and the ſaid reſpective Rates and Duties paid for the ſame, to ſuch Officer or Officers of his Majeſty's Cuſtoms as ſhall be there appointed for that Purpoſe; and if any ſuch Goods coming by Land Carriage or Inland Navigation, as aforeſaid, ſhall paſs by or beyond the ſaid Place before named without Entry or Payment of the ſaid Rates and Duties, or ſhall be brought into any Part of the ſaid Province by or through any other Place whatſoever, the ſaid Goods ſhall be forfeited; and every Perſon who ſhall be aſſiſting, or otherwiſe concerned, in the bringing or removing ſuch Goods, or to whoſe Hands the ſame ſhall come, knowing that they

were

'were brought or removed contrary to this Act, ſhall forfeit treble the Value of ſuch Goods; to be eſti-
'mated and computed according to the beſt Price that each reſpective Commodity bears in the Town of
'*Quebec* at the Time ſuch Offence ſhall be committed; and all the Horſes, Cattle, Boats, Veſſels, and
'other Carriages whatſoever, made uſe of in the Removal, Carriage, or Conveyance of ſuch Goods, ſhall
'be forfeited and loſt, and ſhall and may be ſeized by any Officer of his Majeſty's Cuſtoms, and proſe-
'cuted as therein after mentioned: And whereas there is Reaſon to apprehend, that the Regulations and
'Reſtrictions contained in the ſaid herein-before recited Clauſe, ſo far as they relate to the bringing of
'Rum, Brandy, or other Spirits, into the Province of *Quebec* by Land Carriage, may, without further
'Explanation, operate to the Prejudice and Diſadvantage of the Commerce carried on with the *Indians*
'in the upper or interior Parts of the ſaid Province,' we, your Majeſty's moſt dutiful and loyal Subjects,
the Commons of *Great Britain* in Parliament aſſembled, do moſt humbly beſeech your Majeſty that it may
be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent
of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the
Authority of the ſame, That it ſhall and may be lawful to and for all his Majeſty's Subjects freely to
bring, carry or convey, by Land Carriage or Inland Navigation, into any Parts of the Province of *Que-
bec*, not heretofore comprehended within the Limits thereof by his Majeſty's Royal Proclamation of the
ſeventh of *October* one thouſand ſeven hundred and ſixty-three, any Quantity of Rum, Brandy, or other
Spirits, any Thing contained in the before-recited Act of Parliament to the contrary thereof in any wiſe
notwithſtanding.

His Majeſty's Subjects may bring, by Land or Inland Navigation, into any Parts of Quebec, not heretofore comprehended in the Royal Proclamation of Oct. 7, 1763, any Quantity of Rum, Brandy, &c.

CAP. XLI.

An Act for redeeming the Sum of one Million of the Capital Stocks of three Pounds *per Centum* Annuities, in the Manner and on the Terms therein mentioned; and for eſtabliſhing a Lottery.

CAP. XLII.

An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-five; and for further appropriating the Supplies granted in this Seſſion of Parliament.

Preamble.

Moſt Gracious Sovereign,

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament
'aſſembled, towards raiſing the neceſſary Supplies which we have chearfully granted to your Ma-
'jeſty in this Seſſion of Parliament, have reſolved to give and grant to your Majeſty the Sum herein after
'mentioned;' and do therefore moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as ſhall, from Time to Time, be and remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*, after paying, or reſerving ſufficient to pay, all ſuch Sum or Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, there ſhall and may be iſſued and applied, for and towards making good the Supply granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and ſeventy-five, a Sum not exceeding one million nine hundred and fifteen thouſand five hundred fifty-two Pounds ſixteen Shillings and Eleven-pence three Farthings; and the Commiſſioners of his Majeſty's Treaſury, now or for the Time being, or any three or more of them, or the High Treaſurer for the Time being, are or is hereby authoriſed and impowered to iſſue and apply the ſame accordingly.

Not exceeding 1915,552 l. 16 s. 11 d. 3 q. granted out of the Fund, for the Service of the current Year;

to be iſſued by the Treaſury accordingly.

II. And it is hereby enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, now or for the Time being, or any three or more of them, or the High Treaſurer for the Time being, ſhall think it adviſeable to raiſe the ſaid Sum of one million nine hundred and fifteen thouſand five hundred fifty-two Pounds ſixteen Shillings and Eleven-pence three Farthings, or any Part thereof, by Loans or Exchequer Bills, in Manner herein after mentioned, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money not exceeding the ſaid Sum of one million nine hundred and fifteen thouſand five hundred fifty-two Pounds ſixteen Shillings and Eleven-pence three Farthings, upon the Credit of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues compoſing the Sinking Fund, and to have and receive Intereſt for the Forbearance of the Money lent, ſo as ſuch Loans be allowed to be made by the ſaid Commiſſioners of the Treaſury, or any three or more of them, now or for the Time being, or the High Treaſurer for the Time being, who are or is hereby authoriſed to iſſue his or their Warrants for that Purpoſe, as ſuch Loans ſhall be wanted for the publick Service; and, moreover, that no Money to be lent upon the Security of this Act ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Treaſury impowered to raiſe the ſaid Sum, or any Part thereof, by Loans or Exchequer Bills, on the Credit of the Sinking Fund;

III. And be it further enacted, That all and every Perſon or Perſons who ſhall lend any Money upon the Credit of this Act, as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her, or their Repayment, bearing the ſame Date with his, her, or their Tally; in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money ſo to be lent ſhall be regiſtered in Courſe,

All Perſons who ſhall lend any Money upon the Credit of this Act to have a Tally of Loan, with Orders for Repayment of the Money with Intereſt.

Courſe, according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtered in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her, or their Executors, Adminiſtrators, or Aſſigns, who ſhall have his, her, or their Order or Orders firſt entered in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues; and he, ſhe, or they, who ſhall have his, her, or their Order or Orders next entered, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in of or for the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues compoſing the Sinking Fund, as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors, or Aſſigns reſpectively, without any undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent, or Purpoſe whatſoever, other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf, as aforeſaid; and that no Fee, Reward, or Gratuity, directly or indirectly, ſhall be demanded or taken of any of his Majeſty's Subjects, for providing or making of any ſuch Books or Regiſters, or any Entries, Views, or Searches, in or for Payment of Money lent, or the Intereſt thereof, as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of treble Damages to the Party grieved by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo: And if any undue Preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable, by Action of Debt, or on the Caſe, to pay the Value of the Debt, with full Coſts of Suit, to the Party grieved, and ſhall be forejudged of his Place or Office; and if any ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages, and Coſts, and ſhall be for ever after incapable of his Office or Place: And in caſe the Auditor of the Receipt ſhall not direct the ſaid Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon ſuch Orders, according to each Perſon's due Place and Order, as before directed; then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending to be liable to ſuch Action, Debt, Damages, and Coſts, in ſuch Manner as aforeſaid; all which ſaid Penalties, Forfeitures, Damages, and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

Orders to be regiſtered in Courſe.

No undue Preference to be given in Payment.

No Fee to be taken, on Forfeiture of treble Damages, with full Coſts.

Penalty of undue Preference in point of Regiſtry or Payment.

Auditor, &c. neglecting his Duty, liable for Damages, &c.

to be recovered at Weſtminſter.

IV. Provided always, and it is declared, That if it ſhall happen that ſeveral Tallies of Loan, or Orders for Payment, as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtered, then it ſhall be interpreted no undue Preference which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

No undue Preference in the regiſtering, where Orders are brought the ſame Day; nor if ſubſequent Orders are paid before others not brought in Courſe, ſo as Money be reſerved for the preceding Orders.

V. Provided alſo, That it ſhall not be interpreted any undue Preference, to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders, to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come and take their Monies, and bring their Orders in Courſe, ſo as there be ſo much Money reſerved as will ſatisfy preceding Orders, which ſhall not be otherwiſe diſpoſed of, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Power of Aſſignment, and Method of transferring of Orders.

VI. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans to be regiſtered by virtue of this Act, after Order entered in the Book of Regiſter as aforeſaid, his, her, or their Executors, Adminiſtrators, or Aſſigns, by proper Words of Aſſignment, to be indorſed and written upon his, her, or their Order, may aſſign and transfer his, her, or their Right, Title, Intereſt, and Benefit, of ſuch Order to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders (which the Officers ſhall, upon Requeſt, without Fee or Charge, accordingly make), ſhall intitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, Succeſſors and Aſſigns, to the Benefit thereof, and Payment thereon; and ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons, who hath or have made ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any Monies thereby due, or any Part thereof.

If it ſhall be judged more adviſeable, the Treaſury may raiſe the ſaid Sum by Exchequer Bills inſtead of Loans; and the Bills in ſuch Caſe to be made as thoſe preſcribed by the Malt Act of this Seſſion.

'VII. And to the End there may be no Want or Failure of a certain Sum, not to exceed in the Whole 'the ſaid Sum of one million nine hundred and fifteen thouſand five hundred fifty-two Pounds ſixteen 'Shillings and Eleven-pence three Farthings, to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing 'Exchequer Bills, as is herein after mentioned, or by both or either of thoſe Ways or Means, for the 'Publick Service,' be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them, now or for the Time being, or the High Treaſurer for the Time being, ſhall judge it more adviſeable to raiſe the ſaid Sum of one million nine hundred and fifteen thouſand five hundred fifty-two Pounds ſixteen Shillings and Eleven-pence three Farthings, or any Part thereof, by Exchequer Bills, inſtead of ſuch Loans, as aforeſaid, that then he or they reſpectively is or are hereby authoriſed and impowered, at any Time or Times, to prepare and make, or cauſe to be prepared or made, at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the Whole the ſaid Sum of one million nine hundred and fifteen thouſand five hundred fifty-two Pounds ſixteen Shillings and Eleven-pence three Farthings, together with ſuch Loans aforeſaid, in the ſame or like Manner, Form, or Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of this preſent Seſſion of Parliament, intituled, *An Act for continuing and*

and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-five, are enacted and preſcribed concerning the Exchequer Bills to be made in purſuance of the ſaid Act.

All Advantages and Penalties in the Malt Act of this Seſſion, relating to Loans or Exchequer Bills thereby authoriſed to be made forth, extended to this Act.

VIII. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities, contained in the ſaid laſt-mentioned Act, relating to the Loans or Exchequer Bills authoriſed to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Taxes granted by the ſame Act, and except ſuch Clauſes as limit the Rate of Intereſt to be paid for the Forbearance of Money lent on the Credit of the ſaid Act), ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Exchequer Bills had been originally authoriſed by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this preſent Act.

The ſaid Exchequer Bills, Intereſt, and Charges, are to be paid out of the Sinking Fund.

IX. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills which ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate, and Charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid and borne by and out of the growing Produce of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues compoſing the Sinking Fund (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf); and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling, and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate, or Charges, until the Whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

Bank authoriſed to lend to his Majeſty the Sum of 1,915,552 l. 16 s. 11 d. 3 q. notwithſtanding Act 5 & 6 Gul. & Mariæ.

X. And be it declared and further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governor and Company of the Bank of *England* to advance or lend to his Majeſty, in like Manner, at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of one million nine hundred and fifteen thouſand five hundred fifty-two Pounds ſixteen Shillings and Eleven-pence three Farthings, any Thing in an Act made in the fifth and ſixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tonnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned to ſuch Perſons as ſhall voluntarily advance the Sum of one million five hundred thouſand Pounds, towards carrying on the War againſt France*, to the contrary thereof in any wiſe notwithſtanding.

The Sum of 895,686 l. 13 s. 10 d. 1 q. Surplus of the Sinking Fund in the Exchequer on April 5, 1775; and ſuch Monies as ſhall be paid into the Exchequer between April 5, 1775, and April 5, 1776, of the Produce of the Duties on Gum Senega and Gum Arabic; 10,976 l. 18 s. 2 d. remaining in the Exchequer of the Duties of Rice exported, and Apples imported, Cambricks and Sugars, granted by 6 Geo. III.; and Monies paid by Counties who have not raiſed Militia; and of the impreſt Monies remaining for the Diſpoſition of Parliament.

XI. And be it further enacted by the Authority aforeſaid, That the Sum of eight hundred ninety-five thouſand ſix hundred and eighty-ſix Pounds thirteen Shillings and Ten-pence Farthing, remaining in the Receipt of the Exchequer on the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-five, for the Diſpoſition of Parliament, of the Monies which had then ariſen of the Surpluſſes, Exceſſes, and Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*; and alſo ſuch of the Monies as ſhall be paid into the Receipt of the Exchequer after the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-five, and on or before the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-ſix, of the Produce of the Duties charged by two Acts, made in the fifth and fourteenth Years of his preſent Majeſty's Reign, upon the Importation and Exportation of *Gum Senega* and *Gum Arabic*; and alſo the Sum of ten thouſand nine hundred and ſeventy-ſix Pounds eighteen Shillings and Two pence, remaining in the Receipt of the Exchequer, of the Monies ariſen by the Duties on Rice exported, the Duties on Apples imported, and on Cambricks and Sugars, granted by an Act of the ſixth Year of his preſent Majeſty's Reign; the Monies paid by the Receivers General of the ſeveral Counties which have not raiſed the Militia; and alſo of ſuch impreſt Monies as remain there for the Diſpoſition of Parliament; ſhall and may be iſſued and applied at the ſaid Receipt of his Majeſty's Exchequer, for and towards making good the ſaid Supply; and the Commiſſioners of his Majeſty's Treaſury now or for the Time being, or any three or more of them, or the High Treaſurer for the Time being, are or is hereby authoriſed and impowered to iſſue and apply the ſame accordingly.

15,000 l. for ſupporting the neceſſary Expences of Forces in America, Nova Scotia, Newfoundland, and the ceded Iſlands, out of the Monies to be paid into the Exchequer on April 5, 1776.

Appropriation of the Supplies.

XII. And be it further enacted by the Authority aforeſaid, That a Sum not exceeding fifteen thouſand Pounds, out of ſuch Monies as remain in the Receipt of the Exchequer, and that ſhall be paid in there on or before the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-ſix, of the Produce of all or any of the Duties and Revenues which by any Act or Acts of Parliament have been directed to be reſerved for the Diſpoſition of Parliament, towards defraying the neceſſary Expences of defending, protecting, and ſecuring the *Britiſh* Colonies and Plantations in *America*, be applied towards making good ſuch Part of the Supply as hath been granted to his Majeſty for maintaining his Majeſty's Forces and Garriſons in the Plantations, and for Proviſions for the Forces in *North America*, *Nova Scotia*, *Newfoundland*, and the ceded Iſlands, for the Year one thouſand ſeven hundred and ſeventy-five: And the Commiſſioners of his Majeſty's Treaſury now or for the Time being, or any three or more of them, or the High Treaſurer for the Time being, are or is hereby authoriſed and impowered to iſſue and apply the ſame accordingly.

The Monies ariſing by the Malt Tax,

XIII. Provided always, and it is hereby enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-five*, and ſo much Money, if any ſuch be, of the Duties thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made, or to be

be made, on the ſame Act, and all the Intereſt, Premium, Rate, and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer, to ſatisfy and diſcharge the ſame; and alſo all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-five*, and ſo much Money, if any ſuch be, of the Tax thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made, or to be made, on the ſame Act, and all the Intereſt, Premium, Rate, and Charges thereon, and the Charges allowable thereby, for raiſing the ſaid Land Tax, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to ſatisfy and diſcharge the ſame; and alſo the Sum of one million two hundred and fifty thouſand Pounds, granted by one other Act of this Seſſion of Parliament, intituled, *An Act for raiſing a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-five*; and alſo all the Monies coming into the Exchequer by Contributions for a Lottery, granted by one other Act of this Seſſion of Parliament, intituled, *An Act for redeeming the Sum of one million of the Capital Stocks of Three Pounds* per Centum *Annuities, in the Manner and on the Terms therein mentioned; and for eſtabliſhing a Lottery*; and alſo the ſaid Sum of eight hundred ninety-five thouſand ſix hundred eighty-ſix Pounds thirteen Shillings and Ten-pence Farthing, remaining in the Receipt of the Exchequer on the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-five, for the Diſpoſition of Parliament, of the Monies which had then ariſen of the Surpluſſes, Exceſſes, and Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*; and alſo ſuch of the Monies as ſhall be paid into the Receipt of the Exchequer after the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-five, and on or before the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-ſix, of the Produce of the Duties charged by two Acts made in the fifth and fourteenth Years of his preſent Majeſty's Reign, upon the Importation and Exportation of *Gum Senega* and *Gum Arabic*; and alſo the ſaid Sum of ten thouſand nine hundred ſeventy-ſix Pounds eighteen Shillings and Two-pence, remaining in the Receipt of the Exchequer, of the Monies ariſen by the Duties on Rice exported, the Duties on Apples imported, and on Cambricks and Sugars, granted by an Act of the ſixth Year of his preſent Majeſty's Reign; the Monies paid by the Receivers General of the ſeveral Counties which have not raiſed the Militia; and alſo of ſuch impreſt Monies as remain there for the Diſpoſition of Parliament; and alſo the further Sum of one million nine hundred and fifteen thouſand five hundred fifty-two Pounds ſixteen Shillings and Eleven-pence three Farthings, by this Act granted, out of ſuch Monies as ſhall or may ariſe of the Surpluſſes, Exceſſes, or Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*, ſhall be further appropriated, and are hereby appropriated, and ſhall be iſſued and applied for and towards the ſeveral Uſes and Purpoſes hereafter expreſſed, together with the Reſidue of the Monies ariſing from the Sale of *French* Prizes taken before the Declaration of the late War, which his Majeſty declared in a moſt gracious Speech to his Parliament, that he had directed, for the Eaſe of his Subjects, to be applied to the publick Service; and alſo ſuch Sum or Sums of Money as his Majeſty, according to his moſt gracious Intentions, expreſſed in the ſame Speech, ſhall direct, for the further Eaſe of his Subjects, to be alſo applied to the publick Service, out of the Monies which have ariſen, or ſhall ariſe, by the Sale of Lands belonging to his Majeſty in the Iſlands of the *Weſt Indies*, which were ceded to his Majeſty by the late Treaty of Peace.

Land Tax,

Loans,

Lottery,

and 895,686l. 13s. 10d. 1q. remaining in the Exchequer on April 5, 1775, for the Diſpoſition of Parliament; and ſuch Monies as ſhall be paid into the Exchequer between April 5, 1775, and April 5, 1776, of the Produce of the Duties on Gum Senega and Gum Arabic; and 10,976l. 18s. 2d. of the Monies on Rice exported, and Duties on Apples imported, and on Cambricks and Sugars, by Act 6 Geo. III.; the Monies paid by Counties who have not raiſed Militia; and the

impreſt Monies remaining for the Diſpoſition of Parliament; and 1,915,552l. 16s. 11d. 3q. by this Act granted, out of the Exceſſes, &c. compoſing the Sinking Fund; together with the Money ariſing from the Sale of French Prizes taken before the Declaration of War; and alſo ſuch Sums of Money as his Majeſty ſhall direct to be applied to the publick Service, which ſhall ariſe by the Sale of the ceded Iſlands in the Weſt Indies.

XIV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding one million ſix hundred ſeventy-eight thouſand and fifty-nine Pounds fifteen Shillings and Ten-pence, for or towards the Naval Services herein particularly expreſſed; (that is to ſay,) For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed, and to be performed; and for or towards Sea Services in the Office of Ordnance, performed, and to be performed; and for or towards defraying the Ordinary of his Majeſty's Navy, and for Half-pay to Sea and Marine Officers; and for or towards maintaining four thouſand ſeven hundred and ſeventy-four Marines; and towards the Buildings, Rebuildings, and Repairs of Ships of War in his Majeſty's Yards, and other *extra* Works, over and above what are propoſed to be done upon the Heads of Wear and Tear, and Ordinary, for the Year one thouſand ſeven hundred and ſeventy-five.

Not exceeding 1,678,059l. 15s. 10d. to be iſſued out of the Supplies towards Naval Services;

XV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ſix thouſand Pounds, upon Account, to be applied by the Commiſſioners, or Governors of the Royal Hoſpital for Seamen at *Greenwich*, for the Support and Relief of Seamen worn out and become decrepit in the Service of their Country, who ſhall not be provided for within the ſaid Hoſpital.

6000l. to the Royal Hoſpital for Seamen at Greenwich, &c.;

XVI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding two hundred twenty-eight thouſand and fifty-nine Pounds one Shilling and Seven-pence, for the Charge of the Office of Ordnance for Land Service, for the Year one thouſand ſeven hundred and ſeventy-five.

228,059l. 1s. 7d. Charges of the Office of Ordnance;

XVII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding thirty-two thouſand ſeven hundred forty-eight Pounds five Shillings and Three-pence, for defraying the Expence of Services performed by the Office of Ordnance for Land Service, and not provided for by Parliament in one thouſand ſeven hundred and ſeventy-four.

32,748l. 5s. 3d. for Charges of the Office of Ordnance not provided for in 1774;

XVIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding

1,582,051l. 9s. 9d. 3q. towards the Land Forces;

one million five hundred eighty-two thouſand and fifty-one Pounds nine Shillings and Nine-pence three Farthings, for and towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; (that is to ſay,) Any Sum or Sums of Money, not exceeding ſix hundred twenty-ſeven thouſand ſix hundred eighty-nine Pounds nineteen Shillings and Four-pence, for defraying the Charge of ſeventeen thouſand five hundred and forty-ſeven effective Men, Commiſſioned and Non-commiſſioned Officers included, and including one thouſand five hundred and twenty-two Invalids for Guards, Garriſons, and other his Majeſty's Land Forces in *Great Britain*, *Jerſey*, and *Guernſey*, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding three hundred ſeventy-one thouſand one hundred eighty-ſix Pounds and Ten-pence, and one-eighth Part of a Penny, towards further maintaining his Majeſty's Forces and Garriſons in the Plantations and *Africa*, including thoſe in Garriſon at *Minorca* and *Gibraltar*, and for Proviſions for the Forces in *North America*, *Nova Scotia*, *Newfoundland*, *Gibraltar*, the ceded Iſlands, and *Africa*, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding two thouſand eight hundred ſeventy-four Pounds four Shillings and Nine-pence, for defraying the Charge of the Difference of Pay between the *Britiſh* and *Iriſh* Eſtabliſhment of three Battalions and three Companies of Foot, ſerving in the *Iſle of Man*, at *Gibraltar*, and *Minorca*, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding eleven thouſand four hundred ſeventy-three Pounds eighteen Shillings and Sixpence Halfpenny, for the Pay of the General and General Staff Officers in *Great Britain*, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding one hundred and five thouſand three hundred twenty-ſix Pounds ſixteen Shillings and Eight-pence, upon account of the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding eight hundred and ſeventy Pounds three Shillings and Nine-pence, for defraying the Charge for Allowances to the ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards reduced, and to the ſuperannuated Gentlemen of the four Troops of Horſe Guards, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding ſix hundred and twenty-eight Pounds, for the paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and were married to them before the twenty-fifth Day of *December*, one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding ſixty-ſeven thouſand ſeven hundred and ſix Pounds twelve Shillings and one Penny, for defraying the Charge of an Augmentation to his Majeſty's Forces, conſiſting of four thouſand three hundred and eighty-three Men, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding nine thouſand five hundred thirty-ſix Pounds ten Shillings and Seven-pence, for defraying the Charge of the Difference of Pay between the *Britiſh* and *Iriſh* Eſtabliſhment of one Regiment of Light Dragoons and two Regiments of Foot, from the firſt Day of *March* to the twenty-fourth Day of *December*, one thouſand ſeven hundred and ſeventy-five, both Days incluſive, being two hundred and ninety-nine Days, as alſo for defraying the Charge of Levy-money for the Augmentation to Major General *Preſton*'s Regiment of Light Dragoons, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding one hundred twenty-two thouſand two hundred twenty-one Pounds fifteen Shillings and Five-pence, upon Account, towards defraying the Charge of the Outpenſioners of *Chelſea Hoſpital*, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding two hundred ſixty-two thouſand five hundred thirty-ſeven Pounds ſeven Shillings and Ten-pence, and one-eighth Part of a Penny, towards defraying the extraordinary Expences of his Majeſty's Land Forces, and other Services incurred between the twenty-ſecond Day of *April*, one thouſand ſeven hundred and ſeventy-four, and the eighth Day of *March*, one thouſand ſeven hundred and ſeventy-five, and not provided for by Parliament.

of which 627,689 l. 19 s. 4 d. for defraying the Charges of 17,547 effective Men, &c.; and 1522 Invalids, for Guards, &c. in Great Britain, &c.; 371,186 l. 10 d. 1 8th of a Penny, for Forces and Garriſons in Africa; 2,874 l. 4 s. 9 d. to make good the Difference of Pay between the Britiſh and Iriſh Eſtabliſhment of Troops ſerving in the Iſle of Man, &c.; 11,473 l. 18 s. 6 d. 2 q. for General and General Staff Officers in Great Britain; 105,326 l. 16 s. 8 d. to the reduced Officers of the Land Forces and Marines; 870 l. 3 s. 9 d. to the two Troops of Horſe Guards reduced, &c.; 628 l. to the Penſions of Officers Widows, &c.; 67,706 l. 12 s. 1 d. for the Augmentation of the Forces; 9,536 l. 10 s. 7 d. to make good the Difference betwen Britiſh and Iriſh Pay of certain Troops, &c.; 122,221 l. 15 s. 5 d. to the Outpenſioners of Chelſea Hoſpital; 262,537 l. 7 s. 10 d. 1-8th of a Penny, towards extraordinary Expences of the Land Forces, and other Services incurred, and not provided for.

1,250,000 l. for diſcharging Exchequer Bills of laſt Seſſion;

XIX. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied the Sum of one million two hundred and fifty thouſand Pounds, for paying off and diſcharging the Exchequer Bills made out by virtue of an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for raiſing a certain Sum of Money by Loans, or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-four*, and charged upon the firſt Aids to be granted in this Seſſion of Parliament.

12,578 l. 14 s. 9 d. to make good to his Majeſty the like Sum iſſued in purſuance of the Addreſſes of the Houſe of Commons;

XX. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied the Sum of twelve thouſand five hundred ſeventy-eight Pounds fourteen Shillings and Nine-pence, to make good to his Majeſty the like Sum which has been iſſued by his Majeſty's Orders, in purſuance of the Addreſſes of the Houſe of Commons.

4,346 l. 10 s. 5 d. for ſupporting the Civil Eſtabliſhment of Nova Scotia; 3,086 l. for the Civil Eſtabliſhment of Georgia; 4,950 l. for the Civil Eſtabliſhment of Eaſt Florida;

XXI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding four thouſand three hundred forty-ſix Pounds ten Shillings and Five-pence, upon Account, for maintaining and ſupporting the Civil Eſtabliſhment of his Majeſty's Colony of *Nova Scotia*, for the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding three thouſand and eighty-ſix Pounds, upon Account, for defraying the Charges of the Civil Eſtabliſhment of his Majeſty's Colony of *Georgia*, and other incidental Expences attending the ſame, from the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, to the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding four thouſand nine hundred and fifty Pounds, upon Account, for defraying the Expences of the Civil Eſtabliſhment of his Majeſty's

Majeſty's Colony of *Eaſt Florida*, and other incidental Expences attending the ſame, from the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, to the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding five thouſand four hundred and fifty Pounds, upon Account, for defraying the Expences of the Civil Eſtabliſhment of his Majeſty's Colony of *Weſt Florida*, and other incidental Expences attending the ſame, from the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-four, to the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding one thouſand eight hundred eighty-five Pounds and four Shillings, upon Account, for defraying the Expences attending general Surveys of his Majeſty's Dominions in *North America*, for the Year one thouſand ſeven hundred and ſeventy-five.

Not exceeding 5,450 l. for the Civil Eſtabliſhment of Weſt Florida;
1,885 l. 4 s. for defraying Expences attending Surveys in North America;

XXII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any of the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding thirteen thouſand Pounds, to be employed in repairing, maintaining, and ſupporting the *Britiſh* Forts and Settlements on the Coaſt of *Africa*; and any Sum or Sums of Money, not exceeding ſix thouſand three hundred thirty-ſix Pounds and Nine-pence Halfpenny, upon Account, for defraying the Expence of ſupporting and maintaining the Civil Eſtabliſhment of the Government of *Senegambia*, on that Part of the Coaſt of *Africa* ſituate between the Port of *Sallee* in *South Barbary* and *Cape Rouge*, for the Year one thouſand ſeven hundred and ſeventy-five.

13,000 l. for repairing and maintaining the Forts in Africa;
6,336 l. 9 d. 2 q. for ſupporting the Civil Eſtabliſhment of Senegambia;

XXIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding three thouſand Pounds, towards enabling the Truſtees of the *Britiſh Muſæum* to carry on the Execution of the Truſts repoſed in them by Parliament; and any Sum or Sums of Money, not exceeding five thouſand Pounds, to be advanced to the Governor and Company of the Merchants of *England* trading into the *Levant Seas*, to be applied in aſſiſting the ſaid Company in carrying on their Trade.

3000 l. to the Truſtees of the Britiſh Muſæum, &c.;
5000 l. to the Governor, &c. of Merchants of England trading to the Levant Seas;

XXIV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any of the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding ſix thouſand nine hundred ninety-eight Pounds ten Shillings and ſeven Pence, upon Account of the Expences of the new Roads of Communication, and building Bridges, in the Highlands of *North Britain*, in the Year one thouſand ſeven hundred and ſeventy-five; and any Sum or Sums of Money, not exceeding two thouſand one hundred and forty-five Pounds, for defraying the Expence of engraving Charts of the Coaſts of *Ireland*, and alſo of the Weſt Coaſt of *Great Britain* from *Briſtol* Channel to *Cape Wrath*, the North-weſtern Promontory of *Scotland*, including all the adjacent Iſlands, ſurveyed by Maſter *Murdoch Mackenzie*; and any Sum or Sums of Money, not exceeding three thouſand ſeven hundred and eleven Pounds and fifteen Shillings, towards defraying the Expence of engraving Charts of the Coaſt of *North America*, between the Bay of *Chaleurs* in the Gulph of *Saint Lawrence*, and the River *Saint Croix* in the Bay of *Fundy*, ſurveyed by *Joſeph Frederick Wallet Des Barres*, Eſquire; and any Sum or Sums of Money, not exceeding forty-ſix thouſand eight hundred forty-ſix Pounds nine Shillings and Three-pence, to be applied to reimburſe the Governor and Company of the Bank of *England* the Charges and Expences incurred by them in receiving the deficient Gold Coin of this Realm, in purſuance of an Order of the Lords Commiſſioners of his Majeſty's Treaſury of the twenty-ſecond Day of *July*, one thouſand ſeven hundred and ſeventy-three, and for Intereſt of the Monies advanced by them to the Holders of the ſame; and any Sum or Sums of Money, not exceeding twenty-two thouſand eight hundred twenty-four Pounds and nineteen Shillings, for defraying the extraordinary Charge of his Majeſty's Mint in the Tower of *London* in the Year ended the thirty-firſt Day of *December*, one thouſand ſeven hundred and ſeventy-four; and any Sum or Sums of Money, not exceeding five thouſand Pounds, to enable his Majeſty to aſſiſt the Inhabitants of the Iſland of *Barbadoes*, in defraying the Expence of cleanſing the Channel, repairing the Mole, and rendering the Harbour there more ſafe and commodious; and any Sum or Sums of Money, not exceeding one thouſand ſix hundred and eighty-four Pounds fifteen Shillings and Ten-pence, to make good the like Sum which has been paid to ſeveral Perſons, as a Compenſation and in full Satisfaction for their Loſſes and Expences incurred, purſuant to ſeveral Orders of Council for preventing the ſpreading of the infectious Diſtemper amongſt the horned Cattle; and any Sum or Sums of Money, not exceeding five hundred and fifty Pounds, out of the Monies that have been or ſhall be paid into the Receipt of the Exchequer, on Account of the Sale of *French* Prizes taken before the Declaration of the late War, to be paid to Maſter *Edward Richardſon*, or his Aſſigns, in Reward and full Satisfaction for the Information and Aſſiſtance given by him in the Diſcovery of the Eſtate and Effects of the late Maſter *Edward Manning*, one of the Agents for the Sale of the ſaid Prizes in the Iſland of *Jamaica*.

6,998 l. 10 s. 7 d. on account of the Expence of new Roads, &c. in the Highlands of Scotland in 1775;
2,145 l. to Mr. Mackenzie, for engraving Charts of the Coaſts of Ireland, &c.
3,711 l. 15 s. to Mr. Wallet Des Barres for engraving Charts of North America, &c.;
46,846 l. 9 s. 3 d. to the Bank of England for receiving the deficient Gold Coin;
22,824 l. 19 s. for the extraordinary Charge of his Majeſty's Mint;
5000 l. granted to his Majeſty, to aſſiſt the Inhabitants of Barbadoes, in cleanſing the Channel, &c.;
1,684 l. 15 s. 10 d. to make good the like

Sum paid for preventing the infectious Diſtemper among the horned Cattle; 550 l. to Mr. Richardſon, out of the Monies raiſed by the Sale of French Prizes, for his Diſcovery of the Effects of Mr. Manning;

XXV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied the Sum of eight hundred and eighty thouſand Pounds, to enable his Majeſty to ſatisfy and make good the ſeveral Sums payable to the Perſons who have ſubſcribed their Capital Stock of three Pounds *per Centum* Annuities, to be diſcharged and annihilated upon the Terms expreſſed in the Reſolution of the Houſe of Commons of the fourth Day of *May*, one thouſand ſeven hundred and ſeventy-five.

880,000 l. granted to his Majeſty, to be payable to Perſons who have ſubſcribed their Capital of 3 per Cent. &c.;

XXVI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money, not exceeding forty-five thouſand four hundred forty-ſix Pounds eight Shillings and Two-pence, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency on the fifth Day of *July*, one thouſand

45,446 l. 8 s. 2 d. to the Sinking Fund, to make good the Deficiency on July 5, 1774;

Not exceeding 112,528l. 2s. 5d. 1q. to make good the Deficiency of Grants for the Service of 1774.

thouſand ſeven hundred and ſeventy-four, of the Fund eſtabliſhed for paying Annuities granted by an Act made in the thirty-firſt Year of the Reign of his late Majeſty, towards the Supply granted for the Service of the Year one thouſand ſeven hundred and fifty-eight; and any Sum or Sums of Money, not exceeding one hundred twelve thouſand five hundred twenty-eight Pounds two Shillings and Five-pence Farthing, to make good the Deficiency of the Grants for the Service of the Year one thouſand ſeven hundred and ſeventy-four.

The ſaid Aids to be applied only to the Uſes before mentioned.

XXVII. And it is hereby further enacted by the Anthority aforeſaid, That the ſaid Aids and Supplies, provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent, or Purpoſe whatſoever, other than the Uſes and Purpoſes before mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout by any Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe, contained in any other Act or Acts of this preſent Seſſion of Parliament.

Rules to be obſerved in the Application of the Half-pay.

XXVIII. And as to the Sum of one hundred and five thouſand three hundred twenty-ſix pounds ſixteen Shillings and Eight pence, by this Act appropriated on Account of Half-pay as aforeſaid, it is hereby enacted and declared by the Authority aforeſaid, that the Rules herein-after preſcribed ſhall be duly obſerved in the Application of the ſaid Half-pay; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame who was a Minor, and under the Age of ſixteen Years, at the Time when the Regiment, Troop, or Company, in which he ſerved, was reduced; that no Perſon ſhall have or receive any Part of the ſame, except ſuch Perſon who did actual Service in ſome Regiment, Troop, or Company; that no Perſon having any other Place or Employment of Profit, Civil or Military, under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland* ſhall have or receive any Part of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame who has reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon, by virtue of any Warrant or Appointment, except to ſuch Perſons as would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

By Act 14 Geo. III.

a Sum not exceeding 107,525l. 19s. 2d. was appropriated to be paid to the reduced Officers.

Overplus Monies above ſatisfying ſaid Officers, to be diſpoſed of to Officers who were maimed, &c. in the late Wars, or to Officers Widows and Children, as his Majeſty ſhall direct.

'XXIX. And whereas by an Act of Parliament, made in the fourteenth Year of his preſent Majeſty's 'Reign, intituled, *An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund; and 'for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and 'ſeventy-four; and for further appropriating the Supplies granted in this Seſſion of Parliament, for carrying to 'the Aggregate Fund a Sum of Money which hath ariſen by the Two Sevenths Exciſe; and for enabling the Ba-'rons of the Exchequer in* Scotland *to make out a Certificate for the Payment of the Sum of five hundred Pounds 'to Lady* Anne Mackenzie, *out of the Balance remaining of the Sum of ſeventy-two thouſand Pounds, granted 'for paying the Creditors of the forfeited Eſtates in* Scotland; the ſeveral Supplies which had been granted to 'his preſent Majeſty, as is therein mentioned, were appropriated to the ſeveral Uſes and Purpoſes therein 'expreſſed, amongſt which any Sum or Sums of Money, not exceeding one hundred and ſeven thouſand 'five hundred twenty-five Pounds nineteen Shillings and Two-pence, was appropriated to be paid to the 'reduced Officers of his Majeſty's Land Forces and Marines for the Year one thouſand ſeven hundred and 'ſeventy-four, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, 'as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted, and declared, by the Authority aforeſaid, That ſo much of the ſaid Sum of one hundred and ſeven thouſand five hundred twenty-five Pounds nineteen Shillings and Two-pence as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the Rules preſcribed by the ſaid Act to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall and may be diſpoſed of to ſuch Officers who are maimed, or have loſt their Limbs in the late Wars, or ſuch others as, by reaſon of their long Service, or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity; or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants, under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any Thing in this Act, or the ſaid former Act, to the contrary notwithſtanding.

CAP. XLIII.

An Act for Lighting and Watching the Hamlet of *Highgate*, in the County of *Middleſex*.

Preamble.

'WHEREAS the Hamlet of *Highgate*, within the Pariſhes of *Hornſey*, *Saint Pancraſs*, and *Saint 'Mary Iſlington*, in the County of *Middleſex*, is large and populous, and it would be a great Con-'venience and Benefit to the Inhabitants thereof if Proviſion was made for lighting the ſame, and eſta-'bliſhing a nightly Watch therein: And whereas the Inhabitants and Owners of Houſes within the ſaid 'Hamlet are willing and deſirous that a Rate ſhould be raiſed upon themſelves to defray the Charge there-'of; but the ſame cannot be done, and the good Purpoſes aforeſaid effected, without the Aid of Parlia-'ment:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and

Truſtees Names.

Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That Major General *Charles Fitz-Roy*, *Richard Wilbraham Bootle*, *Thomas Cave*, *James Champain*, *William Baynes*, *Edward Ellicot*, *Thomas Saunders*, *Alexander Anderſon*, *Thomas Pratt*, *William Bell*, *Thomas Chetham*, *Thomas Iſherwood*, *William Jellico*, *Evan Harris*, *Matthew Knapp*, *Edward Barnard*, *William Offley*, *William Callon*, *Thomas Everett*, *Robert Langford*, *Robert Thomas*, *Charles Cauſton*, *John Lucy*, *Stephen Beckingham*, *John Cobb*, *Robert Mendham*, *Tobias Kleinert*, *John Hurford*, *Thomas Palmer*, *Richard Bankes*, *Samuel Totton*, *Thomas Pool*, *David Duveluz*, *Oſborn Thornton*, *John Reynolds*, *William Herne*, *William Hurford*, *John Mears*, *Edward Holmes*, *John Paignon*, *William Wetherell*, *John Conſtable*, *Gabriel Cox*, *James Reynolds*, *George Penton*, *John Jones*, *Chriſtopher Perkins*, *John Minſhul*, and the Miniſter and Chaplain belonging to the Chapel

Chapel of the ſaid Hamlet of *Highgate* for the Time being, ſhall be and they are hereby appointed Truſtees for cauſing the ſaid Hamlet to be lighted and watched in the Night, from and including a Houſe known by the Sign of *The Crown*, in the Occupation of *John Saunders*, on the Eaſt Side of the Road leading from *London* through *Iſlington*, and from and including a Houſe nearly oppoſite the ſame, in the Occupation of *William Callon*, Eſquire, on the Weſt Side of the ſaid Road, through the ſaid Hamlet, on the great Road to and including the Houſe known by the Name of *The Lower Wreſtlers*, in the Occupation of *William Roberts*, on the Eaſt, and another Houſe nearly oppoſite the ſame, known by the Name of *The Black Bull*, in the Occupation of *James Williamſon*; and from and including a Houſe in the Occupation of *William Offley*, Eſquire, on the Road from *London* through *Kentiſh Town*, and from thence to the South Side of the Hamlet, including all the Houſes to the Publick Houſe known by the Sign of *The Angel*, and occupied by *Jeremiah Liſter*, and on the North Side all the Houſes oppoſite thereto, beginning at the Houſe occupied by *George Daniel*; and from thence to and including *Pemberton Row*, to the Publick Houſe known by the Name of *The Gate Houſe*, occupied by *James Baggally*, including alſo all the Houſes in the Centre near the Ponds, and alſo the Houſe in the Grove occupied by *Stephen Beckingham*, Eſquire, and the Houſes in the Lane leading by the Side of the Grove towards the Door of the Stable-yard of the ſaid *Stephen Beckingham*, Eſquire; and down a certain Lane called *Kenn* or *Cane Wood Lane*, to and including a Houſe now in the Occupation of Major General *Charles Fitz-Roy*; and down *Hornſey-Lane* to and including a Houſe in the Occupation of *Robert Langford*, Eſquire, on the South, and a Houſe nearly oppoſite the ſame, in the Occupation of *Thomas Richards*, Brickmaker, on the North Side of the Road leading to *Hornſey*; and down *Southwold* or *Chapel Lane* to and including a Houſe in the Occupation of *Richard Wilbraham Bootle*, Eſquire, on the Road leading to *Muſwell Hill*; and down the Lane leading to *Highgate Common*, ending at the Back Door of the ſaid Houſe occupied by *Richard Wilbraham Bootle*, Eſquire; and for putting this Act in Execution.

Deſcription of the Roads intended to be lighted.

II. Provided always, That nothing in this Act contained ſhall compel the ſaid Commiſſioners to light the ſaid Lane called *Ken* or *Cane Wood Lane*, but only to cauſe the ſaid Lane to be watched.

Cane Wood Lane to be only watched.

III. And be it further enacted, That when any of the ſaid Truſtees herein named, or hereafter to be elected, ſhall die, reſign, or refuſe to act, or ſhall remove from the ſaid Hamlet, or ſhall be diſqualified to act, it ſhall and may be lawful for the ſurviving or remaining Truſtees, or any five or more of them, at any of their Meetings, in either of the ſaid Caſes, from Time to Time to elect and appoint one other fit Perſon, reſiding in the ſaid Hamlet, to be a Truſtee in the Stead of every Truſtee ſo deceaſed, reſigning, refuſing to act, removing, or being diſqualified; and every ſuch Perſon ſo from Time to Time elected and appointed ſhall be joined with the ſurviving or remaining Truſtees, and is hereby impowered to act, to all Intents and Purpoſes, in as full and ample Manner as if ſuch Perſon had been particularly named and appointed in and by this Act.

When Truſtees die, or refuſe to act, others to be choſen.

IV. And be it further enacted, That the ſaid Truſtees, or any five or more of them, are hereby authoriſed and impowered to meet at the *Gate Houſe* in *Highgate*, on the tenth Day next after the paſſing of this Act, and ſhall proceed to the Execution of this Act, and ſhall then, and from Time to Time afterwards, adjourn themſelves, and meet there, or at ſuch other Place or Places within the ſaid Hamlet, as the ſaid Truſtees, or any five or more of them, ſhall think moſt convenient, as often as it ſhall be neceſſary for putting this Act in Execution.

Time and Place of the firſt Meeting of Truſtees.

V. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Truſtee in any Caſe in the Execution of this Act, unleſs at the Time of his acting therein he ſhall be ſeiſed in his own Right, or in Right of his Wife, and be in the actual Poſſeſſion or Receipt of Rents and Profits of a Real Eſtate in Law or Equity of the clear yearly Value of twenty Pounds above Reprizes; or unleſs ſuch Perſon ſhall rent or occupy Tenements and Hereditaments within the ſaid Hamlet of the yearly Value of twenty Pounds: And if any Perſon or Perſons hereby made incapable to act ſhall preſume to act in the Truſt aforeſaid, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of twenty Pounds; to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*; and every Perſon ſo proſecuted, or againſt whom ſuch Action ſhall be brought, ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty without any other Proof given on the Part of the Plaintiff or Plaintiffs in ſuch Action than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act; and the Money to be recovered in ſuch Action ſhall, after Payment of the Coſts and Expences attending ſuch Action, be applied to the Purpoſes of this Act.

Qualification of Truſtees.

20 l. Penalty on Perſons acting and not qualified.

VI. And be it further enacted, That the ſaid Truſtees, or any five or more of them, ſhall from Time to Time (if they ſhall think fit) appoint a Clerk, who ſhall enter all their Proceedings in a Book or Books to be kept for that Purpoſe, and ſhall and may alſo from Time to Time appoint ſuch Collector or Collectors, and ſuch other Officer or Officers as they ſhall think proper to employ in the Execution of this Act; and ſhall and may from Time to Time make ſuch Allowances to all ſuch Clerks, Collectors, and other Officers, for their Trouble and Attendances in the Execution of this Act, as the ſaid Truſtees, or any five or more of them, ſhall, at any of their General Meetings, from Time to Time think fit; and ſhall and may alſo (if they think fit) appoint a Treaſurer for the Receipt of the Money to be raiſed and collected by the Rates or Aſſeſſments to be made by virtue of this Act; and every ſuch Treaſurer ſo to be appointed is hereby directed and required to account at the End of every three Months (or oftener if required) to the ſaid Truſtees, or any five or more of them, for all Monies by him received and diſburſed by virtue of this Act, and to pay ſuch Money as upon the ſaid Account ſhall appear to be remaining in his Hands to ſuch Perſon or Perſons as the ſaid Truſtees, or any five or more of them, ſhall appoint to receive the ſame; to be applied to and for the ſeveral and reſpective Uſes and Purpoſes for which the ſame was levied and raiſed.

Truſtees to appoint Officers, and make Allowances for their Trouble.

Treaſurers to account every three Months.

VII. Provided always, That the ſaid Truſtees ſhall take ſuch Security from their Treaſurer and other Officers, as they, or any five or more of them, ſhall think fit; but no Salary or Allowance whatſoever ſhall

Treaſurer and other Officers to give Security.

No Victualler, &c. to hold the Place of Clerk, &c.

ſhall be made to any Treaſurer upon any Account or Pretence whatſoever; and that no Victualler or Retailer of Ale, Beer, or Spirituous Liquors ſhall be capable of holding the Place of Clerk, or any Place or Office under this Act.

Time of Truſtees meeting to make the Rates, &c.

'VIII. And, in order that a ſufficient Sum of Money may from Time to Time be raiſed for the Purpoſes 'of this Act,' be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, ſhall, and they are hereby authoriſed and required to meet in ſome convenient Place within the ſaid Hamlet, upon the third *Monday* after the paſſing of this Act; and ſhall alſo meet annually upon the firſt *Monday* next after the Feaſt of *Saint John the Baptiſt*, or within ſeven Days afterwards, at ſuch Time and Place as they, or any five or more of them, ſhall think fit; Notice of the Time and Place of every ſuch annual Meeting being firſt given in the Chapel of *Highgate* on the *Sunday* next before every ſuch Meeting; and the ſaid Truſtees, or any five or more of them, ſhall and are hereby authoriſed and required, at their firſt Meeting, to be holden as aforeſaid, and alſo at all ſubſequent annual Meetings which ſhall be held in purſuance of this Act, to make a Pound-rate, to be equally aſſeſſed, for the watching and lighting the ſaid Hamlet within the Limits aforeſaid, and for defraying all the Charges and Expences attending the Execution of this Act, upon all and every Perſon and Perſons who do and ſhall inhabit, hold, uſe, occupy, or enjoy, any Houſe, Shop, Warehouſe, or other Building, Garden, Tenement, or Hereditament, within the ſaid Hamlet, or on any other Perſon or Perſons who by Law is or are chargeable and aſſeſſable for and towards the Relief of the Poor within the ſaid Hamlet, according to the real improved Rent or Value of every ſuch Houſe, Shop, Warehouſe, or other Building, Garden, Tenement, or Hereditament aforeſaid (except as herein-after is excepted) for ſuch Sum and Sums of Money as the ſaid Truſtees, or any five or more of them, aſſembled at their firſt Meeting, or at any of their annual Meetings, ſhall order, direct, and appoint; and the ſaid Rates or Aſſeſſments ſhall be ſigned by any five of the ſaid Truſtees, and ſhall be paid quarterly.

Rates not to exceed 2 s. in the Pound.

IX. Provided always, That no Rate or Aſſeſſment directed to be made as aforeſaid ſhall exceed in the Whole the Sum of two Shillings in the Pound in any one Year, of the yearly Rent of ſuch Houſes, Shops, Warehouſes, or other Buildings, Gardens, Tenements, or Hereditaments, as aforeſaid.

Perſons under 6 l. yearly Rent exempted from Rates.

X. Provided alſo, That all Perſons who occupy Tenements under the yearly Value of ſix Pounds improved Rent, and who ſubſiſt only by their manual Labour, and do not keep an open Shop for the Sale of Goods, Wares, or Merchandiſes, ſhall be freed and exempted from the Payment of the ſaid Rates, or any Part thereof; any Thing contained in this Act to the contrary thereof notwithſtanding.

Truſtees to appoint Collectors.

XI. And be it further enacted, That ſuch Perſon or Perſons as the ſaid Truſtees, or any five or more of them, ſhall, by Writing under their Hands and Seals, appoint for that Purpoſe, ſhall be and they are hereby appointed Collector or Collectors of the ſaid Rates or Aſſeſſments to be raiſed and levied by virtue of this Act; and the ſaid Collector or Collectors is and are hereby authoriſed, impowered, and required, to collect and levy the ſame accordingly: And for the better enabling ſuch Collector or Collectors to collect the ſaid Rates or Aſſeſſments, it ſhall and may be lawful to and for the ſaid Collector or Collectors to execute all ſuch Warrants of Diſtreſs as ſhall be granted from Time to Time by any Juſtice of the Peace of the ſaid County of *Middleſex* againſt any Perſon or Perſons neglecting or refuſing to pay the ſaid Rates or Aſſeſſments, in the ſame Manner, and as effectually to all Intents and Purpoſes, as Overſeers of the Poor, by any Law or Laws now in being, can or may execute Warrants of Diſtreſs granted by Juſtices of the Peace.

Their Powers for levying the Rates.

Collectors to account upon Oath, if required.

XII. And be it further enacted, That the ſaid Collector or Collectors, and each of them, ſhall, and he and they is and are hereby required to make up and render upon Oath to the ſaid Truſtees, or any five or more of them, at ſome publick Meeting to be held in purſuance of this Act, as often as thereunto required by the ſaid Truſtees, or any five or more of them, a full, true, and perfect Account, in Writing, of all Monies collected and received by him or them by virtue of this Act, and of all Monies rated or aſſeſſed and not received; and to pay over the Monies ſo by him or them collected and received, and remaining in his or their Hands, to ſuch Perſon or Perſons as the ſaid Truſtees, or any five or more of them, preſent at any ſuch publick Meeting, ſhall, by Writing under their Hands, appoint to receive the ſame; to be applied for lighting and watching the ſaid Hamlet, and the ſeveral other Purpoſes of this Act, according to the true Intent and Meaning hereof: And if the ſaid Collector or Collectors ſhall refuſe or neglect to give in a juſt Account as aforeſaid, or to pay the Monies remaining in his or their Hands in Manner as aforeſaid, he and they ſhall be ſubject and liable to ſuch and the like Puniſhment as Overſeers of the Poor are, for Offences of the like Sort, ſubject and liable to.

and pay the Money collected to Perſons appointed to receive the ſame.

In caſe Perſons chargeable refuſe to pay, how the Rates may be levied.

XIII. And be it further enacted, That in caſe any Perſon or Perſons ſo rated or aſſeſſed, or charged or chargeable, and made liable as aforeſaid, ſhall refuſe or neglect to pay any ſuch Rate or Aſſeſſment to the Collector or Collectors for the Space of three Days after perſonal Demand thereof made, or Demand in Writing left at the laſt or uſual Place of Abode of ſuch Perſon or Perſons, it ſhall and may be lawful to and for any one or more Juſtice or Juſtices of the Peace acting for the ſaid County of *Middleſex*, upon Oath (which Oath he and they is and are hereby impowered and required to adminiſter without Fee or Reward) of ſuch Demand, and Non-payment, by Warrant, under his or their Hand and Seal, or Hands and Seals (which he and they is and are hereby impowered and required to grant), to authoriſe and direct the ſaid Collector or Collectors to levy ſuch Rate, or Money ſo in Arrear, together with the Coſts and Charges attending the ſame, to be aſcertained by ſuch Juſtice or Juſtices, by Diſtreſs and Sale of the Goods and Chattels of every ſuch Perſon and Perſons ſo in Arrear, and neglecting or refuſing to pay as aforeſaid, rendering the Overplus (if any be) to the Owner or Owners of ſuch Goods and Chattels, on Demand thereof being made by ſuch Owner or Owners.

Goods, &c. may be diſtrained in any Place within the County, or elſewhere.

'XIV. And, for the more effectual levying the Money rated and aſſeſſed for the ſeveral Purpoſes of this 'Act,' be it further enacted by the Authority aforeſaid, That the Goods and Chattels of any Perſon rated or aſſeſſed as aforeſaid, and neglecting or refuſing to pay the ſame, ſhall and may be diſtrained in Manner aforeſaid,

aforeſaid, not only in the ſaid Hamlet where ſuch Rate or Aſſeſſment was made, but in any other Place in the County of *Middleſex*; and if ſufficient Diſtreſs cannot be found within the ſame County, then upon Oath thereof made before any one or more Juſtice or Juſtices of the Peace of any other County, City, Liberty, or Place (which Oath ſhall be certified under the Hand of the ſaid Juſtice or Juſtices on the Warrant made for ſuch Diſtreſs), the Goods and Chattels of the Perſon ſo refuſing or neglecting to pay ſhall be ſubject and liable to ſuch Diſtreſs in ſuch other County, City, Liberty, or Place, where the ſame ſhall be found, and may, by virtue of ſuch Warrant and Certificate, be diſtrained and ſold, in the ſame Manner as if the ſame had been found within the ſaid Hamlet of *Highgate*.

Truſtees may compound or remit the Rate to Perſons unable to pay.

XV. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, from Time to Time, as they ſhall judge fit and neceſſary, at any of their Meetings to be held in purſuance of this Act, to compound with, or in Part or wholly to remit, to any Perſon or Perſons ſo rated or aſſeſſed as aforeſaid, and who ſhall or may at any Time hereafter, on account of his, her, or their Poverty, Diſability, or Diſtreſs, be exempted from or excuſed the Payment of the Church and Poor's Rates, or either of them, in the ſaid Hamlet, all ſuch Sum or Sums of Money which he or they ſhall be ſo rated or aſſeſſed as aforeſaid, when and as often as it ſhall from Time to Time be made appear to the Satisfaction of the ſaid Truſtees, or any five or more of them, as aforeſaid, that ſuch Perſon or Perſons, ſo rated or aſſeſſed as aforeſaid, is or are, on account of ſuch his, her, or their Poverty, Diſtreſs, or Inability, real and proper Objects of ſuch Compoſition or Exemption.

How Rates may be made good if Collectors detain or miſapply Money.

XVI. And be it further enacted, That in caſe any Collector of the ſaid Rates and Aſſeſſments ſhall embezzle, detain, or miſapply, any Sum or Sums of Money which ſhall be ſo collected by him, ſo that the ſame cannot be recovered from him; or ſhall be poſſeſſed of any Sum or Sums of Money by him collected by virtue of this Act, and which ſhall not be paid or recovered from his Executors or Adminiſtrators for the Space of forty Days after his Death; then, and in every ſuch Caſe, all ſuch Sums of Money ſhall be raiſed by a new Rate or Aſſeſſment, to be made for that Purpoſe on the Inhabitants of the ſaid Hamlet, and ſhall be collected and levied in ſuch Manner, and under ſuch Penalties, as are hereinbefore provided for the collecting and levying the Rates and Aſſeſſments which ſhall be made in purſuance of this Act, any Thing in this Act contained to the contrary notwithſtanding.

Truſtees impowered to borrow Money, not exceeding 500 l.

and may aſſign the Rates as a Security.

'XVII. And, in order that a ſufficient Sum of Money may be forthwith raiſed to defray the Ex-
'pences of lighting and watching the ſaid Hamlet,' be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any five or more of them, from Time to Time, to borrow any Sum or Sums of Money for the Purpoſes of this Act, not exceeding in the Whole the Sum of Five hundred Pounds, at Intereſt not exceeding five Pounds *per Centum per Annum*; and to aſſign over by Writing, ſigned by any five or more of the ſaid Truſtees, all or any Part of the ſaid Rates or Aſſeſſments, as a Security for the Repayment of the Principal and Intereſt of the Money ſo to be borrowed; and all ſuch Securities may from Time to Time be aſſigned and transferred by Indorſement, or otherwiſe; and ſuch Aſſignments and Transfers ſhall intitle the Perſon to whom the ſame ſhall be made to all Principal and Intereſt Money due, and to grow due, upon ſuch Securities.

XVIII. And be it further enacted, That all Securities for any Money to be borrowed as aforeſaid ſhall be in the following Words, or Words to the following Effect:

Form of Security.

'BY virtue of an Act, made in the fifteenth Year of the Reign of his Majeſty King *George* the Third, *For Lighting and Watching the Hamlet of* Highgate, *in the County of* Middleſex, We of the Truſtees, do aſſign to *A. B.* his Executors, Adminiſtrators, and Aſſigns, in Conſideration of the Sum of from this Day of in the Year of our Lord until the ſaid Sum of with Intereſt at the Rate of *per Centum per Annum*, ſhall be repaid, ſuch Proportion of the Rates or Aſſeſſments, to be rated or aſſeſſed by virtue of the ſaid Act, as the ſaid Sum of ſhall bear to the whole Sum advanced on the Credit of the ſame.'

Copies of Securities to be entered in a Book.

Securities may be aſſigned.

And Copies of all ſuch Securities ſhall be entered in a Book or Books, to be kept for that Purpoſe by the Clerk to the ſaid Truſtees; but no Money ſhall be borrowed after ſuch firſt Meeting, unleſs Notice for that Purpoſe be given in Writing, to be affixed upon the Chapel Door of the ſaid Hamlet at leaſt fourteen Days before the borrowing thereof; and all and every Perſon and Perſons to whom any ſuch Security or Securities ſhall be made as aforeſaid, or who ſhall be intitled to the Money thereby ſecured, may from Time to Time, by Writing under his, her, or their Hand and Seal, or Hands and Seals, aſſign or transfer his, her, or their Right, Title, Intereſt, or Benefit, to the Principal and Intereſt thereby ſecured, to any Perſon or Perſons whomſoever, by proper Words of Aſſignment, to be indorſed on the Back of ſuch Security, in the Preſence of one credible Witneſs; which Transfer or Aſſignment ſhall be in the following Words, or Words to the like Effect:

Form of Aſſignment.

'I DO transfer this Aſſignment, with all my Right and Title to the Principal and Intereſt thereby ſecured, unto his (*or* her) Executors, Adminiſtrators, and Aſſigns: In Witneſs whereof I have hereunto ſet my Hand and Seal, this Day of
Witneſs *C. I.* *A. B.*'

Clerk to make Entries of Aſſignments.

Which ſaid Transfer or Aſſignment ſhall be produced and notified to the Clerk to the ſaid Truſtees, who ſhall cauſe an Entry or Memorial to be made of ſuch Aſſignment or Transfer, containing the Dates, Names of the Parties, and Sums of Money, in a Book or Books to be kept for that Purpoſe, for which the ſaid Clerk ſhall be paid ſuch Sum as the ſaid Truſtees, or any five or more of them, ſhall appoint, not exceeding

exceeding the Sum of two Shillings and Sixpence; and after ſuch Entry made, and not till then, ſuch Aſſignment ſhall intitle ſuch Aſſignee, his or her Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof, and Payment thereon; and every ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and it ſhall not be in the Power of the Perſon or Perſons making ſuch Aſſignment to make void, releaſe, or diſcharge the ſame, or any Monies thereby due, or any Part thereof; and all and every Perſon and Perſons to whom any ſuch Security or Securities ſhall be made as aforeſaid, ſhall be, in Proportion to the Sum or Sums therein mentioned, Creditors on ſuch Rates or Aſſeſſments in equal Degree one with another, and ſhall have no Preference with reſpect to the Priority of advancing ſuch Monies, or the Dates of ſuch Aſſignments.

Money borrowed to be charged on the Rates.

XIX. And be it further enacted, That all and every the Sum and Sums of Money ſo to be advanced and lent, and the Intereſt thereof ſhall be and are hereby charged upon, and ſhall be paid and payable from Time to Time out of the Monies ariſing from the Rates and Aſſeſſments to be rated and aſſeſſed by virtue and for the Purpoſes of this Act.

Truſtees Powers with reſpect to lighting,

and appointing Watchmen, &c.

XX. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, ſhall and may, from Time to Time, cauſe the ſaid Hamlet to be lighted for ſuch Time and Times, and in ſuch Manner, and by ſuch Ways and Means, as they, or any five or more of them, ſhall judge proper and convenient; and ſhall and may alſo appoint ſuch Number of able-bodied Men (to be armed and clothed in ſuch Manner as the ſaid Truſtees, or any five or more of them, ſhall direct) to be employed as Watchmen in the Night-time for the Safety of the Inhabitants of the ſaid Hamlet, and to attend from Time to Time, and at ſuch Times and Places, and to perform ſuch Duty as the ſaid Truſtees, or any five or more of them, ſhall order, direct, and appoint; and the ſaid Truſtees ſhall alſo appoint two proper Perſons to be Superviſors of ſuch Watchmen, which Perſons ſo to be appointed Superviſors ſhall be and are hereby impowered to act as Conſtables for the Purpoſe of carrying this Act into Execution; and the ſaid Truſtees, or any five or more of them, ſhall and may remove any or all ſuch Watchmen and Superviſors from Time to Time, as they ſhall ſee Cauſe, and appoint others in the Room of ſuch of them as ſhall be ſo removed; and ſhall and may apply ſo much of the ſaid Rates or Aſſeſſments, or of the Money to be borrowed or raiſed on the Credit thereof, as ſhall be neceſſary for the ſeveral Purpoſes aforeſaid.

Superviſors of Watchmen to be appointed, &c.

Perſons wilfully breaking Lamps, &c. to forfeit 20 s. for every Offence, and make good the Damage.

XXI. And be it further enacted, That if any Perſon or Perſons ſhall wilfully break, throw down, or damage any of the Lamps that ſhall be ſet up for lighting the ſaid Hamlet, or ſhall wilfully extinguiſh the Light or Lights within the ſame, or damage the Irons or other Furniture thereof, it ſhall and may be lawful to and for any Perſon or Perſons whomſoever who ſhall ſee ſuch Offence committed to ſeize, and alſo for any other Perſon or Perſons to aſſiſt in ſeizing the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey him, her, or them, or to deliver him, her, or them, into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace for the ſaid County of *Middleſex*; and ſuch Juſtice ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall appear or be produced to give Information touching ſuch Offence (which Oath the ſaid Juſtice is hereby authoriſed and required to adminiſter); and if the Party or Parties accuſed ſhall be convicted of all or any of the Offences aforeſaid, either by his, her, or their own Confeſſion, or upon ſuch Information as aforeſaid, he, ſhe, or they, ſo convicted, ſhall forfeit and pay, for every ſuch Offence, to the Truſtees for the Time being, the Sum of twenty Shillings, one Moiety to go to the Informer, and the other Moiety to be applied to the Purpoſes of this Act; and ſhall alſo make Satisfaction to the ſaid Truſtees, or to ſuch Perſon or Perſons as they, or any five or more of them, ſhall appoint to receive the ſame, for the Damage ſo by him, her, or them done, as aforeſaid: And in caſe ſuch Offender or Offenders ſhall not upon Conviction pay ſuch Forfeiture, and make ſuch Satisfaction as aforeſaid, ſuch Juſtice is hereby required to commit him, her, or them to the Houſe of Correction for the ſaid County of *Middleſex*, there to be kept to hard Labour for any Space of Time not exceeding one Calendar Month; and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they ſhall have been ſo committed, unleſs ſuch Penalty or Forfeiture, and Satisfaction, ſhall be ſooner paid and given.

On Nonpayment to be committed.

How Perſons breaking Lamps by Careleſſneſs, &c. may be puniſhed.

XXII. And be it further enacted, That in caſe any Perſon or Perſons ſhall careleſsly or accidentally break, throw down, or damage any of the Lamps ſo to be ſet up as aforeſaid, or the Irons or other Furniture thereof, and ſhall not immediately upon Demand make Satisfaction for the Damage done thereto; then, and in every ſuch Caſe, it ſhall and may be lawful for any one Juſtice of the Peace for the ſaid County of *Middleſex*, upon Complaint made to him by one or more credible Witneſs or Witneſſes, to ſummon before him the Perſon or Perſons who ſhall be complained of for doing ſuch Damage as laſt mentioned; and upon hearing the Allegations and Proofs upon both Sides, or upon the Non-appearance of the Party or Parties ſo complained of and ſummoned, to award ſuch Sum or Sums of Money, by way of Satisfaction for ſuch Damage, as ſuch Juſtice ſhall think reaſonable; and in caſe of Neglect or Refuſal of the Party or Parties to pay ſuch Sum or Sums of Money ſo awarded within three Days after Demand thereof, to cauſe the ſame to be levied by Diſtreſs and Sale of his, her, or their Goods and Chattels, the Surplus (if any) ariſing by ſuch Diſtreſs and Sale to be paid to him, her, or them on Demand.

Truſtees may contract for lighting the Hamlet, &c.

'XXIII. And, for the better carrying the Purpoſes of this Act into Execution,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, and they are hereby authoriſed and impowered, from Time to Time, if they think fit, to contract with any fit Perſon or Perſons for lighting the ſaid Hamlet; all which Contracts ſhall ſpecify the Number of Lamps to be ſet up, and how long, and in what Manner, the ſame ſhall be kept burning, and the Prices to be paid for the ſame, and the Penalties to be ſuffered in caſe of Non-performance of ſuch Contract or Contracts; and the ſame ſhall be ſigned by the ſaid Truſtees, or any five or more of them, and by the Perſon or Perſons contracting to perform ſuch Works; and the ſaid Truſtees, or any five or more

more of them, are hereby authoriſed and impowered to pay ſuch Sum or Sums of Money, for ſuch reſpective Works as they ſhall ſo contract and agree for, out of any of the Rates or Aſſeſſments which ſhall be made, raiſed, or collected by virtue of this Act.

Perſons entering into Contracts, and not fulfilling the ſame, may be ſued.

XXIV. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons who ſhall enter into ſuch Contract with the ſaid Truſtees for performing any of the Works before mentioned, and who ſhall not well and ſufficiently perform the ſame according to the true Tenor and Meaning of ſuch Contract or Contracts, or ſhall not finiſh and complete the Work within the Time or Times that the ſame is agreed to be completed by the ſaid Contract or Contracts; that then it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, in the Names of any two or more of them, to bring an Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt any Perſon or Perſons ſo contracting as aforeſaid, and who ſhall neglect to perform ſuch Contract or Contracts, and for any Penalty or Penalties which ſhall be contained in any ſuch Contract or Contracts, and on proving the ſigning ſuch Contract or Contracts, and Nonperformance thereof, the ſaid Truſtees, or any five or more of them, ſhall be intitled to and ſhall recover ſuch Penalty or Penalties, and the ſame, when recovered, ſhall be applied towards the Purpoſes of this Act.

Lamps, &c. veſted in the Truſtees.

XXV. And be it further enacted, That from and after the paſſing of this Act, the Right and Property of all Lamps, Lamp-irons, and other Furniture thereof, which ſhall be erected or fixed by virtue of this Act, ſhall be and the ſame are hereby veſted in the ſaid Truſtees; and they, or any five or more of them, are hereby authoriſed and impowered to bring, or cauſe to be brought, any Action or Actions in the Name of their Treaſurer or Clerk, or to prefer any Bill or Bills of Indictment (as the Caſe ſhall require), againſt any Perſon or Perſons who ſhall break, ſpoil, injure, damage, ſteal, take, or carry away, any of the ſaid Lamps, Lamp-irons, or other Furniture.

All Buſineſs to be done at publick Meetings.

XXVI. And be it further enacted, That in all Caſes where the ſaid Truſtees, or any five or more of them, are impowered to do any Act whatſoever by virtue of this Act, the ſame ſhall be done at ſome publick Meeting of the ſaid Truſtees to be held in purſuance of this Act, and not otherwiſe; and whenever it ſhall happen at any ſuch Meeting that there ſhall be an Equality of Votes of the ſaid Truſtees then preſent, the Chairman in every ſuch Caſe ſhall have the caſting Vote.

Two Truſtees may adjourn. How to proceed in caſe of no Adjournment.

XXVII. Provided always, That two Truſtees ſhall be ſufficient to meet for the Purpoſe of Adjournment only: And in caſe it ſhall at any Time happen that no Adjournment of the Truſtees ſhall be made according to the Directions of this Act; that then, and in every ſuch Caſe, as often as it ſhall ſo happen, it ſhall and may be lawful for the ſaid Truſtees, or any five or more of them, to meet at any Houſe or Place within the ſaid Hamlet, ten Days Notice in Writing being firſt affixed upon the Chapel Door of the ſaid Hamlet, appointing the Time and Place of ſuch Meeting; and the ſaid Truſtees, or any five or more of them, ſhall and they are hereby authoriſed and impowered to meet purſuant to ſuch Notice, and ſhall proceed to the Execution of this Act, and afterwards from Time to Time adjourn to ſuch Time and Place as they ſhall think fit.

Truſtees who are Juſtices may act as ſuch, for the Purpoſes of this Act.

XXVIII. And be it further enacted, That it ſhall and may be lawful for any Truſtee appointed, or to be appointed, to put this Act in Execution, who is or ſhall be in the Commiſſion of the Peace for the County of *Middleſex*, to act as a Juſtice of the Peace within his Juriſdiction, for putting in Execution the ſeveral Powers and Authorities granted by this Act, notwithſtanding his being a Truſtee.

Commencement of the Act.

XXIX. And be it further enacted by the Authority aforeſaid, That this Act ſhall commence and take place upon the ſecond *Monday* next after the paſſing thereof.

Writings not to be charged with Stamp-duty.

XXX. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Aſſignment, Transfer, or other Security for the borrowing of Money, or other Writing whatſoever, relating to the Execution of this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever.

How Penalties and Forfeitures may be recovered and applied.

XXXI. And be it further enacted, That all Penalties and Forfeitures by this Act impoſed or incurred, for the Recovery and Application whereof no particular Method is already directed, ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of any two Juſtices of the Peace for the ſaid County of *Middleſex*; which Warrants ſuch Juſtices are hereby impowered and required to iſſue upon the Information of one or more Witneſs or Witneſſes upon Oath (which Oath ſuch Juſtices are hereby impowered and required to adminiſter without Fee or Reward); and ſuch Penalties and Forfeitures, when recovered, after rendering the Overplus (if any) upon Demand to the Party or Parties whoſe Goods and Chattels ſhall be ſo diſtrained and ſold, the Charges of ſuch Diſtreſs and Sale being firſt deducted, ſhall go and be applied to and for ſuch of the Purpoſes of this Act as the ſaid Truſtees, or any five or more of them, ſhall think fit.

Perſons aggrieved may appeal to the Quarter Seſſions.

XXXII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any Rate or Aſſeſſment to be made as aforeſaid, he, ſhe, or they ſhall notwithſtanding be obliged to pay ſuch Rate or Aſſeſſment, and then upon an Appeal to the General Quarter Seſſions of the Peace to be holden for the ſaid County of *Middleſex*, next after the Payment of ſuch Rate or Aſſeſſment, or next after making the Diſtreſs for ſuch Rate or Aſſeſſment (fourteen Days Notice of ſuch Appeal having been given to the ſaid Truſtees), it ſhall and may be lawful for the Juſtices of the Peace, or the major Part of them then aſſembled, to cauſe ſo much Money to be returned to the Appellant or Appellants as ſhall appear to the ſaid Juſtices to have been overpaid by ſuch Appellant or Appellants reſpectively, and to make ſuch Order therein as to them ſhall ſeem meet, which Order ſhall be final and concluſive to all Parties; and alſo if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any other Thing done in purſuance of this Act, he, ſhe, or they may appeal as aforeſaid, within ſix Calendar Months next after the Cauſe of Complaint ſhall ariſe; and it ſhall and may be lawful for the ſaid Juſtices, or the major Part of them aſſembled in ſuch Seſſions, to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order therein, and award ſuch Coſts, as to them in their Diſcretion ſhall ſeem reaſonable; and by their Order or Warrant to levy the Coſts which ſhall be ſo awarded

by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of every ſuch Diſtreſs and Sale; all which Determinations of the ſaid Juſtices ſhall be final and concluſive to all Parties concerned.

Determinations of the Juſtices to be final.

How Expences of Proſecutions are to be paid.

XXXIII. And be it further enacted, That the ſaid Truſtees, or any five or more of them, are hereby authoriſed and impowered, at any publick Meeting, from Time to Time, to appoint ſuch Perſon or Perſons as they ſhall think fit effectually to carry on Proſecutions for Offences committed againſt this Act; and that in caſe any Action or Proſecution ſhall be commenced or proſecuted for any Offence committed againſt this Act under the Authority and by the Direction of the ſaid Truſtees, or any five or more of them, as aforeſaid, that then the ſaid Truſtees, or any five or more of them, at ſome publick Meeting as aforeſaid, ſhall, out of the Monies ariſing by any Rate or Aſſeſſment to be made by virtue of this Act, or out of the Money that ſhall be borrowed upon the Credit thereof, allow and pay to the Proſecutor ſo much as the Coſts allowed by Law ſhall fall ſhort of reimburſing him his juſt and reaſonable Expences: And that if any Action, Suit, or Proſecution, Rule, or Order of Court, ſhall be brought, commenced, proſecuted, or obtained, againſt any of the ſaid Truſtees, or any of their Collectors or other Officers, for any Thing done or acted by the Direction of the ſaid Truſtees, or any five or more of them, as aforeſaid, in purſuance of this Act; that then, and in every ſuch Caſe, the ſaid Truſtees, or any five or more of them, as aforeſaid, ſhall, out of the Money ariſing by any of the Rates or Aſſeſſments to be made by virtue of this Act, or out of the Money that ſhall be borrowed on the Credit thereof, allow and pay to ſuch Truſtee or Truſtees, their Collectors or other Officers, all ſuch reaſonable Coſts, Charges, and Expences, as they, or any of them, ſhall or may ſuſtain or be put unto by reaſon or means thereof.

Proceedings not to be quaſhed for Want of Form, nor removeable by Certiorari.

XXXIV. And be it further enacted, That no Order, Conviction, Judgment, or other Proceeding to be had or made in purſuance of this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary notwithſtanding; and when any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Want of Form in or Defect of the Summons, Conviction, Notice, Warrant of Diſtreſs, or other Proceeding relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damages in an Action upon the Caſe.

No Plaintiff to recover if Tender of Amends be made.

XXXV. Provided always, nevertheleſs, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity as aforeſaid, Treſpaſs, or other wrongful Proceeding, by virtue of this Act, if Tender of Amends ſhall be made by or on Behalf of the Party or Parties who ſhall or may commit, or cauſe to be committed, any ſuch Irregularity, Treſpaſs, or other wrongful Proceeding, before ſuch Action brought.

Limitation of Actions.

General Iſſue.

Treble Coſts.

XXXVI. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action ſhall be commenced within ſix Calendar Months after the Fact committed, and not afterwards, and ſhall be laid and brought in the County of *Middleſex*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act: And if it ſhall appear to be ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his, her, or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

Publick Act.

XXXVII. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons, without ſpecially pleading the ſame.

CAP. XLIV.

An Act to continue, for a limited Time, ſo much of an Act made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty a Sum of Money, to be raiſed by Exchequer Bills, and to be advanced and applied in the Manner and upon the Terms therein mentioned, for the Relief of the United Company of Merchants of* England *trading to the* Eaſt Indies, as obliges the ſaid Company to export annually Goods and Merchandiſes of the Growth, Product, or Manufacture of *Great Britain* to their Settlements in the *Eaſt Indies* to a certain Value.

Preamble. Act 13 Geo. III.

'WHEREAS it is expedient that the Proviſions in an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty a Sum of Money, to be raiſed by Exchequer Bills, and to be advanced and applied in the Manner and upon the Terms therein mentioned, for the Relief of the United Company of Merchants of* England *trading to the* Eaſt Indies, by which the ſaid Company are required to export annually, during the Term of two Years, Goods and Merchandiſes, of the Growth, Produce, or Manufacture of *Great Britain*, to the *Britiſh* Settlements within the Limits preſcribed by the ſaid Company's Charter, for their carrying on an excluſive Trade in the *Eaſt Indies*, or

'or elſewhere, to a certain Value, ſhould be continued for a further Time;' be it therefore enacted, by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That during the Term of three Years, to be computed from the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-five, the ſaid United Company, or their Succeſſors, ſhall, and are hereby required to export from *Great Britain*, in each and every Year, during ſuch Term, to the *Britiſh* Settlements within the Limits preſcribed by the ſaid Company's Charter, for their carrying on an excluſive Trade in the *Eaſt Indies*, or elſewhere, upon the Account of the ſaid Company, or their Succeſſors, in their Courſe of Trade, excluſive of what may be exported by their Servants or private Traders licenſed by the ſaid Company, or their Succeſſors, ſuch Goods and Merchandiſes, of the Growth, Produce, or Manufacture of *Great Britain*, as ſhall amount in Value to the Sum of three hundred eighty thouſand eight hundred and thirty-ſeven Pounds in each and every ſuch Year; but the Amount of the Value of the Military and Naval Stores ſo exported ſhall not be eſteemed or reckoned as Part of the ſaid Sum of three hundred eighty thouſand eight hundred and thirty-ſeven Pounds *per Annum*; and the ſaid Company, or their Succeſſors, ſhall, on or before the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-ſix, and on or before the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-ſeven, and on or before the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-eight, give Security, by Bond, to his Majeſty, his Heirs and Succeſſors, under the Common Seal of the ſaid Company, or of their Succeſſors, in the penal Sum of Double the ſaid Sum of three hundred eighty thouſand eight hundred and thirty-ſeven Pounds, for the due Exportation of the ſaid Goods and Merchandiſes annually, to the Amount of the ſaid Sum of three hundred eighty thouſand eight hundred and thirty-ſeven Pounds, according to the real Value of ſuch Goods and Merchandiſes in this Kingdom at the Time of ſuch Exportation, or of the Purchaſe thereof, by or on the Behalf of the ſaid Company, or their Succeſſors; which Security the High Treaſurer or the Commiſſioners of his Majeſty's Treaſury for the Time being, or any three or more of ſuch Commiſſioners, is or are hereby authoriſed to take; and the ſaid Company, or their Succeſſors, ſhall, on or before the thirty-firſt Day of *October*, one thouſand ſeven hundred and ſeventy-ſix, and on or before the thirty-firſt Day of *October*, one thouſand ſeven hundred and ſeventy-ſeven, and on or before the thirty-firſt Day of *October*, one thouſand ſeven hundred and ſeventy-eight, deliver to the ſaid High Treaſurer or Commiſſioners, an Account in Writing, ſigned by two or more of the Directors of the ſaid Company for the Time being, ſpecifying the particular Goods and Merchandiſes which ſhall have been ſo exported in every ſuch Year, in purſuance of and according to the true Intent and Meaning of this Act, with the ſaid true and real Values of ſuch Goods and Merchandiſes, with the Names of the Ships in which the ſame were reſpectively ſo exported; and which Account ſhall be verified on Oath, made before any one Juſtice of the Peace (which Oath ſuch Juſtice is hereby authoriſed and required to adminiſter), by the proper Officers or Servants of the ſaid Company, or their Succeſſors, who ſhall keep their Books for the Entry of Goods outwards, to the beſt of their Knowledge: And if it ſhall appear to the Satisfaction of the ſaid High Treaſurer or Commiſſioners, that Goods and Merchandiſes ſhall have been agreeably to the Directions of this Act exported as aforeſaid in the reſpective Year, in relation whereto each Bond ſhall have been ſo given; then, in each and every ſuch Caſe, the ſaid High Treaſurer or Commiſſioners ſhall cauſe ſuch Bond to be delivered up; but in caſe no ſuch Account ſhall be delivered, as herein-before mentioned, or if it ſhall appear that the ſaid Goods and Merchandiſes exported within the Term mentioned in any ſuch Bond ſhall not have amounted to any ſuch Value as aforeſaid, or that any ſuch Account ſhall appear not to be truly made, it ſhall and may be lawful for the ſaid High Treaſurer or Commiſſioners to cauſe each and every ſuch Bond to be proſecuted according to Law, unleſs he or they ſhall find ſufficient Cauſe to forbear the ſame.

After Sept. 29, 1775, East India Company to export Goods to a certain Amount, to the British Settlements in India, yearly, for three Years.

Military and Naval Stores not included.

Company to give Security of Double the Sum mentioned, for the due Exportation of ſuch Goods.

Treaſurer, &c. to take the Security.

Account to be given yearly, ſigned by two Directors, of the Goods exported, &c.

to be verified upon Oath.

Bonds to be delivered up, if duly performed;

but if otherwiſe, ſuch Bonds to be proſecuted.

II. Provided always, and be it enacted by the Authority aforeſaid, That in caſe the ſaid Company, or their Succeſſors, ſhall in any one of the ſaid three Years export, or cauſe to be exported, ſuch Goods and Merchandiſes, of the Growth, Produce, or Manufacture of *Great Britain*, exceeding in Value the Sum of three hundred eighty thouſand eight hundred and thirty-ſeven Pounds; then, and in ſuch Caſe, the ſaid Exceſs ſhall from Time to Time be taken into the Account of the Exports of ſuch Goods and Merchandiſes by the ſaid Company, or their Succeſſors, in and for the the next ſucceeding Year, and ſhall be allowed and conſidered as Part thereof.

Goods exported in one Year above the Value mentioned, to be allowed in the ſucceeding Year.

CAP. XLV.

An Act for allowing the Cloathing and Accoutrements neceſſary for his Majeſty's Forces, paid out of his Majeſty's Revenues ariſing in the Kingdom of *Ireland*, to be exported from thence to the Places where ſuch Forces are ordered to ſerve, and for granting a Bounty upon Flax Seed imported into *Ireland* for a limited Time.

Preamble.

'WHEREAS a Part of his Majeſty's Forces, which are paid out of his Majeſty's Revenues ariſing in the Kingdom of *Ireland* (the Difference between *Britiſh* and *Iriſh* Pay only excepted), do now 'ſerve, and may hereafter be ordered to ſerve, out of the ſaid Kingdom; and it is highly reaſonable and 'fit that the Cloathing and Accoutrements neceſſary for ſuch Forces ſhould be allowed to be exported 'from *Ireland* to the Place where they ſhall ſo ſerve;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *Auguſt*, one thouſand ſeven hundred and ſeventy-five, it ſhall and may be lawful for any Perſon or Perſons inhabiting in the ſaid Kingdom of *Ireland*, to export directly from thence any Cloathing or other Accoutrements, being the Produce and Manufacture

After Aug. 1, 1775, Inhabitants of Ireland may export Cloathing, &c. from thence, for

the Uſe of his Majeſty's Troops abroad on Iriſh Pay, being Britiſh or Iriſh Manufacture.

Manufacture of *Great Britain* or *Ireland*, for the Uſe of the ſaid Troops or Forces (paid in Manner before mentioned), to any *Britiſh* Colony or Plantation in *America*, or to any of his Majeſty's Forts or Garriſons, or to any Foreign Country, upon his Majeſty's Service, any Law or Uſage to the contrary notwithſtanding.

Maſters of Ships to produce Certificates to the proper Officers, that the Shipper had duly exported ſuch Cloathing, &c.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the Maſter, or other Perſon taking Charge of the Ship or Veſſel, ſhall produce to the Collector or proper Officer of the Cuſtoms at the Port where ſuch Cloathing and Accoutrements ſhall be ſhipped, or intended to be ſhipped, for Exportation, and alſo to the Collector or proper Officer of the Cuſtoms in the Colony or Plantation where he ſhall arrive, a Certificate, under the Hand and Seal of the Chief Governor in *Ireland* (which Certificate ſuch Governor is hereby required to grant without Fee or Reward), that Oath had been made by the Shipper of ſuch Cloathing or Accoutrements, before one of his Majeſty's Juſtices of the Peace for the Province from whence ſuch Cloathing and Accoutrements ſhall be exported, that ſuch Articles (expreſſing the Number, Quantity, and Species of the ſame) are of the Product and Manufacture of *Great Britain* or *Ireland*; and that it has been made appear to his Satisfaction, by a Certificate from the Agent to the Regiment, or Perſon properly authoriſed to provide the ſame, that ſuch Articles are really and *bona fide* deſigned for the Uſe of his Majeſty's Troops and Forces, paid in Manner before mentioned, and then employed in ſuch Colony or Plantation, or in ſuch Forts, Garriſons, or Foreign Country, as aforeſaid, in his Majeſty's Service; and on Failure of producing ſuch Certificate from ſuch Chief Governor, ſuch Cloathing or other Accoutrements found on Board any ſuch Ship or Veſſel, and the Veſſel importing the ſame, ſhall be liable to be ſeized and forfeited in the ſame Manner as they would have been ſubject and liable to if this Act had not been made, any Thing herein before contained to the contrary notwithſtanding.

On Failure of ſuch Certificate, the Veſſel to be forfeited, &c.

After Jan. 1, 1776, an additional Bounty of 5s. per Hogſhead for 2 Years, above the preſent Bounty, to be allowed on Flax Seed imported into Ireland.

'III. And whereas, by virtue of an Act of Parliament made in *Ireland*, in the third Year of his Majeſty's 'Reign, a Premium or Bounty of five Shillings *per* Hogſhead is now allowed and paid out of the Revenue 'of that Kingdom, upon the Importation of Flax Seed, which Bounty is not at this Time ſufficient to 'anſwer the good Purpoſes intended thereby; and it is expedient that ſome further Encouragement ſhould 'be given, for a limited Time, to induce the Importation of Flax Seed into *Ireland*, in order to promote 'and encourage the Linen Manufactures of that Kingdom;' be it therefore enacted by the Authority aforeſaid, That from and after the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, for and during the Space of two Years, and from thence to the End of the then next Seſſion of Parliament, a further Bounty of five Shillings *per* Hogſhead ſhall be allowed for all Flax Seed imported into the Kingdom of *Ireland*; and it ſhall and may be lawful for the Commiſſioners of his Majeſty's Cuſtoms in *England*, or any four or more of them, to order the ſaid Bounty hereby granted to be paid by the Receiver General of the Cuſtoms, out of any Money in his Hands ariſing by any of the Duties or Revenues under their Management, to the Importer or Importers of ſuch Flax Seed, or to his or their Aſſigns duly authoriſed to receive the ſame, upon his or their producing a Certificate, under the Hand and Seal of Office of the Collector and Comptroller of the Cuſtoms at the Port in *Ireland* where ſuch Flax Seed was imported and landed, certifying the Number of Hogſheads ſo landed, with the Name of the Ship and Maſter in which, and the Place from whence, and by whom, and at what Time, the ſame was imported; and that the Bounty granted by the before-mentioned Act of Parliament, made in *Ireland*, had been paid and allowed for the ſame.

Receiver General of the Cuſtoms in England to pay the ſaid Bounty to Importers, on their producing a Certificate from the Collector, &c. where ſuch Flax Seed was imported.

If any Agent of a Regiment, &c. grant a falſe Certificate,

or eraſe or counterfeit any Certificate, ſuch Perſon ſhall forfeit 500l.

How Forfeitures are to be applied, and where to be ſued for.

IV. And it is hereby further enacted by the Authority aforeſaid, That if the Agent of any Regiment, or Perſon authoriſed to provide the before-mentioned Cloathing and Accoutrements, or any Officer of the Cuſtoms, ſhall give or grant any falſe Certificate for any of the Purpoſes required or directed by this Act, ſuch Perſon or Perſons ſhall forfeit the Sum of five hundred Pounds, and be rendered incapable of ſerving his Majeſty, his Heirs or Succeſſors, in any Office whatſoever; and if any Perſon or Perſons ſhall counterfeit, eraſe, alter, or falſify, any Certificate required or directed by this Act, or ſhall knowingly or willingly make uſe of any falſe Certificate, or of any Certificate ſo counterfeited, eraſed, altered, or falſified, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of five hundred Pounds; and every ſuch Certificate ſhall be invalid and of no Effect; one Moiety of which Penalty ſhall be to the Uſe of his Majeſty, his Heirs and Succeſſors, and the other Moiety to ſuch Officer or Officers of the Cuſtoms as ſhall ſue or proſecute for the ſame, in any of his Majeſty's Courts of Record at *Weſtminſter* or *Dublin*, or in any Court of Admiralty having Juriſdiction in his Majeſty's Colonies or Iſlands reſpectively where the Offence ſhall be committed.

CAP. XLVI.

An Act for amending and rendering more effectual an Act, paſſed in the eleventh Year of his preſent Majeſty's Reign, intituled, *An Act for regulating and improving the Fiſheries in the River* Tweed, *and the Rivers and Streams running into the ſame, and alſo within the Mouth or Entrance of the ſaid River.*

Preamble. Act 11 Geo. III.

'WHEREAS in and by an Act, made in the eleventh Year of the Reign of his preſent Majeſty, 'intituled, *An Act for regulating and improving the Fiſheries in the River* Tweed, *and the Rivers 'and Streams running into the ſame, and alſo within the Mouth or Entrance of the ſaid River*, certain Proviſions and Regulations were eſtabliſhed for the Preſervation and Improvement of the Fiſheries in the ſaid 'River *Tweed*: And whereas the ſaid Proviſions and Regulations have proved very beneficial to the 'Owners and Proprietors of Fiſheries in the ſaid River, and the Rivers and Streams running into the 'ſame, and have greatly contributed to the Preſervation of the Fiſh therein: But whereas ſeveral Inconveniencies

'veniencies and Defects have occurred in the Execution of the ſaid Act;' for Remedy whereof, and in order to amend and render the ſaid Act more effectual, may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twelfth Day of *May*, one thouſand ſeven hundred and ſeventy-five, if any Perſon or Perſons ſhall fiſh for any Salmon, Gilſe, Salmon Trout, or Whitling, in the ſaid River *Tweed*, or in any River, Rivulet, Brook, or Stream, or in any Mill Pool, Mill Lead, Sluice, or Cut, which communicates with the ſaid River *Tweed*, at any Time or Times between the tenth Day of *October* and the tenth Day of *January* in any Year, or between Ten of the Clock on *Saturday* Night and Two of the Clock on *Monday* Morning; or ſhall, at any Time or Times after the ſaid twelfth Day of *May*, fiſh for any Salmon, Gilſe, Salmon Trout, or Whitling, within the Mouth or Entrance of the ſaid River *Tweed*; every ſuch Perſon or Perſons ſo fiſhing ſhall, for every ſuch Offence, forfeit any Sum not exceeding the Sum of ten Pounds, nor leſs than forty Shillings, at the Diſcretion of the Juſtice or Sheriff-depute by whom ſuch Offender or Offenders ſhall be convicted, together with the Boats, Tackle, Nets, Engines, and all other Devices made uſe of in fiſhing for any ſuch Fiſh; and all ſuch Boats, Tackle, Nets, Engines, and other Devices, ſo forfeited, ſhall be cut to Pieces, burnt, or otherwiſe deſtroyed, by the Direction of the Juſtice or Sheriff-depute by whom ſuch Offender or Offenders ſhall be convicted.

After May 12, 1775, Perſons fiſhing Salmon, &c. within the River Tweed, &c. between Oct. 10, and Jan. 10, ſhall forfeit, for each Offence, not exceeding 10 l. nor leſs than 40 s. and the Boats, Nets, &c. to be deſtroyed.

II. And be it further enacted by the Authority aforeſaid, That if any Ring Net, Bob Net, or any other Engine or Device whatſoever, ſhall be placed in the ſaid River *Tweed*, or in any River, Rivulet, Brook, or Stream, or in any Mill Pool, Mill Lead, Sluice, or Cut, which communicates with the ſaid River *Tweed*, at any Time or Times between the ſaid tenth Day of *October* and the tenth Day of *January* in any Year (the Placer or Setter of which Ring Net, Bob Net, or other Engine or Device, is unknown and cannot be found), it ſhall and may be lawful to and for any Perſon or Perſons to ſeize the ſame, and with all convenient Speed to carry the ſame before any Juſtice of the Peace, or Sheriff-depute, for the Liberty or Place where the ſaid Net, Engine, or other Device, ſhall have been found ſtanding; and if, upon due Proof made thereof, the ſaid Net or Nets, Engine, or other Device, ſhall be found by the ſaid Juſtice or Sheriff-depute to have been placed in the ſaid River *Tweed*, or in any River, Rivulet, Brook, or Stream, or in any Mill Pool, Mill Lead, Sluice or Cut, which communicates with the ſaid River *Tweed*, contrary to the Intent and Meaning of the ſaid former and this preſent Act, it ſhall and may be lawful to and for the ſaid Juſtice or Sheriff-depute to cauſe the ſame in his Preſence to be cut to Pieces, burnt, or otherwiſe deſtroyed.

Nets or Engines found in the River, &c. to be deſtroyed.

III. And be it further enacted, That from and after the ſaid twelfth Day of *May*, if any Perſon or Perſons ſhall have in his, her, or their Cuſtody or Poſſeſſion, any Salmon, Gilſe, Salmon Trout, or Whitling, at any Time or Times between the tenth Day of *October* and the tenth Day of *January*, in any Year, the Proof that ſuch Salmon, Gilſe, Salmon Trout, or Whitling, was not taken or killed within the ſaid River *Tweed*, or in any River, Rivulet, Brook, or Stream, or in any Mill Pool, Mill Lead, Sluice or Cut, which communicates with the ſaid River *Tweed*, between the ſaid tenth Day of *October* and the tenth Day of *January*, ſhall lie upon the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion any ſuch Salmon, Gilſe, Salmon Trout, or Whitling, ſhall be found, between the ſaid tenth Day of *October* and the tenth Day of *January*, or otherwiſe ſuch Salmon, Gilſe, Salmon Trout, or Whitling, ſhall be deemed, within the Meaning of the ſaid former Act, to have been taken or killed in the ſaid River *Tweed*, or in ſome River, Rivulet, Brook, or Stream, or in ſome Mill Pool, Mill Lead, Sluice or Cut, which communicates with the ſaid River *Tweed*; and the Perſon or Perſons in whoſe Cuſtody or Poſſeſſion ſuch Fiſh ſhall be ſo found, within the Time aforeſaid, ſhall forfeit and pay, and be liable to the ſame Penalty or Penalties which he or they would have forfeited and paid, and would have been liable to by virtue of the ſaid former Act, in caſe he or they had taken or killed ſuch Fiſh in the ſaid River *Tweed*, or in ſome River, Rivulet, Brook, or Stream, or in ſome Mill Pool, Mill Lead, Sluice or Cut, which communicates with the ſaid River *Tweed*, between the ſaid tenth Day of *October* and the tenth Day of *January*.

Perſons in whoſe Cuſtody any Salmon, Gilſe, &c. ſhall be found, during the Time aforeſaid, to prove that the ſame was not taken in the Tweed; otherwiſe ſuch Fiſh ſhall be deemed to have been taken in the ſaid River; and the Perſons be liable to the Penalties by the former Act.

IV. And be it further enacted, That all Juſtices of the Peace within that Part of *Great Britain* called *England*, the Town of *Berwick upon Tweed*, or the Bounds and Liberties thereof, and all Juſtices of the Peace, or Sheriffs-depute, within that Part of *Great Britain* called *Scotland*, ſhall and may act as Juſtices of the Peace, or Sheriffs-depute reſpectively, in the Execution of the ſaid former or this preſent Act, for the County, Shire, Liberty, or Place, where any Offender or Offenders againſt the ſaid former or this preſent Act ſhall be or reſide, notwithſtanding ſuch Juſtices or Sheriffs-depute are intereſted in the Fiſheries of the ſaid River *Tweed*.

Juſtices, &c. may act as ſuch, notwithſtanding their being intereſted in the Fiſheries.

V. And be it further enacted by the Authority aforeſaid, That the Conviction and Convictions, Adjudication and Adjudications, of all and every Offender or Offenders againſt this Act, within that Part of *Great Britain* called *England*, the Town of *Berwick upon Tweed*, or the Bounds and Liberties thereof, ſhall be certified by the Juſtice or Juſtices of the Peace, by or before whom the ſame ſhall be made, to the next General Quarter Seſſions of the Peace to be held for the County or Place where the Offender ſhall be convicted, and ſhall be filed amongſt the Records of the ſaid Seſſions; and ſuch Conviction and Adjudication ſhall be in the following Form of Words, or to the like Effect (that is to ſay):

Convictions of Offenders to be certified by the Juſtices to the next Quarter Seſſions.

To wit, { 'BE it remembered, That on the Day of in the Year
'*A. B.* was, upon the Complaint of *C. D.* convicted before me,
'[*or us, ſpecifying the Offence*] in purſuance of an Act, paſſed in the fifteenth Year of the Reign of his
'Majeſty King *George* the Third, *For amending and rendering more effectual an Act, paſſed in the eleventh*
'*Year of his preſent Majeſty's Reign*, intituled, *An Act for regulating and improving the Fiſheries in the River*
'Tweed,

Form of Conviction.

'Tweed, *and the Rivers and Streams running into the ſame, and alſo within the Mouth or Entrance of the 'ſaid River:* And he is hereby adjudged to have forfeited for the ſaid Offence the Sum of

'Given under my [*or* our] Hand and Seal [*or* Hands and Seals, *as the Caſe ſhall happen*], the Day 'and Year above written.'

Conviction to be valid, and not removeable by Certiorari.

Which ſaid Conviction and Adjudication ſhall be good and valid in the Law to all Intents and Purpoſes, and ſhall not be quaſhed, ſet aſide, or judged void or inſufficient, for want of Form only; and ſhall not be liable to be removed by *Certiorari* into his Majeſty's Court of *King's Bench*, but ſhall be deemed and taken to be final to all Intents and Purpoſes whatſoever.

Penalties and Forfeitures how to be recovered.

Powers, &c. of the former Act extended to this Act.

VI. And be it further enacted, That all the Penalties and Forfeitures impoſed by this Act ſhall and may be recovered and levied in the ſame Manner, before the ſame Juſtices or Sheriffs-depute reſpectively, and within the ſaid Time, and with the ſame Power of Appeal, as any Penalties or Forfeitures impoſed by the ſaid former Act can or may be recovered or levied by virtue thereof; and that all the Clauſes, Powers, and Authorities, contained in the ſaid former Act, ſhall be deemed and taken to extend and ſhall extend to this Act, as fully and effectually as if the ſame were herein again repeated and re-enacted; and that nothing in this Act contained ſhall extend, or be conſtrued to extend, to ſet aſide or repeal any Penalties impoſed by the ſaid former Act, for Offences committed againſt the ſaid former Act.

Limitation of Actions.

VII. And be it further enacted, That no Action at Law ſhall be brought or commenced againſt any Perſon or Perſons, for any Thing done or to be done by virtue of this Act, within that Part of *Great Britain* called *England*, the Town of *Berwick upon Tweed*, or the Bounds and Liberties thereof, until after fourteen Days Notice thereof in Writing ſhall be given to the Perſon or Perſons againſt whom ſuch Action ſhall be intended to be ſo brought, or left at his or their laſt or uſual Place of Abode, ſetting forth the Cauſe of ſuch Action; and that every Action brought for any Thing done, or to be done, as aforeſaid, ſhall be brought within the Space of ſix Calendar Months next after the Cauſe of Complaint ſhall ariſe, and ſhall be laid and tried in the County or Place where the Fact was committed, and not elſewhere; and

General Iſſue.

the Defendant or Defendants therein may plead the General Iſſue, and give this Act, and the ſpecial Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done by virtue hereof; and if on the Trial of ſuch Action it ſhall appear that the ſame was brought before the Expiration of fourteen Days next after ſuch Notice ſhall have been ſo given or left as aforeſaid, or after the End of ſix Calendar Months next after the Cauſe thereof ſhall have ariſen; or if ſuch Action ſhall be brought or laid in any other County or Place than as aforeſaid, or after ſufficient Tender of Amends ſhall have been made to the Party or Parties aggrieved; that then, and in any of the Caſes aforeſaid, the Jury ſhall find for the Defendant or Defendants therein: And in all Caſes where any Verdict ſhall be found for any Defendant or Defendants in ſuch Action; or if the Plaintiff or Plaintiffs ſhall diſcontinue the ſame, after the Defendant or Defendants ſhall have appeared, or ſhall be nonſuited; or if upon Demurrer Judgment ſhall

Treble Coſts.

be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants in ſuch Action ſhall have treble Coſts, and have the like Remedies for recovering the ſame, as Defendants have for recovering their Coſts in other Caſes by Law.

Limitation of Actions in Scotland.

VIII. And be it alſo enacted by the Authority aforeſaid, That no Action ſhall be brought againſt any Perſon or Perſons, for any Thing done or to be done by virtue of this Act, or by virtue of the ſaid former Act, made in the eleventh Year of the Reign of his preſent Majeſty, within that Part of *Great Britain* called *Scotland*, unleſs ſuch Action ſhall be commenced within the Space of ſix Calendar Months next after the Cauſe of Complaint ſhall ariſe; and in all ſuch Actions the Defendant or Defendants, if abſolved or aſſoilzied from the Action, ſhall have and be intitled to their full Coſts of Suit.

Publick Act.

IX. And be it further enacted, That this Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

CAP. XLVII.

An Act for enabling his Majeſty to licenſe a Playhouſe in the Town of *Mancheſter*, in the County Palatine of *Lancaſter*.

Preamble.

'WHEREAS it may be proper that a Playhouſe ſhould be licenſed in the Town of *Mancheſter*, in 'the County Palatine of *Lancaſter*;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of an Act of Parliament, which paſſed in the tenth Year of his late Majeſty's Reign (intituled, *An Act to explain and amend ſo much of an Act, made in the twelfth Year of the Reign of Queen* Anne, intituled, "An Act for reducing the Laws relating to Rogues, Vagabonds, Sturdy Beggars, and Vagrants, into one Act of Parliament; and for the more effectual puniſhing ſuch Rogues, Vagabonds, Sturdy Beggars, and Vagrants, and ſending them whither they ought to be ſent;") as diſcharges all Perſons from repreſenting any Entertainment of the Stage whatever, in virtue of Letters Patent from his Majeſty, or by Licence from the Lord Chamberlain of his Majeſty's Houſehold for the Time being, except within the Liberties of *Weſtminſter*, or where his Majeſty is reſiding for the Time being, be, and the ſame is hereby repealed with reſpect to the ſaid Town of *Mancheſter*: And that it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, to grant Letters Patent for eſtabliſhing a Theatre or Playhouſe within the ſaid Town of *Mancheſter*; which Theatre or Playhouſe ſhall be intitled to all the Privileges, and ſubjected to all the Regulations, to which any Theatre or Playhouſe in *Great Britain* is intitled and ſubjected.

Clauſe in Act 10 Geo II. repealed, with reſpect to Mancheſter.

His Majeſty, &c. may grant Letters Patent for eſtabliſhing a Playhouſe in Mancheſter.

CAP.

CAP. XLVIII.

An Act to continue the Term of an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, *For laying a Duty of Two Pennies* Scots *upon every* Scots *Pint of Beer and Ale which ſhall be ſold or vended, brewed, brought in, or tapped for Sale, within the Town of* Anſtruther Eaſter, *and Liberties thereof.*

Preamble. Act 22 Geo. II. recited,

'WHEREAS by an Act, made in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for laying a Duty of Two Pennies* Scots *upon every* Scots *Pint of Beer and Ale which ſhall be ſold or vended, brewed, brought in, or tapped for Sale, within the Town of* Anſtruther Eaſter, *and Liberties thereof)*, an Impoſition or Duty of Two Pennies *Scots*, or One-ſixth Part of a Penny *Sterling* (over and above the Duty of Exciſe paid and payable to his Majeſty, his Heirs or Succeſſors), was granted and laid upon every *Scots* Pint of Ale and Beer that ſhould be either brewed, brought in, tapped, or ſold, within the ſaid Town of *Anſtruther Eaſter*, or the Liberties thereof, and the ſaid Duty is directed to be applied to the Purpoſes, and levied in the Manner, mentioned in the ſaid Act; and which is declared to take place, and to have Continuance only, from and after the firſt Day of *Auguſt*, one thouſand ſeven hundred and forty-nine, for and during the Term of twenty-five Years, and to the End of the then next Seſſion of Parliament: And whereas the Purpoſes for which the ſaid Duty was granted are not yet completed, and the aforeſaid Act being now almoſt expired, a Prolongation of the ſame would be of great Advantage to the Community of the ſaid Burgh of *Anſtruther Eaſter*, and to the Publick;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Impoſition or Duty, granted and made payable by the ſaid recited Act, upon Ale and Beer, that ſhall be either brewed, brought in, tapped, or ſold, within the ſaid Town of *Anſtruther Eaſter*, or Liberties thereof, ſhall, from and after the Expiration of the Term granted by the ſaid Act, be further continued, raiſed, levied, collected, paid, and made payable, to the Magiſtrates and Town Council of the Borough of *Anſtruther Eaſter*, and their Succeſſors in Office for the Time being, and their Aſſigns, or to ſuch Collectors or Receivers as ſhall at any Time, during the Continuance of this preſent Act, be by them, or the major Part of them, appointed and impowered, for the Uſe and Behoof of the ſaid Borough, for the further Term of twenty-five Years, and from thence to the End of the then next Seſſion of Parliament.

and further continued for 25 Years.

II. And be it further enacted by the Authority aforeſaid, That the aforeſaid Impoſition or Duty ſhall, during the additional Term granted by this Act, be raiſed, levied, and collected, from the ſame Perſons, and by the ſame Means and Methods, and under the ſame Penalties and Forfeitures, and be accounted for, paid, and applied, to and for the ſame Uſes and Purpoſes; and that the ſaid Magiſtrates and Town Council of the ſaid Borough of *Anſtruther Eaſter* be and continue Truſtees for ſuch Application, with the ſame Powers, and ſubject to the ſame Rules and Directions, as are mentioned and preſcribed in the ſaid recited Act; and that the ſaid Act, and every Article, Rule, Clauſe, Matter, and Thing, therein contained, ſhall be of the ſame Force and Effect, to all Intents and Purpoſes, for raiſing, collecting, ſecuring, and levying, the ſaid Impoſition or Duty, and for applying the ſame for the Uſes and Purpoſes mentioned in the ſaid recited Act, ſo far as theſe are not already executed, for and during the additional Term of Years for which the ſame are hereby granted, as fully and effectually as if the ſaid recited Act was particularly and at large repeated and re-enacted in the Body of this preſent Act, except as is herein after mentioned.

The aforeſaid Duty, during the additional Term, to be raiſed and applied in the ſame Manner, and the Magiſtrates, &c. to continue Truſtees, with the ſame Powers, &c. as are granted in the former Act.

III. And be it further enacted by the Authority aforeſaid, That from and after the Commencement of this preſent Act, and during the Continuance thereof, it ſhall not be lawful for any Brewer or Seller of Beer or Ale, living or carrying on his or her Brewery without the ſaid Borough of *Anſtruther Eaſter*, and Liberties thereof, to import or ſell any Beer or Ale into or in the ſaid Borough, or Liberties thereof, unleſs he, ſhe, or they, do previouſly give Notice to the Magiſtrates of the ſaid Borough, or their Collector of the ſaid Duty, at his Office, and agree to be ſubjected to and charged with the Payment of the ſaid Duty, for all the Beer and Ale which ſhall be brewed by ſuch Brewer or Seller of Beer or Ale, living or carrying on his, her, or their Brewery without the ſaid Borough and Liberties thereof; and that every ſuch Brewer or Seller of Beer or Ale, who ſhall import or ſell any Ale or Beer into or in the ſaid Borough, and Liberties thereof, without having given ſuch previous Notice, and agreed, as aforeſaid, being thereof duly convicted before any two or more of his Majeſty's Juſtices of the Peace, ſhall be charged with and liable to the Payment of the ſaid Duty to the Provoſt, Magiſtrates, and Town Council of the ſaid Borough, or their Collector, for all Ale and Beer brewed by him, her, or them, for the Space of twelve Months immediately preceding his, her, or their committing ſuch Offence, and in all Times thereafter during the Continuance of this Act.

No Brewer without the Borough may bring in Beer, &c, for Sale, unleſs he give previous Notice, and agree to pay the Duty.

Penalty for offending.

IV. And be it further enacted by the Authority aforeſaid, That beſides the Remedies and Execution granted and provided by the ſaid recited Act, for levying, recovering, and making effectual, the ſeveral Rates, Duties, and Impoſitions, hereby granted and continued, the ſaid Provoſt, Magiſtrates, and Town Council, and their Collectors, ſhall, from and after the Commencement of this preſent Act, and during the Continuance thereof, be intitled to uſe all ſuch other Methods, Remedies, and Execution, againſt the Perſon or Perſons neglecting or refuſing to pay the ſaid Rates, Duties, and Impoſitions, as is competent by the Law of *Scotland* to the Magiſtrates and Town Council of Royal Boroughs, and their Collectors, for recovering the ordinary Revenues of ſuch Burghs.

Beſides the Remedies formerly granted for levying the Duties, every other Remedy competent by the Law of Scotland may be uſed.

Perſons appointed to be Overſeers of the Duty, &c. by this Act.

V. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this preſent Act, Sir *John Anſtruther* of *Anſtruther* Baronet, *Philip Anſtruther* the younger of *Anſtruther* Eſquire, *John Anſtruther* Eſquire, ſecond Son to Sir *John Anſtruther* Baronet, *Robert Fall* Eſquire, *John Lumſdaine* of *Blanairn* Eſquire, and *Andrew Johnſton* of *Rennayhill* Eſquire, the Knight of the Shire to ſerve in Parliament for the County of *Fife* for the Time being, and the Burgeſs to ſerve in Parliament for the Time being for the Diſtrict of Boroughs whereof *Anſtruther Eaſter* is one, or any three or more of them, ſhall be and are hereby appointed Overſeers of the Impoſition or Duty hereby continued and granted, in Place and Stead of the Overſeers appointed by the above recited Act; and ſhall have, and are hereby veſted with, the ſame Powers, and under the ſame Regulations, as are in and by the ſaid above-recited Act granted and given to the ſaid former Overſeers, as well as all the other Powers hereby made and given; any Thing in the ſaid former Act or herein contained to the contrary notwithſtanding.

Provoſt, Baillies, &c. to make up Accounts annually,

VI. Provided always, and be it enacted by the Authority aforeſaid, That the Provoſt, Baillies, and Council, of the ſaid Town of *Anſtruther Eaſter*, and their Succeſſors for the Time being, ſhall, and they are hereby directed and required to ſtate and make up, annually, to the twenty-fourth Day of *June* in each Year, an Account of their Receipts and Diſburſements, under and by virtue of the ſaid recited and of this preſent Act, and to leave and depoſit the Account, ſo annually ſtated and made up (ſigned and certified by the Provoſt or eldeſt Baillie for the Time being), at the Office of the Town Clerk of the ſaid Borough of *Anſtruther Eaſter*, open for the Inſpection of every Perſon having an Intereſt in the ſame, three Weeks at leaſt before the firſt *Wedneſday* of *Auguſt* in every Year; and alſo to give edictal Notices, in the uſual Manner, at the Church Door of *Anſtruther Eaſter*, on each of the two *Sundays* immediately preceding the firſt *Wedneſday* of *Auguſt* in every Year, for the annual Meeting upon ſuch firſt *Wedneſday* of *Auguſt* reſpectively of the Overſeers by this Act appointed, and with Notice of the Depoſitation at the Town Clerk's Office of the Account for the preceding Year open for the Inſpection of the ſaid Overſeers, and of every other Perſon having an Intereſt in the ſame.

and to give Notice of the Meeting of the Overſeers, and that the Account is depoſited in the Town Clerk's Office, &c.

Publick Act.

VII. And be it further enacted by the Authority aforeſaid, That this preſent Act ſhall be deemed and held to be a Publick Act; and ſhall be judicially taken Notice of as ſuch in all Courts of *Great Britain*, and by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XLIX.

An Act for taking down the Church of *All Saints*, in the Town of *Fulbourne*, and County of *Cambridge*; and for the better repairing, and keeping in Repair, the Church of *Saint Vigors* in the ſaid Town.

CAP. L.

An Act to enable the Inhabitants of the Pariſh of *Saint Paul Covent Garden*, in the County of *Middleſex*, to purchaſe or hire a convenient Piece of Ground, for the Purpoſe of erecting a Workhouſe thereon for the Reception and Employment of the Poor of the ſaid Pariſh; and for providing an additional Burial Ground for the Uſe of the ſaid Pariſh.

CAP. LI.

An Act to reſtrain the Negotiation of Promiſſory Notes and Inland Bills of Exchange under a limited Sum, within that Part of *Great Britain* called *England*.

Preamble.

'WHEREAS various Notes, Bills of Exchange, and Draughts for Money for very ſmall Sums, 'have for ſome Time paſt been circulated or negotiated in lieu of Caſh within that Part of *Great* 'Britain called *England*, to the great Prejudice of Trade and Publick Credit; and many of ſuch Bills and 'Draughts being payable under certain Terms and Reſtrictions, which the poorer Sort of Manufacturers, 'Artificers, Labourers, and others, cannot comply with otherwiſe than by being ſubject to great Ex-'tortion and Abuſe;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Promiſſory or other Notes, Bills of Exchange, or Draughts, or Undertakings, in Writing, being negotiable or transferable, for the Payment of any Sum or Sums of Money leſs than the Sum of twenty Shillings in the Whole, which ſhall be made or iſſued at any Time from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five, ſhall be, and the ſame are hereby declared to be, abſolutely void and of no Effect, any Law, Statute, Uſage, or Cuſtom, to the contrary thereof in any wiſe notwithſtanding.

After June 24, 1775, all Promiſſory Notes, &c. for leſs than 20s. to be of no Effect.

Perſons uttering ſuch Notes or Bills for leſs than 20s. &c. ſhall forfeit not exceeding 20l. nor leſs than 5l.

II. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five, by any Art, Device, or Means whatſoever, publiſh or utter any ſuch Notes, Bills, Draughts, or Engagements, as aforeſaid, for a leſs Sum than twenty Shillings, or on which leſs than the Sum of twenty Shillings ſhall be due, and which ſhall be in any wiſe negotiable, or ſhall negotiate the ſame; every ſuch Perſon ſhall forfeit and pay, for every ſuch Offence, any Sum not exceeding twenty Pounds, nor leſs than five Pounds.

III. And be it further enacted, That the Juſtice or Juſtices before whom any Offender ſhall be convicted as aforeſaid, ſhall cauſe the ſaid Conviction to be made out in the Manner and Form following (that is to ſay);

Form of Conviction.

'BE it remembered, That on the Day of in the Year of our Lord 'A. B. having appeared before me, *or* us, one or more of his Majeſty's Juſtices of the Peace *(as* 'the Caſe may be) for the County, Riding, Diſtrict, Diviſion, City, Borough, or Town *(as the Caſe may* 'be),

'*be*), and due Proof having been made, upon Oath, by one or more credible Witneſs or Witneſſes, or 'by Confeſſion of the Party *(as the Caſe may be)*, is convicted of '*(ſpecifying the Offence)*.

'Given under my Hand and Seal *(or* our Hands and Seals) the Day and Year aforeſaid.'

Which Conviction the ſaid Juſtice or Juſtices ſhall cauſe to be fairly written over upon Parchment, and returned to the then next General Quarter Seſſions of the Peace of the County, Riding, Diſtrict, Diviſion, City, Borough, or Town, where ſuch Conviction was made, to be filed by the Clerk of the Peace, to remain and be kept among the Records of ſuch County, Riding, Diſtrict, Diviſion, City, Borough, or Town.

Conviction to be returned to the next General Quarter Seſſions.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Clerk of the Peace for any County, Riding, Diſtrict, Diviſion, City, Borough, or Town, and he is hereby required, upon Application made to him by any Perſon or Perſons for that Purpoſe, to cauſe a Copy or Copies of any Conviction or Convictions, filed by him under the Directions of this Act, to be forthwith delivered to ſuch Perſon or Perſons, upon Payment of one Shilling for every ſuch Copy.

Clerks of the Peace to give Copies of Convictions, on Payment of 1 s.

V. And be it further enacted by the Authority aforeſaid, That the pecuniary Penalties and Forfeitures hereby incurred and made payable upon any Conviction againſt this Act, ſhall be forthwith paid by the Perſon convicted, as follows; one Moiety of the Forfeiture to the Informer, and the other Moiety to the Poor of the Pariſh or Place where the Offence ſhall be committed: And in caſe ſuch Perſon ſhall refuſe or neglect to pay the ſame, or to give ſufficient Security to the Satisfaction of ſuch Juſtice or Juſtices, ſuch Juſtice or Juſtices ſhall, by Warrant under his or their Hand and Seal, or Hands and Seals, cauſe the ſame to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, together with all Coſts and Charges attending ſuch Diſtreſs and Sale, returning the Overplus (if any) to the Owner; and which ſaid Warrant of Diſtreſs the ſaid Juſtice or Juſtices ſhall cauſe to be made out in the Manner and Form following; (that is to ſay,)

Perſons convicted forthwith to pay the Penalties.
How they are to be applied.
In caſe of Refuſal to pay, may be levied by Diſtreſs.

'To the *Conſtable*, *Headborough*, or *Tithingman* of

Form of the Warrant of Diſtreſs.

'WHEREAS *A. B.* of in the County of is this Day 'convicted before me, *or* us, one or more of his Majeſty's Juſtices of the Peace *(as the Caſe may be)* 'for the County of or for the Riding of the County of *York*, or for the 'Town, Liberty, or Diſtrict of *(as the Caſe may be)*, upon the Oath of 'or a credible Witneſs or Witneſſes, or by Confeſſion of the Party '*(as the Caſe may be)*, for that the ſaid *A. B.* hath *(here ſet forth the Offence)*, contrary to the Statute in 'that Caſe made and provided, by reaſon whereof the ſaid *A. B.* hath forfeited the Sum of 'to be diſtributed as herein is mentioned, which he hath refuſed to pay: Theſe are 'therefore, in his Majeſty's Name, to command you to levy the ſaid Sum of 'by Diſtreſs of the Goods and Chattels of him the ſaid *A. B.*; and if within the Space of five Days next 'after ſuch Diſtreſs by you taken, the ſaid Sum, together with the reaſonable Charges of taking the 'ſame, ſhall not be paid, that then you do ſell the ſaid Goods and Chattels ſo by you diſtrained, and out 'of the Money ariſing by ſuch Sale, that you do pay one Half of the ſaid Sum of 'to of who informed me, *or* us, *(as the Caſe ſhall be)* 'of the ſaid Offence, and the other Half of the ſaid Sum of to the Overſeer 'of the Poor of the Pariſh, Townſhip, or Place, where the Offence was committed, to be employed for 'the Benefit of ſuch Poor, returning the Overplus (if any) upon Demand to the ſaid *A. B.* the reaſonable 'Charges of taking, keeping, and ſelling the ſaid Diſtreſs being firſt deducted; and if ſufficient Diſtreſs 'cannot be found of the Goods and Chattels of the ſaid *A. B.* whereon to levy the ſaid Sum of 'that then you certify the ſame to me, *or* us *(as the Caſe ſhall be)*, together with 'this Warrant.

'Given under my Hand and Seal *(or* our Hands and Seals) the Day of 'in the Year of our Lord

VI. And it is hereby further enacted, That it ſhall and may be lawful for ſuch Juſtice or Juſtices to order ſuch Offender to be detained in ſafe Cuſtody, until Return may conveniently be had and made to ſuch Warrant of Diſtreſs, unleſs the Party ſo convicted ſhall give ſufficient Security, to the Satisfaction of ſuch Juſtice or Juſtices, for his Appearance before the ſaid Juſtice or Juſtices, on ſuch Days as ſhall be appointed by the ſaid Juſtice or Juſtices for the Day of the Return of the ſaid Warrant of Diſtreſs (ſuch Day not exceeding five Days from the taking of ſuch Security); which Security the ſaid Juſtice or Juſtices is and are hereby impowered to take by way of Recognizance, or otherwiſe.

Offender may be detained in Cuſtody, &c. unleſs he give ſufficient Security for his Appearance before the Juſtice.

VII. And be it further enacted by the Authority aforeſaid, That if upon ſuch Return no ſufficient Diſtreſs can be had, then, and in ſuch Caſe, the ſaid Juſtice or Juſtices ſhall and may commit ſuch Offender to the Common Gaol or Houſe of Correction of the County, Riding, Diviſion, or Place, where the Offence ſhall be committed, for the Space of three Calendar Months, unleſs the Money forfeited ſhall be ſooner paid; or until ſuch Offender, thinking him or herſelf aggrieved by ſuch Conviction, ſhall give Notice to the Informer, that he or ſhe intends to appeal to the Juſtices of the Peace, at the next General Quarter Seſſions of the Peace to be holden for the County, Riding, or Place, wherein the Offence ſhall be committed, and ſhall enter into Recognizance before ſome Juſtice or Juſtices, with two ſufficient Sureties, conditioned to try ſuch Appeal, and to abide the Order of, and pay ſuch Coſts as ſhall be awarded by the

If no Diſtreſs can be had, Offenders to be committed for 3 Months, or until Notice be given of an Intention to appeal, &c.

Juſtices at ſuch Quarter Seſſions (which Notice of Appeal being not leſs than four Days before the Trial thereof, ſuch Perſon ſo aggrieved is hereby impowered to give); and the ſaid Juſtices at ſuch Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matters of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt as they the ſaid Juſtices ſhall think proper, and the Determination of ſuch Quarter Seſſion ſhall be final, binding, and concluſive, to all Intents and Purpoſes.

Juſtices, on Proof of Notice given, to proceed in a ſummary Way, and their Determination to be final.

VIII. And be it further enacted by the Authority aforeſaid, That from and immediately after the paſſing of this Act, all and every ſuch Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, for the Payment of any Sum or Sums of Money leſs than the Sum of twenty Shillings, and being negotiable or transferrable, as ſhall have iſſued previous to the ſaid twenty-fourth Day of *June*, ſhall be, and they are hereby declared and adjudged to be, payable upon Demand; any Terms, Reſtrictions, or Conditions, therein contained to the contrary thereof notwithſtanding.

Notes, Bills of Exchange, &c. iſſued before June 24, 1775, for leſs than 20 s. to be payable on Demand.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon liable to the Payment of any of ſuch Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, as laſt aforeſaid, ſhall neglect or fail to make full Payment in Money of the Sum or Sums for which ſuch Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, ſhall be reſpectively given or iſſued, or ſo much thereof as ſhall be or remain due thereon reſpectively, by the Space of three Days after Demand thereof made by the Holder or Holders of ſuch Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, it ſhall and may be lawful for any one or more of his Majeſty's Juſtices of the Peace for the County, Riding, City, Diviſion, or Place, where the Perſon or Perſons reſpectively ſo refuſing to pay any of ſuch Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, as laſt aforeſaid, ſhall or may happen to be or reſide, and ſuch Juſtice or Juſtices is or are hereby required, upon Complaint made by the Holder or Holders thereof, to ſummon the Perſon or Perſons againſt whom ſuch Complaint ſhall be made; and after his, her, or their Appearance, or in Default thereof, upon due Proof upon Oath (and which Oath ſuch Juſtice or Juſtices is or are hereby impowered to adminiſter), of ſuch Summons or Warning having been given, ſuch Juſtice or Juſtices ſhall proceed to hear and determine the ſaid Complaint, and award ſuch Sum to be paid by the Perſon or Perſons reſpectively liable to the Payment of every ſuch Note, Bill of Exchange, Draught, or Undertaking, in Writing, to the Holder or Holders thereof, as ſhall appear to ſuch Juſtice or Juſtices to be due thereon, together with ſuch a Sum for Coſts, not exceeding the Sum of twenty Shillings, as to ſuch Juſtice or Juſtices ſhall ſeem meet: And if any Perſon or Perſons ſhall refuſe or neglect to pay or ſatisfy ſuch Sum of Money, as upon ſuch Complaint as aforeſaid ſhall be adjudged, upon the ſame being demanded, ſuch Juſtice or Juſtices ſhall, by Warrant under his or their Hand and Seal or Hands and Seals, cauſe the ſame to be levied by Diſtreſs and Sale of the Goods of the Party ſo neglecting or refuſing as aforeſaid, together with all Coſts and Charges attending ſuch Diſtreſs and Sale, returning the Overplus (if any) to the Owner.

If Perſons refuſe Payment of ſuch Bills, &c. for three Days,

Juſtices, on Complaint of the Holders, may ſummon them,

and on their Appearance or Default, &c. ſhall proceed to determine the Complaint, and award Payment, and ſuch Coſts, as to ſuch Juſtices ſhall ſeem meet.

On Refuſal to pay, Sum and Coſts to be levied by Diſtreſs.

X. Provided always, That no Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, or for enforcing Payment of ſuch Notes, Bills of Exchange, Draughts, or Undertakings, in Writing, as aforeſaid, as have iſſued previous to the paſſing of this Act, with Coſts as aforeſaid, ſhall be quaſhed for want of Form, or be removed by Writ of *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

No Proceedings for enforcing Payment, &c. to be quaſhed for want of Form, &c.

XI. Provided alſo, That no Perſon ſhall be proceeded againſt for any of the Offences againſt this Act as aforeſaid, unleſs Information ſhall be made thereof upon Oath before ſome Juſtice of the Peace for the County, Riding, Diviſion, or Place, wherein ſuch Offence ſhall be committed, within twenty Days after ſuch Offence ſhall be committed.

No Perſon to be proceeded againſt unleſs Information be made on Oath before a Juſtice.

XII. And be it further enacted, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done or acted in purſuance of this Act, then, and in every ſuch Caſe, ſuch Action or Suit ſhall be commenced or proſecuted within three Calendar Months after the Fact committed, and not afterwards; and the ſame, and every ſuch Action or Suit, ſhall be brought within the County where the Fact was committed, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time limited for bringing the ſame, or be brought or laid in any other Place than as afore-mentioned, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his, her, or their Action, after the Defendant or Defendants ſhall have appeared; or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover treble Coſts, and have the like Remedy for the Recovery thereof as any Defendant or Defendants hath or have in any other Caſes by Law.

Limitation of Actions.

General Iſſue.

Treble Coſts.

XIII. And be it further enacted, That this Act ſhall continue in Force only for the Term of five Years, and from thence to the End of the then next Seſſion of Parliament.

Continuance of this Act.

XIV. And be it further enacted, That this Act ſhall be taken and allowed to be a Publick Act in all Courts within this Kingdom; and all Judges and Juſtices of the Peace are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

Publick Act.

CAP.

CAP. LII.

An Act for enlarging the Term of Letters Patent, granted by his preſent Majeſty to *William Cookworthy* of *Plymouth*, Chymiſt, for the ſole Uſe and Exerciſe of a Diſcovery of certain Materials for making Porcelain, in order to enable *Richard Champion* of *Briſtol*, Merchant, (to whom the ſaid Letters Patent have been aſſigned) to carry the ſaid Diſcovery into effectual Execution for the Benefit of the Publick.

Preamble.

'WHEREAS his preſent Majeſty King *George* the Third hath been graciouſly pleaſed to grant his Royal Letters Patent, under the Great Seal of *Great Britain*, to *William Cookworthy* Chymiſt, in the Words or to the Effect following; that is to ſay,

His Majeſty's Royal Letters Patent to William Cookworthy, Chymiſt, recited.

"GEORGE the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, and ſo forth: To all to whom theſe Preſents ſhall come, greeting: Whereas *William Cookworthy*, of *Plymouth*, in Our County of *Devon*, Chymiſt, has, by his Petition, humbly repreſented unto Us, that he hath, by a Series of Experiments, diſcovered, that Materials, of the ſame Nature with thoſe of which the *Aſiatick* Porcelain is made, are to be found in immenſe Quantities in Our Iſland of *Great Britain*, which Ingredients are diſtinguiſhed in Our two Counties of *Devon* and *Cornwall* by the Name of *Moorſtone* and *Growan* and *Growan Clay*; that the Ware which he hath prepared from theſe Materials hath all the Characters of the true Porcelain, in regard to Grain, Tranſparency, Colour, and Infuſibility, in a Degree equal to the beſt *Chineſe* or *Dreſden* Ware, whereas all the Manufactures of Porcelain hitherto carried on in *Great Britain* have been only Imitations of the genuine Kind, wanting the Beauty of Colour, the Smoothneſs and Luſtre of Grain, and the great Characteriſtick of genuine Porcelain, ſuſtaining the moſt extreme Degree of Fire without melting: That this Diſcovery hath been attended with great Labour and Expence, and, to the beſt of his Knowledge and Belief, in regard to this Kingdom, is new, and his own, the Materials being, even at this Time, applied to none of the Uſes of Pottery, but by him, and thoſe under his Direction; and that he verily believes this Invention will be of great Advantage to the Publick: He, therefore, moſt humbly prayed Us, that We would be pleaſed to grant him Our Royal Letters Patent for the ſole making and vending this new-invented Porcelain, compoſed of Moorſtone or Growan and Growan Clay, within that Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and the Town of *Berwick upon Tweed*, for the Space of fourteen Years, according to the Statute in that Caſe made and provided: We, being willing to give Encouragement to all Arts and Inventions which may be for the Publick Good, are graciouſly pleaſed to condeſcend to the Petitioner's Requeſt: Know ye therefore, that We, of Our eſpecial Grace, certain Knowledge, and meer Motion, have given and granted, and by theſe Preſents, for Us, Our Heirs and Succeſſors, do give and grant unto the ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, Our ſpecial Licence, full Power, ſole Privilege and Authority, that he, the ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, and every of them, by himſelf and themſelves, or by his and their Deputy or Deputies, Servants or Agents, or ſuch others as he the ſaid *William Cookworthy*, his Executors, Adminiſtrators, or Aſſigns, ſhall at any Time agree with, and no others, from Time to Time, and at all Times hereafter, during the Term of Years herein expreſſed, ſhall and lawfully may make, uſe, exerciſe, and vend, his ſaid Invention, within that Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed*, in ſuch Manner as to him, the ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, or any of them, ſhall, in their Diſcretions, ſeem meet; and that the ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, ſhall and lawfully may have and enjoy the whole Profit, Benefit, Commodity, and Advantage, from Time to Time, coming, growing, accruing, and ariſing, by reaſon of the ſaid Invention, for and during the Term of Years herein mentioned; to have, hold, exerciſe, and enjoy, the ſaid Licence, Powers, Privileges, and Advantages, herein before granted, or mentioned to be granted, unto the ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, for and during and unto the full End and Term of fourteen Years from the Date of theſe Preſents next and immediately enſuing, and fully to be complete and ended, according to the Statute in ſuch Caſe made and provided: And to the End that he the ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, and every of them, may have and enjoy the full Benefit and the ſole Uſe and Exerciſe of the ſaid Invention, according to Our gracious Intention herein before declared, We do, by theſe Preſents, for Us, Our Heirs and Succeſſors, require and ſtrictly command all and every Perſon and Perſons, Bodies Politick and Corporate, and all other Our Subjects whatſoever, of what Eſtate, Quality, Degree, Name, or Condition ſoever they be, within that ſaid Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed* aforeſaid, that neither they, nor any of them, at any Time during the Continuance of the ſaid Term of fourteen Years hereby granted, either directly or indirectly, do make Uſe or put in Practice the ſaid Invention, or any Part of the ſame, ſo attained unto by the ſaid *William Cookworthy* as aforeſaid, nor in any-wiſe counterfeit, imitate, or reſemble the ſame; nor ſhall make, or cauſe to be made, any Addition thereto, or Subſtraction from the ſame, whereby to pretend himſelf or themſelves the Inventor or Inventors, Deviſor or Deviſors thereof, without the Licence, Conſent, or Agreement of the ſaid *William Cookworthy*, his Executors, Adminiſtrators, or Aſſigns, in Writing, under his or their Hands and Seals, firſt had and obtained in that Behalf; upon ſuch Pains and Penalties as can or may be juſtly inflicted on ſuch Offenders for their Contempt of this Our Royal Command; and further to be anſwerable to the

" ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, according to Law, for his and
" their Damages thereby occaſioned. And moreover, We do, by theſe Preſents, for Us, Our Heirs and
" Succeſſors, will and command all and ſingular the Juſtices of the Peace, Mayors, Sheriffs, Bailiffs,
" Conſtables, Headboroughs, and all other Officers and Miniſters whatſoever, of Us, Our Heirs and
" Succeſſors, for the Time being, that they, or any of them, do not, nor ſhall at any Time hereafter,
" during the ſaid Term hereby granted, in any-wiſe moleſt, trouble, or hinder the ſaid *William Cookworthy*,
" his Executors, Adminiſtrators, or Aſſigns, or any of them, or his or their Deputies, Servants, or
" Agents, in or about the due and lawful Uſe or Exerciſe of the aforeſaid Invention, or any thing re-
" lating thereto. Provided always, and theſe Our Letters Patent are and ſhall be upon this Condition,
" that if at any Time, during the ſaid Term hereby granted, it ſhall be made appear to Us, Our Heirs
" or Succeſſors, or any ſix or more of Our or Their Privy Council, that this Our Grant is contrary to
" Law, or prejudicial or inconvenient to Our Subjects in general, or that the ſaid Invention is not a new
" Invention, as to the publick Uſe and Exerciſe thereof, in that ſaid Part of Our Kingdom of *Great Bri-*
" *tain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed* aforeſaid, or not in-
" vented and found out by the ſaid *William Cookworthy*, as aforeſaid; then, upon Signification or Decla-
" ration thereof, to be made by Us, Our Heirs or Succeſſors, under Our or Their Signet or Privy Seal,
" or by the Lords and others of Our or Their Privy Council, or any ſix or more of them, under their
" Hands, theſe our Letters Patent ſhall forthwith ceaſe, determine, and be utterly void to all Intents and
" Purpoſes; any Thing herein before contained to the contrary thereof in any-wiſe notwithſtanding.
" Provided alſo, That theſe Our Letters Patent, or any Thing herein contained, ſhall not extend, or be
" conſtrued to extend, to give Privilege unto the ſaid *William Cookworthy*, his Executors, Adminiſtrators,
" or Aſſigns, or any of them, to uſe or imitate any Invention or Work whatſoever which hath heretofore
" been found out or invented by any other Our Subjects whatſoever, and publickly uſed or exerciſed in
" that ſaid Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, or Town of
" *Berwick upon Tweed* aforeſaid, unto whom like Letters Patent or Privileges have been already granted
" for the ſole Uſe, Exerciſe, and Benefit thereof: It being Our Will and Pleaſure, that the ſaid *William*
" *Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, and all and every other Perſon and Perſons
" to whom like Letters Patent or Privileges have been already granted as aforeſaid, ſhall diſtinctly uſe and
" practiſe their ſeveral Inventions, by them invented and found out, according to the true Intent and
" Meaning of the ſaid reſpective Letters Patent, and of theſe Preſents. Provided likewiſe, nevertheleſs,
" and theſe Our Letters Patent are upon this expreſs Condition, That if the ſaid *William Cookworthy*, his
" Executors or Adminiſtrators, or any Perſon or Perſons which ſhall or may at any Time or Times here-
" after, during the Continuance of this Grant, have or claim any Right, Title, or Intereſt, in Law or
" Equity, of, in, or to, the Power, Privilege, and Authority, of the ſole Uſe and Benefit of the ſaid In-
" vention hereby granted, ſhall make any Transfer or Aſſignment, or any pretended Transfer or Aſſign-
" ment, of the ſaid Liberty and Privilege, or any Share or Shares of the Benefit or Profit thereof, or ſhall
" declare any Truſt thereof to or for any Number of Perſons exceeding the Number of five; or ſhall open,
" or cauſe to be opened, any Book or Books for publick Subſcriptions to be made by any Number of
" Perſons exceeding the Number of five, in order to the raiſing any Sum or Sums of Money, under
" Pretence of carrying on the ſaid Liberty or Privilege hereby granted; or ſhall by him or themſelves, or
" his or their Agents or Servants, receive any Sum or Sums of Money whatſoever of any Number of Per-
" ſons exceeding in the Whole the Number of five, for ſuch or the like Intents or Purpoſes; or ſhall
" preſume to act as a Corporate Body; or ſhall divide the Benefit of theſe Our Letters Patent, or the
" Liberty and Privileges hereby by Us granted into any Number of Shares exceeding the Number of five;
" or ſhall commit or do, or procure to be committed or done, any Act, Matter, or Thing whatſoever,
" during ſuch Time as ſuch Perſon or Perſons ſhall have any Right or Title, either in Law or Equity,
" in or to the ſaid Premiſes, which will be contrary to the true Intent and Meaning of a certain Act of
" Parliament, made in the ſixth Year of the Reign of Our late Royal Great Grandfather King *George the*
" Firſt, intituled, *An Act for the better ſecuring certain Powers and Privileges intended to be granted by his*
" *Majeſty, by two Charters, for Aſſurance of Ships and Merchandiſes at Sea, and for lending Money upon Bot-*
" *tomry, and for reſtraining ſeveral extravagant and unwarrantable Practices therein mentioned*; or in caſe
" the ſaid Power, Privilege, or Authority, ſhall at any Time hereafter become veſted in or in Truſt for
" more than the Number of five Perſons, or their Repreſentatives, at any one Time (reckoning Executors
" or Adminiſtrators as and for the ſingle Perſon whom they repreſent as to ſuch Intereſt as they are or
" ſhall be intitled to in Right of ſuch their Teſtator or Inteſtate); that then, and in any of the ſaid Caſes,
" theſe Our Letters Patent, and all Liberties and Advantages whatſoever hereby granted, ſhall utterly
" ceaſe, determine, and become void, any Thing herein before contained to the contrary thereof in any
" wiſe notwithſtanding. Provided alſo, That if the ſaid *William Cookworthy* ſhall not particularly deſcribe
" and aſcertain the Nature of his ſaid Invention, and in what Manner the ſame is to be performed, by an
" Inſtrument in Writing, under his Hand and Seal, and cauſe the ſame to be inrolled in Our High Court
" of Chancery, within four Calendar Months next and immediately after the Date of theſe Our Letters Pa-
" tent; that then, theſe Our Letters Patent, and all Liberties and Advantages whatſoever hereby granted,
" ſhall utterly ceaſe, determine, and become void, any Thing herein before contained to the contrary
" thereof in any wiſe notwithſtanding. And laſtly, We do by theſe Preſents, for Us, Our Heirs and
" Succeſſors, grant unto the ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, that
" theſe Our Letters Patent, or the Inrolment or Exemplification thereof, ſhall be in and by all Things good,
" firm, valid, ſufficient, and effectual in the Law, according to the true Intent and Meaning thereof,
" and ſhall be taken, conſtrued, and adjudged, in the moſt favourable and beneficial Senſe for the beſt
" Advantage of the ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, as well in all
" Our Courts of Record as elſewhere, and by all and ſingular the Officers and Miniſters whatſoever of
" Us,

" Us, Our Heirs and Succeſſors, in that Part of Our ſaid Kingdom of *Great Britain* called *England*, Our " Dominion of *Wales*, and Town of *Berwick upon Tweed* aforeſaid, and amongſt all and every the Sub- " jects of Us, Our Heirs and Succeſſors, whatſoever and whereſoever, notwithſtanding the not full and " certain deſcribing the Nature or Quality of the ſaid Invention, or of the Materials thereto conducing " and belonging: In Witneſs whereof, We have cauſed theſe Our Letters to be made Patent. Witneſs " Ourſelf at *Weſtminſter*, the ſeventeenth Day of *March*, in the eighth Year of Our Reign."

' And whereas the ſaid *William Cookworthy* hath, by an Inſtrument in Writing, under his Hand and Seal, ' deſcribed and aſcertained the Nature of the ſaid Invention, and the Manner in which the ſame is to be ' performed; and hath cauſed the ſame to be inrolled in his Majeſty's High Court of Chancery, within ' the Time and in the Manner directed by the ſaid Letters Patent: And whereas, by a Deed of Aſſign- ' ment, bearing Date the ſixth Day of *May*, one thouſand ſeven hundred and ſeventy-four, the ſaid *Wil-* ' *liam Cookworthy* (for the Conſiderations therein mentioned) hath aſſigned all his Intereſt, Benefit, and ' Property, in the ſaid Letters Patent, and Invention, unto *Richard Champion* of *Briſtol*, Merchant, his ' Executors, Adminiſtrators, and Aſſigns: And whereas the ſaid *Richard Champion* hath been at a very ' conſiderable Expence, and at great Pains and Labour, in proſecuting the ſaid Invention; and by reaſon ' of the great Difficulty attending a Manufacture upon a new Principle, hath not been able to bring the ' ſame to Perfection until within this laſt Year; and it will require further Pains, Labour, and Expence, ' to render the ſaid Invention of publick Utility; for all which Trouble and Expence the ſaid *Richard* ' *Champion* will not be able to receive an adequate Compenſation, unleſs the Term granted by the ſaid ' Letters Patent be prolonged:' To the End therefore that the ſaid *Richard Champion* may be encouraged to proſecute and complete the ſaid Invention, may it pleaſe your Majeſty (at the humble Petition of the ſaid *Richard Champion)* that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every the Powers, Liberties, Privileges, Authorities, Rights, Benefits, and Advantages, which in and by the ſaid Letters Patent were originally given and granted to him the ſaid *William Cookworthy*, his Executors, Adminiſtrators, and Aſſigns, and no further or greater than he, or the ſaid *Richard Champion*, would have been intitled to if this Act had not been made, ſhall be, and the ſame are hereby given and granted to the ſaid *Richard Champion*, his Executors, Adminiſtrators, and Aſſigns, and ſhall be held, exerciſed, and enjoyed, by him the ſaid *Richard Champion*, his Executors, Adminiſtrators, and Aſſigns, for and during the preſent Term of fourteen Years granted by the ſaid Letters Patent; and from and after the End and Expiration of the ſaid Term of fourteen Years thereby granted, for and during the further or additional Term of fourteen Years, in as full, ample, and beneficial Manner, in all Reſpects, and to all Intents and Purpoſes whatſoever, as he the ſaid *Richard Champion*, his Executors, Adminiſtrators, or Aſſigns, could have held and enjoyed the ſame, under and by virtue of the ſaid Letters Patent for the Term thereby granted, in caſe the ſaid Letters Patent had been originally granted by his Majeſty to him the ſaid *Richard Champion*, his Executors, Adminiſtrators, and Aſſigns.

All the Powers, Privileges, &c. contained in the before-recited Letters Patent, by this Act granted to RichardChampion, his Executors, &c. with a further Term of 14 Years.

II. Provided always, and be it further enacted and declared by the Authority aforeſaid, That if the ſaid *Richard Champion* ſhall not cauſe to be inrolled in the High Court of Chancery, within four Months after paſſing this Act, a Specification of the Mixture and Proportions of the Raw Materials of which his Porcelain is compoſed, and likewiſe of the Mixture and Proportions of the Raw Materials which compoſe the Glaze of the ſame (which Specification is now in the Hands of the Lord High Chancellor of *Great Britain)*; or if the ſame ſhall not be a true and juſt Specification of the Mixture and Proportions of the ſaid Materials; then this Act ſhall ceaſe, determine, and be abſolutely void, any Thing herein before contained to the contrary hereof notwithſtanding.

Specifications of the Mixture and Proportions of the Raw Materials to be inrolled in the Court of Chancery within 4 Months, otherwiſe this Act to be void.

III. Provided alſo, That nothing in this Act contained ſhall be conſtrued to hinder or prevent any Potter or Potters, or any other Perſon or Perſons, from making uſe of any ſuch Raw Materials, or any Mixture or Mixtures thereof (except ſuch Mixture of Raw Materials, and in ſuch Proportions, as are deſcribed in the Specification herein before directed to be inrolled), any Thing in this Act to the contrary notwithſtanding.

No Potter, &c. hindered from uſing the ſame in different Proportions.

IV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be adjudged, deemed, and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Publick Act.

CAP. LIII.

An Act for enabling the two Univerſities in *England*, the four Univerſities in *Scotland*, and the ſeveral Colleges of *Eton*, *Weſtminſter*, and *Wincheſter*, to hold in Perpetuity their Copy Right in Books, given or bequeathed to the ſaid Univerſities and Colleges for the Advancement of uſeful Learning and other Purpoſes of Education; and for amending ſo much of an Act of the eighth Year of the Reign of Queen *Anne*, as relates to the Delivery of Books to the Warehouſe Keeper of the Stationers Company, for the Uſe of the ſeveral Libraries therein mentioned.

Preamble.

' WHEREAS Authors have heretofore bequeathed or given, and may hereafter bequeath or give, the Copies of Books compoſed by them, to or in Truſt for one of the two Univerſities in that ' Part of *Great Britain* called *England*, or to or in Truſt for ſome of the Colleges or Houſes of Learning ' within the ſame, or to or in Truſt for the four Univerſities in *Scotland*, or to or in Truſt for the ſeveral ' Colleges

'Colleges of *Eton*, *Weſtminſter*, and *Wincheſter*, and in and by their ſeveral Wills or other Inſtruments 'of Donation, have directed or may direct, that the Profits ariſing from the printing and reprinting ſuch 'Books ſhall be applied or appropriated as a Fund for the Advancement of Learning, and other beneficial 'Purpoſes of Education within the ſaid Univerſities and Colleges aforeſaid: And whereas ſuch uſeful Pur-'poſes will frequently be fruſtrated, unleſs the ſole printing and reprinting of ſuch Books, the Copies of 'which have been or ſhall be ſo bequeathed or given as aforeſaid, be preſerved and ſecured to the ſaid 'Univerſities, Colleges, and Houſes of Learning reſpectively, in Perpetuity;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Univerſities and Colleges reſpectively ſhall, at their reſpective Preſſes, have, for ever, the ſole Liberty of printing and reprinting all ſuch Books as ſhall at any Time heretofore have been, or (having not been heretofore publiſhed or aſſigned) ſhall at any Time hereafter be bequeathed, or otherwiſe given by the Author or Authors of the ſame reſpectively, or the Repreſentatives of ſuch Author or Authors, to or in Truſt for the ſaid Univerſities, or to or in Truſt for any College or Houſe of Learning within the ſame, or to or in Truſt for the ſaid four Univerſities in *Scotland*, or to or in Truſt for the ſaid Colleges of *Eton*, *Weſtminſter*, and *Wincheſter*, or any of them, for the Purpoſes aforeſaid, unleſs the ſame ſhall have been bequeathed or given, or ſhall hereafter be bequeathed or given, for any Term of Years, or other limited Term; any Law or Uſage to the contrary hereof in any wiſe notwithſtanding.

Univerſities, &c. in England and Scotland to have, for ever, the ſole Right of printing, &c. ſuch Books as have been, or ſhall be, bequeathed to them, unleſs the ſame have been, or ſhall be, given for a limited Time.

II. And it is hereby further enacted, That if any Bookſeller, Printer, or other Perſon whatſoever, from and after the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five, ſhall print, reprint, or import, or cauſe to be printed, reprinted, or imported, any ſuch Book or Books; or, knowing the ſame to be ſo printed or reprinted, ſhall ſell, publiſh, or expoſe to Sale, or cauſe to be ſold, publiſhed, or expoſed to Sale, any ſuch Book or Books; then ſuch Offender or Offenders ſhall forfeit ſuch Book or Books, and all and every Sheet or Sheets, being Part of ſuch Book or Books, to the Univerſity, College, or Houſe of Learning reſpectively, to whom the Copy of ſuch Book or Books ſhall have been bequeathed or given as aforeſaid, who ſhall forthwith damaſk and make waſte Paper of them; and further, that every ſuch Offender or Offenders ſhall forfeit one Penny for every Sheet which ſhall be found in his, her, or their Cuſtody, either printed or printing, publiſhed or expoſed to Sale, contrary to the true Intent and Meaning of this Act; the one Moiety thereof to the King's moſt Excellent Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to any Perſon or Perſons who ſhall ſue for the ſame; to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Seſſion in *Scotland*, by Action of Debt, Bill, Plaint, or Information, in which no Wager of Law, Eſſoin, Privilege, or Protection, or more than one Imparlance, ſhall be allowed.

After June 24, 1775, Perſons printing or ſelling ſuch Books ſhall forfeit the ſame, and alſo 1 d. for every Sheet;

one Moiety to his Majeſty, and the other to the Proſecutor.

III. Provided nevertheleſs, That nothing in this Act ſhall extend to grant any excluſive Right otherwiſe than ſo long as the Books or Copies belonging to the ſaid Univerſities or Colleges are printed only at their own Printing Preſſes within the ſaid Univerſities or Colleges reſpectively, and for their ſole Benefit and Advantage; and that if any Univerſity or College ſhall delegate, grant, leaſe, or ſell their Copy Rights, or excluſive Rights of printing the Books hereby granted, or any Part thereof, or ſhall allow, permit, or authoriſe any Perſon or Perſons, or Bodies Corporate, to print or reprint the ſame, that then the Privileges hereby granted are to become void and of no Effect, in the ſame Manner as if this Act had not been made; but the ſaid Univerſities and Colleges, as aforeſaid, ſhall nevertheleſs have a Right to ſell ſuch Copies ſo bequeathed or given as aforeſaid, in like Manner as any Author or Authors now may do under the Proviſions of the Statute of the eighth Year of her Majeſty Queen *Anne*.

Nothing in this Act to extend to grant any excluſive Right longer than ſuch Books are printed at the Preſſes of the Univerſities.

Univerſities may ſell Copy Rights in like Manner as any Author.

'IV. And whereas many Perſons may through Ignorance offend againſt this Act, unleſs ſome Pro-'viſion be made whereby the Property of every ſuch Book as is intended by this Act to be ſecured to the 'ſaid Univerſities, Colleges, and Houſes of Learning within the ſame, and to the ſaid Univerſities in *Scot-'land*, and to the reſpective Colleges of *Eton*, *Weſtminſter*, and *Wincheſter*, may be aſcertained and 'known;' be it therefore enacted by the Authority aforeſaid, That nothing in this Act contained ſhall be conſtrued to extend to ſubject any Bookſeller, Printer, or other Perſon whatſoever, to the Forfeitures or Penalties herein mentioned, for or by reaſon of the printing or reprinting, importing or expoſing to Sale, any Book or Books, unleſs the Title to the Copy of ſuch Book or Books, which has or have been already bequeathed or given to any of the ſaid Univerſities or Colleges aforeſaid, be entered in the Regiſter Book of the Company of Stationers kept for that Purpoſe, in ſuch Manner as hath been uſual, on or before the twenty-fourth Day of *June*, one thouſand ſeven hundred and ſeventy-five; and of all and every ſuch Book or Books as may or ſhall hereafter be bequeathed or given as aforeſaid, be entered in ſuch Regiſter within the Space of two Months after any ſuch Bequeſt or Gift ſhall have come to the Knowledge of the Vice Chancellors of the ſaid Univerſities, or Heads of Houſes and Colleges of Learning, or of the Principal of any of the ſaid four Univerſities reſpectively; for every of which Entries ſo to be made as aforeſaid, the Sum of Sixpence ſhall be paid, and no more; which ſaid Regiſter Book ſhall and may, at all ſeaſonable and convenient Times, be referred to and inſpected by any Bookſeller, Printer, or other Perſon, without any Fee or Reward; and the Clerk of the ſaid Company of Stationers ſhall, when and as often as thereunto required, give a Certificate under his Hand of ſuch Entry or Entries, and for every ſuch Certificate may take a Fee not exceeding Sixpence.

All Books that may hereafter be bequeathed, muſt be entered within two Months after ſuch Bequeſt ſhall be known.

6 d. to be paid for each Entry in the Regiſter Book, which may be inſpected without Fee.

Clerk to give a Certificate, being paid 6 d.

V. And be it further enacted, That if the Clerk of the ſaid Company of Stationers for the Time being ſhall refuſe or neglect to regiſter or make ſuch Entry or Entries, or to give ſuch Certificate, being thereunto required by the Agent of either of the ſaid Univerſities or Colleges aforeſaid, lawfully authorited for that Purpoſe, then either of the ſaid Univerſities or Colleges aforeſaid, being the Proprietor of ſuch Copy Right or Copy Rights as aforeſaid (Notice being firſt given of ſuch Refuſal by Advertiſement in the *Gazette*) ſhall have the like Benefit as if ſuch Entry or Entries, Certificate or Certificates, had been duly made and given; and

If Clerk refuſe or neglect to make Entry, &c. Proprietor of ſuch Copy Right

and the Clerk ſo refuſing ſhall, for every ſuch Offence, forfeit twenty Pounds to the Proprietor or Proprietors of every ſuch Copy Right; to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of Seſſion in *Scotland*, by Action of Debt, Bill, Plaint, or Information, in which no Wager of Law, Eſſoin, Privilege, Protection, or more than one Imparlance, ſhall be allowed. to have like Benefit as if ſuch Entry had been made, and the Clerk ſhall forfeit 20l.

'VI. And whereas in and by an Act of Parliament, made in the eighth Year of the Reign of her late 'Majeſty Queen *Anne*, intituled, *An Act for the Encouragement of Learning, by veſting the Copies of printed 'Books in the Authors or Purchaſers of ſuch Copies during the Times therein mentioned*, it is enacted, That 'nine Copies of each Book or Books, upon the beſt Paper, that, from and after the tenth Day of *April*, 'one thouſand ſeven hundred and ten, ſhould be printed and publiſhed, as therein mentioned, or reprinted 'and publiſhed with Additions, ſhall, by the Printer or Printers thereof, be delivered to the Warehouſe 'Keeper of the ſaid Company of Stationers for the Time being, at the Hall of the ſaid Company, before 'ſuch Publication made, for the Uſe of the Royal Library, the Libraries of the Univerſities of *Oxford* and '*Cambridge*, the Libraries of the four Univerſities in *Scotland*, the Library of *Sion College* in *London*, and 'the Library commonly called *The Library belonging to the Faculty of Advocates in* Edinburgh, reſpectively; 'which ſuch Warehouſe Keeper was thereby required, within ten Days after Demand by the Keepers of 'the reſpective Libraries, or any Perſon or Perſons by them, or any of them, authoriſed to demand the 'ſaid Copy, to deliver the ſame for the Uſe of the aforeſaid Libraries; and if any Proprietor, Bookſeller, 'or Printer, or the ſaid Warehouſe Keeper of the ſaid Company of Stationers, ſhould not obſerve the 'Direction of the ſaid Act therein, that then he and they ſo making Default, in not delivering the ſaid 'printed Copies as aforeſaid, ſhould forfeit as therein mentioned: And whereas the ſaid Proviſion has not 'proved effectual, but the ſame hath been eluded by the Entry only of the Title to a ſingle Volume, or of 'ſome Part of ſuch Book or Books ſo printed and publiſhed, or reprinted and republiſhed, as aforeſaid;' be it enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall be ſubject to the Penalties in the ſaid Act mentioned, for or by reaſon of the printing or reprinting, importing or expoſing to Sale, any Book or Books, without the Conſent mentioned in the ſaid Act, unleſs the Title to the Copy of the whole of ſuch Book, and every Volume thereof, be entered, in Manner directed by the ſaid Act, in the Regiſter Book of the Company of Stationers, and unleſs nine ſuch Copies of the whole of ſuch Book or Books, and every Volume thereof printed and publiſhed, or reprinted or republiſhed, as therein mentioned, ſhall be actually delivered to the Warehouſe Keeper of the ſaid Company, as therein directed, for the ſeveral Uſes of the ſeveral Libraries in the ſaid Act mentioned.

Clauſe in 8 Annæ recited.

No Perſon ſubject to Penalties in the ſaid Act for printing, &c. any Book, unleſs the Title to the Copy of the Whole be entered, &c.

VII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced or brought againſt any Perſon or Perſons whatſoever, for doing, or cauſing to be done, any Thing in purſuance of this Act, the Defendants in ſuch Action may plead the General Iſſue, and give the Special Matter in Evidence; and if upon ſuch Action a Verdict, or if the ſame ſhall be brought in the Court of Seſſion in *Scotland*, a Judgment be given for the Defendant, or the Plaintiff become nonſuited, and diſcontinue his Action, then the Defendant ſhall have and recover his full Coſts, for which he ſhall have the ſame Remedy as a Defendant in any Caſe by Law hath.

Limitation of Actions.

General Iſſue.

VIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be adjudged, deemed, and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

Publick Act.

CAP. LIV.

An Act for paving and regulating, and for preventing Nuiſances and Obſtructions within *New Gravel Lane*, and the ſeveral Streets, Lanes, Paſſages, and Places, within the Pariſh of *Saint Paul, Shadwell*, in the County of *Middleſex*, not compriſed in an Act paſſed in the eleventh Year of his preſent Majeſty's Reign, for paving and regulating *Roſemary Lane*, and the other Places therein mentioned.

Preamble.

'WHEREAS *New Gravel Lane*, and the ſeveral Streets leading from the South End of the ſaid Lane to the North End of *Cockhill*, comprehending *Wapping Wall*, *Shadwell Dock Street*, the End 'of *New Street*, *Codpiece Row*, and *Cockhill*, and alſo *Fox's Lane*, in the Pariſh of *Saint Paul*, *Shadwell*, 'in the County of *Middleſex*, as well as the ſeveral other Streets, Lanes, Paſſages, and Places, ſituate 'and being within the ſaid Pariſh (which have not already been paved under the Authority of a certain 'Act of Parliament, made and paſſed in the eleventh Year of his preſent Majeſty's Reign, intituled, *An* Act 11 Geo. III. '*Act for paving and regulating* Roſemary Lane, *from the Pariſh of* Saint Botolph Aldgate *to* Cable Street; '*alſo the ſaid* Cable Street, *the Foot Path in* Back Lane *Part of the Precinct of* Well Cloſe, *the Street leading from* Nightingale Lane *to* Ratcliff Croſs, Butcher Row, *and* Brook Street, *and the ſeveral Streets, 'Lanes, and Paſſages opening into the ſame, and for removing all Obſtructions and Annoyances therefrom, and 'preventing the like for the future*, are very ill paved, and the Paſſage through the ſame is greatly obſtructed 'by Poſts, Projections, and other Nuiſances, and annoyed by Spouts, Signs, and Gutters; and the preſent Methods preſcribed by Law are found ineffectual for removing ſuch Annoyances and Obſtructions, 'and for the proper paving of ſuch Streets, Lanes, Paſſages, and Places, and keeping ſuch Pavements in 'ſufficient Repair;' may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Anthony Ayre, Robert Aitkens, John Baggs, William Baggs, William Bennett, Jacob Birkley, John Birkley, Daniel Bott, Burford Camper, Norriſon Coverdale, William Cook, Richard Cowes, John Dale, Richard Dowding, William Dunn, Jonathan Eade, Thomas Fox, John Homan, Edward Hoſkins, William Kilbinton, Thomas*

Names of the Commiſſioners,

mas Kendal, Iſaac Lawrence, Peter Meſtaer, John Miller, James Menettonie, Richard Mann, Charles Morgan, John Phillips, James Richardſon, John Sherwood, Francis Henry Shepherd, James Sheppard, John Sheppard, Henry Simpſon, John Sidney, John Turpin, Robert Wilſon, Chriſtopher Woodham, John Woodham, William Whitehead, Joſiah Wallis, Thomas Walls, and *Mathew Wardell,* being Inhabitants within the above-named Streets, Lanes and Places ſhall be, and they and their Succeſſors (to be elected or appointed in Manner herein-after mentioned) are hereby appointed Commiſſioners for putting this Act in Execution: And upon the Death of any of the Perſons appointed or to be appointed Commiſſioners in purſuance of this Act, it ſhall be lawful for the ſurviving or remaining Commiſſioners, from Time to Time to elect, and by Writing under their Hands and Seals to appoint, one other Perſon inhabiting within the above-named Streets, Lanes, and Places, to be a Commiſſioner in the Room and Stead of ſuch Commiſſioners ſo deceaſed.

for putting this Act in Execution.

Commiſſioners dying, others to be appointed.

II. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe any of the Perſons appointed or to be appointed Commiſſioners as aforeſaid, ſhall refuſe to act, or become Bankrupt, or remove his Reſidence out of the ſaid Pariſh, or ſhall neglect to attend at twelve ſucceſſive Meetings of the ſaid Commiſſioners, it ſhall and may be lawful for the remaining Commiſſioners, and they are hereby authoriſed to elect, chuſe, and appoint, in Manner aforeſaid, one other Perſon inhabiting within the ſaid Streets, Lanes, and Places, in the Room and Stead of the Commiſſioner ſo refuſing to act, removing his Reſidence, becoming Bankrupt, or neglecting to attend, as aforeſaid.

If Perſons appointed refuſe to act, &c. others to be choſen.

III. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, unleſs he ſhall then be in his own Right, or in Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents of Lands, Tenements, or Hereditaments, of the clear yearly Value of forty Pounds; or poſſeſſed of, or intitled to, a perſonal Eſtate of the Value of one thouſand Pounds: And if any Perſon not being ſo qualified ſhall preſume to act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of fifty Pounds to any Perſon or Perſons who ſhall ſue for the ſame; to be recoverable in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or by Bill, Plaint, or Information, together with Coſts of Suit, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed, and wherein the Proof of Qualification ſhall lie on the Perſon proſecuted; and it ſhall be ſufficient on the Part of the Proſecutor to maintain his ſaid Action by Proof that the Perſon ſo proſecuted had acted as a Commiſſioner in the Execution of this Act.

Qualification of Commiſſioners.

Penalty on acting, if not qualified.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That all the Powers and Authorities by this Act granted to, or veſted in, the Commiſſioners hereby conſtituted as aforeſaid, ſhall and may, from Time to Time, be exerciſed by the major Part of them who ſhall attend any Meeting purſuant to the Directions of this Act (the Number of the Commiſſioners at ſuch Meeting not being leſs than five), except in ſuch Caſes where any other Number of Commiſſioners are hereby required to act: And all the Acts, Orders, and Proceedings of the major Part of the Commiſſioners preſent at ſuch Meeting, ſhall have the ſame Force and Effect as if done, made or executed by all the Commiſſioners conſtituted by this Act.

Five Commiſſioners may act.

Exception.

V. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall meet together at the Veſtry-room of the Pariſh Church of *Saint Paul's, Shadwell*, on the ſecond *Monday* next after the paſſing of this Act, and proceed to put this Act in Execution; and they, or any two or more of them, being the Whole or major Part of the Commiſſioners appearing at ſuch Meeting, are hereby impowered to adjourn themſelves from Time to Time, to meet at the ſame or other convenient Place within the Diſtrict aforeſaid, as they ſhall think proper, for putting this Act in Execution: And if at any Meeting ſo appointed there ſhall not appear a ſufficient Number of Commiſſioners to act, or to adjourn to another Day; or if the ſaid Commiſſioners ſhall at any Time neglect or refuſe to adjourn themſelves; then, and in every ſuch Caſe, the Clerk to the ſaid Commiſſioners ſhall appoint a Meeting at the ſame Place, by publick Notice in Writing, to be affixed at leaſt ſix Days before the Time appointed by ſuch Notice for ſuch Meeting on the principal Door of the Pariſh Church of *Saint Paul's, Shadwell*, aforeſaid: And in caſe the ſaid Clerk ſhall die, or be incapable of acting, before the Appointment of ſuch Meeting, or ſhall refuſe or neglect to make ſuch Appointment, when required by any two or more of the ſaid Commiſſioners, then any two or more of the ſaid Commiſſioners ſhall and may, by the like publick Notice, appoint the ſaid Commiſſioners to meet at the Place where the laſt Meeting was held; and the ſaid Commiſſioners at all their Meetings ſhall defray their own Expences; but no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of any of the Powers hereby granted, during the Time he ſhall hold or enjoy any Office of Profit under this Act, or have any Share or Intereſt in any Contract relating to the Execution hereof; or ſhall ſell Ale, Wine, or other Spirituous Liquors by Retale.

Time and Place of Commiſſioners firſt Meeting:

They are impowered to adjourn.

If at any Meeting a proper Number do not attend, the Clerk may appoint another Meeting, giving ſix Days Notice.

In caſe of the Clerk's Death, &c. how Meetings may be appointed.

Commiſſioners to bear their own Expences.

No Perſon capable to act who holds any Place of Profit, &c.

VI. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall and may elect and chooſe, at any Meeting held in purſuance of this Act, and, by Writing under their Hands and Seals, appoint one or more Clerk or Clerks, Treaſurer or Treaſurers, Collector or Collectors of the Rates and Aſſeſſments, Surveyor or Surveyors, and ſuch other Officer or Officers for the Execution of this Act as they ſhall think proper; and they are hereby impowered from Time to Time to remove him or them, and appoint others in like Manner as they ſhall think neceſſary or convenient; and by and out of the Monies to be raiſed by virtue of this Act they may, and are hereby impowered to appoint and pay ſuch Salaries and Allowances to ſuch Officers, and to all other Perſons by them the ſaid Commiſſioners employed in the Execution of this Act as they ſhall think reaſonable; and may take Security for the due Execution of ſuch Offices; and ſuch Perſons as are made liable to pay the ſeveral Rates or Sums of Money hereby granted, ſhall pay the ſame to ſuch Perſon or Perſons as ſhall from Time to Time be ſo appointed to collect and receive the ſame, according to the true Meaning of this Act: And all ſuch Officers and Perſons, ſo to be appointed as aforeſaid, ſhall, upon Demand of the ſaid Commiſſioners, account with them upon Oath (which Oath the ſaid Commiſſioners are hereby impowered to adminiſter), touching the ſeveral Matters

Commiſſioners may appoint Officers;

and may remove them, and appoint others.

How Salaries are to be paid.

Rates to be paid to the Collector.

Officers to account on Oath,

Matters and Things committed to their Charge by virtue of this Act; and alſo ſhall, upon Demand of the ſaid Commiſſioners, pay and deliver over to them, or ſuch Perſon or Perſons as they ſhall appoint, upon the like Oath to be adminiſtered as aforeſaid, the Monies appearing upon the Balance of ſuch Account, together with the Vouchers in Support of ſuch Account, and alſo the Books, Papers, and Writings, in their reſpective Cuſtody or Power, relating to the Proceedings to be had under this Act; and in Default of the Perſon or Perſons required complying with ſuch Demand as aforeſaid for the Space of twenty-four Hours after ſuch Demand made, as aforeſaid, it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby authoriſed and impowered, to commence and proſecute one or more Action or Actions, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt the Perſon or Perſons ſo neglecting or refuſing as aforeſaid, for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons reſpectively, with Coſts of Suit; or if Complaint ſhall be made by the ſaid Commiſſioners, or by ſuch Perſon or Perſons to be appointed by them for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any one or more of the Juſtices of the Peace for the County or Place wherein the Party or Parties ſo neglecting or refuſing ſhall be and reſide, ſuch Juſtice and Juſtices may, and is and are hereby authoriſed and impowered, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cauſe the Perſon or Perſons ſo refuſing or neglecting to be brought before him or them; and upon his or their appearing (or not being to be found), to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtice or Juſtices that any of the Monies that ſhall have been collected or raiſed by virtue of this Act ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtice or Juſtices may, and is and are hereby authoriſed and impowered, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cauſe ſuch Monies to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons offending in the Premiſes reſpectively: And if no ſuch Goods or Chattels can be found ſufficient to anſwer and ſatisfy the ſaid Monies, and the Charges of diſtraining and ſelling the ſame; or in caſe of Refuſal to account as aforeſaid; or that it ſhall appear to ſuch Juſtice or Juſtices, by the Confeſſion of the ſaid Party ſo offending, or by the Teſtimony of any credible Witneſs upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, or to the Proceedings to be had under the ſame, ſhall be in the Cuſtody or Power of any ſuch Officer or Officers, Perſon or Perſons, and he or they ſhall refuſe to deliver up the ſame as aforeſaid; then, and in either of the ſaid Caſes, ſuch Juſtice or Juſtices ſhall commit every ſuch Offender to the Common Gaol of the County or Place where ſuch Offender ſhall be and reſide, there to remain without Bail or Mainprize until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he or they ſhall compound with the ſaid Commiſſioners, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, (which Compoſition the ſaid Commiſſioners are hereby impowered to make), and until he or they ſhall deliver up ſuch Books, Papers, and Writings, as aforeſaid, or give Satisfaction in reſpect thereof.

Money in Hand, Books, &c. to be delivered up on Demand.

Perſons making Default may be proſecuted.

On Complaint, Juſtices may grant Warrant to proceed by Diſtreſs and Sale;

And in caſe there be no Goods, the Offender to be committed.

VII. Provided always, That no Perſon who ſhall be committed on account of his having no Goods or Chattels, ſhall be detained in Priſon for any longer Term than ſix Months.

Proviſo.

VIII. And be it further enacted by the Authority aforeſaid, That in caſe of the Death of any ſuch Officer or other Perſon to be appointed as aforeſaid, or of his becoming Bankrupt before he ſhall have paid and delivered up all the Monies he ſhall have received by virtue of this Act; then, and in every ſuch Caſe, the Executor or Executors, Adminiſtrator or Adminiſtrators, Aſſignee or Aſſignees, of his Eſtate and Effects, or other Perſon or Perſons poſſeſſing the ſame, or in whom the ſame have or hath veſted, ſhall, in the firſt place, and in Preference to all other Creditors, pay the ſaid Monies remaining unpaid or delivered up as aforeſaid, out of the ſaid Eſtate and Effects, or as far as the ſame will extend, to the ſaid Commiſſioners under this Act, or to any Perſon appointed by them for that Purpoſe, and alſo all Books, Papers, Writings, and other Things concerning his Office, or relating to the Execution of this Act: And every Executor, Adminiſtrator, Aſſignee, or other Perſon or Perſons poſſeſſed of ſuch Effects as aforeſaid, may plead ſuch Payment in any Action or Suit that may be brought againſt him, her, or them, on account of the ſaid Eſtate and Effects, or give the ſame in Evidence; and in caſe of Non-payment of ſuch Monies, or Non-delivery of ſuch Books, Papers, Writings, and Things, by the Space of ten Days after the ſame ſhall be demanded, it ſhall and may be lawful for the ſaid Commiſſioners, and they are hereby required, to commence and proſecute one or more Action or Actions, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt ſuch Executor or Adminiſtrator, Aſſignee, or other Perſon or Perſons poſſeſſing the Eſtate and Effects which did belong to ſuch deceaſed Perſon or Bankrupt, for Recovery thereof, together with Coſts of Suit, or of Damages in lieu of ſuch Books, Papers, Writings, and Things.

On Death of Officers, &c. Executors to account.

Balance to be paid in Preference of any other Creditor.

Executors may plead ſuch Payment.

In caſe of Non-payment, Actions may be brought againſt Executors, &c.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon who ſhall be employed as a Clerk, Treaſurer, Collector, Receiver, Surveyor, or any other Officer or Servant, who ſhall be any ways employed by the ſaid Commiſſioners putting this Act, or any the Powers thereof, in Execution, ſhall exact, take, or accept any Fee or Reward whatſoever, other than ſuch Salaries, Allowances, and Rewards as ſhall be appointed, allowed, and approved by the Commiſſioners, for or on account of any Thing done, or to be done, by virtue of this Act, or on any account whatſoever relative to the putting this Act in Execution; or ſhall any ways be concerned or intereſted in any Bargain, Contract, Purchaſe, or Sale, made or to be made by or with the ſaid Commiſſioners, or any of them, for the Purpoſes of putting this Act in Execution; exery ſuch Perſon ſo offending ſhall be incapable of ever ſerving or being employed under this Act, and ſhall, over and above, forfeit the Sum of one hundred Pounds to any Perſon or Perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, within ſix Calendar Months next after the Offence committed, in which ſaid Action no Eſſoign, Protection, or Wager of Law, nor more than one Imparlance, ſhall be allowed.

Officers taking any Reward other than their Salaries,

or being intereſted in any Bargain made by the Commiſſioners, &c. to forfeit 100l.

Commiſſioners, impowered to pave and alter Streets, &c.;

X. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall and may, and they are hereby authoriſed and impowered, from Time to Time, after the firſt Meeting, to cauſe, order, and direct the ſeveral Streets, Lanes, and Places herein-after mentioned, within the Pariſh of *Saint Paul, Shadwell*, aforeſaid; that is to ſay, The ſaid Lane called *New Gravel Lane*, and the ſaid ſeveral Streets leading from the South End of the ſaid Lane to the North End of *Cockhill*, comprehending *Wapping Wall, Shadwell Dock Street*, the End of *New Street, Codpiece Row*, and *Cockhill*, and alſo *Fox's Lane*, or by what other Names they may have been called or known, and the ſeveral Courts, Yards, Alleys, Paſſages, and other Places, opening into or communicating with the ſame, or any Part or Parts thereof, to be new paved or repaired as they ſhall think proper; and for ſuch Purpoſes may, from Time to Time, cauſe to be dug, carted, and carried away, out of, or brought into the ſame, or any Part or Parts thereof, ſuch Gravel Stones and other Materials as they ſhall judge neceſſary; and may likewiſe cauſe the Ground thereof to be raiſed, lowered, or ſunk, the Courſe of the Channels and Gutters running in or through the ſame to be turned or altered, and new Channels or Gutters to be made; and the Water-pipes which now lie, or hereafter ſhall be laid, under Ground, as alſo the Grates over the Sewers, to be taken up, removed, replaced, laid, or altered, in ſuch Manner as they ſhall judge beſt; and may cauſe all Poſts, Pales, Rails, Bulks, Stalls, Dung-holes, Shew-glaſſes, Shew-boards, Steps, and Doors, and other Matters and Things projecting into or encroaching on the Foot-way, to be removed, filled up, or altered, as they the ſaid Commiſſioners ſhall judge neceſſary and expedient; and may employ ſuch Artificers, Workmen, Labourers, and others, and may do all and every other Act and Thing for the accompliſhing the aforeſaid Ends and Deſigns as they ſhall think neceſſary, and ſhall pay for the ſame out of the Monies to be raiſed by virtue of this Act: And for the Purpoſes aforeſaid, may contract, by Deed or other Writing, with any Perſon or Perſons in ſuch Manner as they the ſaid Commiſſioners ſhall adjudge adviſeable; and for the Non-performance of, or Non-compliance with, any Covenant, Agreement, Engagement, or Undertaking entered into with the ſaid Commiſſioners, the Perſon or Perſons ſo covenanting, agreeing, engaging, or undertaking, ſhall forfeit the Sum of forty Shillings; to be levied and recovered upon Information before any Juſtice of the Peace, purſuant to the Directions herein-after contained, touching ſuch Penalties and Forfeitures hereby impoſed (as the Manner of levying and recovering thereof is not hereby otherwiſe particularly directed), over and above any Penalty expreſſed in ſuch Covenant, Contract, or Agreement, or the Damages that may be aſſigned thereon: And the ſaid Commiſſioners are hereby authoriſed and impowered to commence and proſecute any Action or Suit, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt any Perſon or Perſons ſo contracting, and neglecting to perform ſuch Contract or Contracts, and for any Penalty or Penalties expreſſed therein, or any Damage or Damages which ſhall be aſſigned thereon, and ſhall recover in any ſuch Action or Suit, together with Coſts of Suit; in which Action no Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

to dig and carry away Stones, &c.;

to raiſe, lower, or ſink the Ground;

to take up and remove Water-pipes, &c.;

to remove Projections, &c.

to employ Workmen;

and to contract with any Perſons for the Performance of the Works.

40s. Penalty on Breach of Contract, above the Penalty ſtipulated

Actions may be brought for Recovery of Penalties.

Commiſſioners may ſell the old Materials, &c.

XI. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall have full Power and Authority from Time to Time to work up, or to ſell and diſpoſe of, all or any Part of the old Pavement, or other Materials, to ſuch Perſon or Perſons as ſhall be willing to purchaſe the ſame, and to apply the Purchaſe-money to the Purpoſes of this Act.

Any Perſon repairing Pavement other than thoſe employed by the Commiſſioners, or obſtructing the Work, to forfeit 40s.

XII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, other than the Perſons to be employed by the ſaid Commiſſioners, ſhall pave, repair, or otherwiſe intermeddle with the Pavement of any of the ſaid Streets, Lanes, and Places hereby authoriſed to be paved, which ſhall be broke up or damaged; or if any Perſon or Perſons ſhall at any Time or Times obſtruct, hinder, or moleſt, any Officer or Workman, Perſon or Perſons whatſoever, who ſhall be employed by virtue of this Act, in the Performance or Execution of his or their Duty; every ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit the Sum of forty Shillings.

Property of Pavement and Materials veſted in the Commiſſioners;

40s. Penalty on injuring the ſame.

XIII. And be it further enacted by the Authority aforeſaid, That the Property of the present and future Pavements of the ſaid Streets, Lanes, and Places authoriſed to be paved, and of all other Materials and Things which ſhall be provided and made uſe of for the Purpoſes of this Act, ſhall be and the ſame are hereby veſted in the Commiſſioners for the Time being; and in caſe any Damage or Injury ſhall be done thereto, the Perſon or Perſons doing, or occaſioning the ſame to be done, ſhall, for every ſuch Offence, forfeit and pay the Penalty of forty Shillings.

Pavement may be taken up for repairing Water-pipes, &c.

Six Hours after ſuch Repair, Notice to be given to the Commiſſioners Paviour.

XIV. Provided always, nevertheleſs, and be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Commiſſioners of Sewers, and Companies of Waterworks, or other Perſon or Perſons whatſoever, to take up the ſaid Pavement for the Purpoſe of cleanſing, emptying, amending, or repairing any Sewer, Water-pipe Plug, Drain, Vault, or other neceſſary Purpoſe whatſoever; and the Perſon or Perſons employed therein, or directing the ſaid Works, ſhall proſecute the ſame with all convenient Speed, and ſhall, within the Space of ſix Hours next after the finiſhing thereof, give Notice thereof in Writing to the Paviour, or Perſon employed or appointed by the ſaid Commiſſioners for repairing the Pavement of the ſaid Streets, Lanes, and Places hereby authoriſed to be paved, or in Default thereof ſhall forfeit twenty Shillings for ſuch his or their Neglect; and the ſaid Commiſſioners Paviour ſhall, within the Space of two Days after receiving ſuch Notice, proceed to, and ſhall, with all convenient Speed, effectually and ſubſtantially repair and make good the Pavement ſo broken up, damaged, or injured, or in Default thereof ſhall forfeit forty Shillings for ſuch his Neglect.

Commiſſioners may contract for paving Pipe Trenches, giving 14 Days Notice in ſome publick News Paper.

XV. And be it further enacted, That the ſaid Commiſſioners ſhall, and they are hereby authoriſed and impowered, from Time to Time, at any of their Meetings, as Occaſion ſhall require, to contract with any Perſon or Perſons for paving and keeping in Repair the Pavement over the Water Trenches belonging to any of the Water Companies; but that no ſuch Contract ſhall be made unleſs previous to the making thereof fourteen Days Notice at the leaſt ſhall be given in ſome of the publick News-papers, expreſſing the Intention of ſuch Contract, in order that any Perſon or Perſons willing to undertake the ſame may make Propoſals for that Purpoſe, at the Time and Place in ſuch Notice mentioned.

XVI. And

Charges of repairing Pavement taken up to be paid by Perſons occaſioning the Damage.

How to be recovered.

XVI. And be it further enacted by the Authority aforeſaid, That for the Coſts, Charges, and Expences attending or incident to the repairing or making good the Pavements of the Streets, Lanes, and Places hereby authoriſed to be paved, the Perſon or Perſons cauſing or occaſioning the ſaid Pavements to be broke up or damaged ſhall ſtand Debtor upon an implied Promiſe to the ſaid Commiſſioners Paviour for ſuch Repair, as for Work and Labour done, and Materials found for the Uſe of ſuch Perſon or Perſons; and the ſaid Commiſſioners Paviour is hereby authoriſed and impowered to commence and proſecute one or more Action or Actions, Suit or Suits, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt ſuch Perſon or Perſons, wherein he ſhall recover a reaſonable Satisfaction for ſuch Work and Labour, and Materials, together with Coſts of Suit: But where the Commiſſioners of Sewers, Companies of Waterworks, or other Bodies Politick or Corporate, occaſion ſuch Damage to the ſaid Pavement, that then the reſpective Treaſurers to ſuch Bodies Politick or Corporate, Commiſſioners of Sewers, or Companies of Waterworks, ſhall ſtand Debtors for ſuch Repairs, upon an implied Promiſe to the ſaid Commiſſioners Paviour, who is hereby authoriſed to commence ſuch Action as aforeſaid againſt any ſuch Treaſurer, wherein he ſhall recover a reaſonable Satisfaction for ſuch Work, Labour, and Materials, together with Coſts of Suit; and ſuch Treaſurer is hereby authoriſed and allowed to take Credit in his Accounts for the Monies he ſhall pay or diſburſe on account of the Premiſes.

Paviours, &c. to Water Companies to give Notice to the Commiſſioners Clerk of their Names and Places of Abode.

XVII. And be it further enacted by the Authority aforeſaid, That the ſeveral and reſpective Perſons now appointed or employed, or hereafter to be appointed or employed, as Paviours or Workmen to the ſeveral and reſpective Water Companies, for the amending the Pipes lying under any of the ſaid Streets, Lanes, and Places hereby authoriſed to be paved, are hereby required, within the Space of three Days after the paſſing of this Act, or within three Days next after they ſhall reſpectively be ſo appointed as aforeſaid, to give Notice in Writing to the Clerk for the Time being to the ſaid Commiſſioners of their reſpective Names and Places of Abode, and by what Company they are ſo appointed, or in Default thereof, they ſhall forfeit the Sum of Twenty Shillings for each Neglect, and alſo the like Sum of twenty Shillings for every Failure of the like Notice upon the Removal or Change of their reſpective Places of Abode; and all Notices under this Act, left, purſuant to ſuch Directions, for the Perſon or Perſons to whom ſuch Notices are addreſſed, ſhall be deemed good Service.

Water-Companies to repair their Pipes within two Days after Notice.

XVIII. And be it further enacted by the Authority aforeſaid, That the ſeveral Paviours or Workmen employed by the reſpective Water Companies, on receiving Notice in Writing from the ſaid Commiſſioners Paviour, or other Perſon appointed by them for that Purpoſe, of the burſting or breaking of any Water-pipe within any of the ſaid Streets, Lanes, and Places authoriſed to be paved, ſhall, within the Space of two Days, proceed to, and with all convenient Speed, amend, repair, or replace ſuch broken Pipe, and prevent the Water iſſuing therefrom, or in Default thereof, every Perſon ſo neglecting or refuſing, ſhall forfeit the Sum of twenty Shillings.

Pipes broken not belonging to the Company whoſe Paviour ſhall open ſuch Ground, by whom he is to be paid for his Trouble.

XIX. Provided always, and be it further enacted by the Authority aforeſaid, That in caſe the Perſon who ſhall receive Notice of the burſting of any Water-pipe ſhall, upon opening the Ground, find the ſame to belong to ſome other Company of Waterworks; then, and in ſuch Caſe, he ſhall give Notice thereof in Writing, within ſix Hours from the opening of ſuch Ground, to the ſaid Commiſſioners Paviour, or in Default thereof, ſhall forfeit twenty Shillings for ſuch his Neglect; and for his Labour and Expence of opening ſuch Ground he ſhall be paid by the Paviour or Workman employed by the Water Company, Proprietor of the Pipe ſo burſt or broke, and may proſecute for the Recovery thereof in the Court of Requeſts for the *Tower Hamlets*, or other Court in the County of *Middleſex*, where Debts under forty Shillings are recoverable.

Proprietors of ruinous Drains to repair them;

and in caſe of Default, the Commiſſioners to repair them at the Proprietors Expence.

How the ſaid Charges are to be recovered.

XX. And be it further enacted by the Authority aforeſaid, That when any private Drain, Vault, or Sewer ſhall fall in or become ruinous or choked up, ſo as to affect or injure the Pavement of the Streets, Lanes, and Places hereby authoriſed to be paved, or ſhall become ſtinking or offenſive to the Inhabitants thereof the Owner or Owners, Proprietor or Proprietors of the ſeveral Meſſuages, Lands, Tenements, and Hereditaments, which are occupied with the Uſe of ſuch Drain, Vault, or Sewer, ſhall, within four Days after Notice delivered or left for him, her, or them, at the ſaid ſeveral Meſſuages or Dwelling-houſes, from the Commiſſioners Paviour, or other Perſon to be appointed by them for that Purpoſe, proceed to, and with all convenient Speed, effectually cleanſe, repair, and amend ſuch Sewer, Vault, or Drain, or in Default thereof, it ſhall and may be lawful for the ſaid Commiſſioners to cauſe the ſame to be done, and the Charges and Expences thereof, and of repairing the Pavements damaged thereby, ſhall ſtand charged on the ſaid ſeveral Meſſuages, Lands, and Tenements, and be paid by the ſaid reſpective Owners and Proprietors thereof, or their Under-tenants on their Behalf; and the Quota or Share each Party ſhall pay of ſuch Charges and Expences ſhall be aſcertained, proportioned, and aſſeſſed, by the Award or Arbitrement of the ſaid Commiſſioners; and in caſe Default ſhall be made in Payment of any of the ſaid Proportions of the ſaid Charges, the ſame ſhall be recovered by Diſtreſs and Sale of the Goods and Chattels of the Occupier and Occupiers of any or either of the Meſſuages, Lands, and Tenements which ſhall be charged by ſuch Award with the Payment thereof; and ſuch Under-tenant or Occupier paying ſuch Apportionment or Aſſeſſment, is hereby authoriſed and impowered to deduct the Monies ſo paid out of his Rent then due, or which ſhall thereafter accrue due; or the ſaid Commiſſioners, at their Election, may proſecute one or more Action or Actions, Suit or Suits, againſt the ſaid reſpective Proprietors or Owners of the ſaid ſeveral Meſſuages, Lands, Tenements, or Hereditaments, for their ſaid reſpective Proportions of the ſaid Charges, and they ſhall recover the ſame thereby, together with the Coſts of Suit.

Commiſſioners of Sewers how to be ſummoned when any Repair of Sewers, &c. are wanted.

XXI. And be it further enacted by the Authority aforeſaid, That when and ſo often as there ſhall be Occaſion to make new and additional Grates over any Sewer or Sewers within the ſaid Streets, Lanes, and Places, or to repair, alter, cleanſe, and amend any of the ſaid Sewers, or the Grates over the ſame, the Clerk for the Time being of the Commiſſioners for the ſaid Sewers ſhall, at the Requeſt in Writing of the

Clerk or Surveyor for the ſaid Commiſſioners of Pavement, forthwith ſummons the ſaid Commiſſioners of Sewers to meet, in order to take the Premiſes into Conſideration, which they are hereby authoriſed and required to do at ſuch Meeting; and alſo at the ſame Meeting, or any adjourned or other Meeting, to exerciſe the ſeveral Powers and Authorities with which they are inveſted, in order that the ſaid ſeveral Works may be ſpeedily and effectually done, completed, and finiſhed.

20s. Penalty on laying Goods, &c. in the Streets, or obſtructing the ſame by Carriages.

XXII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever ſhall throw, caſt, or lay, or cauſe, or permit, or ſuffer to be thrown, caſt, or laid, any Goods, Wares, Merchandiſes, Timber, Stone, or other Materials, Aſhes, Duſt, Dirt, Soil, or other Filth whatſoever, before his, her, or their Dwelling-houſe, Shop, Stable, Yard, Wharf, or other Tenement in the ſaid Diſtrict, nor ſhall place any Coach, Cart, Waggon, Dray, or other Carriage in any of the ſaid Streets, Lanes, and Paſſages, ſo as to obſtruct the free Paſſagethere of, upon Pain of forfeiting, for every ſuch Offence, the Sum of twenty Shillings.

Goods and Carriages obſtructthe Paſſage of Streets may be ſeized till Payment of Penalty, &c.

XXIII. And be it further enacted by the Authority aforeſaid, That when and ſo often as any Timber, Stone, or other Materials, Goods, Wares, Merchandiſes, or other Things whatſoever, are ſet out, placed, or laid in any of the ſaid Streets, Lanes, or Places; or if any Coach, Cart, Waggon, Dray, or other Carriage ſhall be placed or ſuffered to ſtand, remain, or continue in any of the ſaid Streets, Lanes, or Places, ſo as to obſtruct the free Paſſage thereof; or in caſe any Cart, Waggon, Dray, or other Carriage ſhall be ſuffered to ſtand any longer than is needful and neceſſary for loading or unloading thereof; or if any ſuch Cart, Dray, Waggon, or other Carriage ſhall be placed or ſet acroſs any Part of the ſaid Streets, Lanes, or Places, for any Purpoſe whatſoever, it ſhall and may be lawful, in any of the ſaid Caſes, for any one of the ſaid Commiſſioners, or any one of their Officers, or other Perſon to be appointed by them, or any of them, to remove Nuſances, to ſeize, or cauſe to be ſeized, all ſuch Goods, Wares, and Merchandiſes, and alſo every ſuch Coach, Cart, Waggon, Dray, or other Carriage, occaſioning ſuch Obſtruction, or ſo placed or ſuffered to ſtand, contrary to the true Meaning of this Act, together with the Horſe or Horſes thereunto belonging, and remove the ſame, or cauſe the ſame to be removed, taken, carried away, and depoſited in ſuch Place or Places to be appointed by the ſaid Commiſſioners for the impounding of Gooods and Things to be ſeized, as aforeſaid, there to remain until all Coſts, Charges, and Expences, attending the carrying away, depoſiting and detaining the ſame, as aforeſaid, as alſo a Sum not exceeding twenty Shillings for each ſuch Offence, ſhall be paid and diſcharged; and in caſe the ſaid Goods, Carriages, and Things ſo ſeized ſhall not be claimed, and the ſaid Sum of twenty Shillings and Charges paid, within three Days next after ſuch Seizure, it ſhall and may be lawful for the Perſon or Perſons making ſuch Seizure to cauſe the ſame to be ſold, and the Monies ariſing therefrom ſhall be applied for the Purpoſes of this Act.

10s. Penalty on driving Wheelbarrows, &c. on the Foot Pavement.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall run, drive, draw, or cauſe to be run, driven, or drawn, on any Part of the Foot Pavement of the ſaid Streets, Lanes, or Places, or any of them, any Wheel or Wheels, Sledge, Wheel-barrows, or any Carriage or other Thing whatſoever, ſuch Perſon or Perſons ſhall forfeit, for every ſuch Offence, ten Shillings: And it ſhall and may be lawful for any Perſon or Perſons whatſoever to take the Perſon or Perſons ſo offending into Cuſtody, and to lead him to a Juſtice or Juſtices of the Peace for the ſaid County, to be dealt with purſuant to the Directions of this Act.

Hoards may be erected for building or repairing Houſes.

XXV. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons to erect or ſet up, or cauſe to be erected or ſet up, in any of the ſaid Streets, Lanes, or Places, any Scaffold, Incloſure, Poſts, Bars, or Rails, or other Matters or Things, for the Purpoſe of making Mortar, and depoſiting Bricks, Lime, or other Materials, for building or repairing any Houſes, Buildings, or other Works; every ſuch Perſon or Perſons firſt obtaining Leave, under the Hand of the Surveyor or Clerk for the Time being to the ſaid Commiſſioners, for thoſe Purpoſes reſpectively: But if any Perſon or Perſons ſhall erect or ſet up, or cauſe to be erected or ſet up, any ſuch Incloſures, Poſts, Bars, or Rails, or any other Matter or Thing, for the Purpoſes aforeſaid, without ſuch Leave firſt had and obtained, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay a Sum not exceeding twenty Shillings for every Day ſuch Incloſure, Matter, or Thing, as aforeſaid, ſhall remain and continue.

20s. Penalty each Day, if ſuch Incloſures be ſet up without Leave.

Inhabitants to ſweep the Foot Path every Day (Sundays excepted).

XXVI. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons inhabiting within the ſaid Diſtrict ſhall ſweep and clean, or cauſe to be ſwept and cleanſed, the Foot Paths before their reſpective Houſes, Buildings, and Walls, once in every Day, between the Hours of ſix and nine in the Forenoon (*Sundays* excepted), upon pain of forfeiting the Sum of five Shillings for every Neglect therein.

Houſes to be numbered, and Names of Streets, &c. to be fixed on the Corner Houſes.

XXVII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners may order and direct the Houſes within the ſaid Streets, Lanes, and Places, to be numbered with Figures placed or painted on the Doors or other Part of the ſaid Houſes reſpectively; and may alſo order and direct to be engraved, painted, or otherwiſe deſcribed, on a conſpicuous Part of ſome Houſe or other Building, at or near the End or Corner of each Street, Lane, Court, Yard, Alley, Paſſage, or Place adjoining to or beginning near the ſaid Streets, Lanes, or Places reſpectively, hereby authoriſed to be paved, the Name by which ſuch Street, Lane, Court, Yard, Alley, Paſſage, or Place ſo adjoining, is uſually or properly called or known: And if any Perſon or Perſons ſhall wilfully or maliciouſly deſtroy, injure, obliterate, or deface, any ſuch Number, Figure, Name, or Deſcription, or any Part thereof, or cauſe or procure the ſame to be done, ſhall forfeit and pay the Sum of five Pounds.

5l. Penalty on defacing Numbers or Names.

Signs, &c. to be regulated.

Projections, &c. to be removed.

XXVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall and may cauſe all Signs within the ſaid Diſtrict to be fixed or placed in the Front of ſuch Houſes reſpectively whereto the ſame ſhall belong; and alſo ſhall and may cauſe all Trees, Poles, Porches, Sign-irons, Sign-poſts, Boards, Spouts, Gutters, Penthouſes, Poſts, Rails, Steps projecting on the Foot-ways, and Steps or

or Doors leading down to Cellars and Vaults out of the ſaid Foot-ways, and alſo all projecting Windows, Shew-glaſſes, Shew-boards, and all other Encroachments, Obſtructions, and Annoyances whatſoever, now or hereafter to be made, placed, or erected, to be taken down, removed, or altered, in ſuch Manner as the ſaid Commiſſioners ſhall think moſt proper and convenient; and they are alſo hereby authoriſed and impowered to make the Pipes or Trunks neceſſary to be erected by them for the Purpoſe of conveying the Water from the Roofs of the ſaid Tenements in lieu of Spouts, of ſuch Materials as they ſhall think proper; and that for the future all Signs, Boards, Spouts, or Gutters ſhall be placed or fixed on the Fronts of the Houſes, Shops, Warehouſes, or Buildings whereunto they reſpectively belong, and not otherwiſe; and if any Perſon or Perſons ſhall at any Time hereafter hang, place, erect, or build any Sign, Sign-iron, Sign-poſt, or other Poſt, Pole, Board, Spout, or Gutter, Pale, Rail, Step, projecting Window, Penthouſe, or other Encroachment, Nuſance, or Annoyance whatſoever, in any of the ſaid Streets, Lanes, or Places, or cauſe, or permit, or ſuffer the ſame, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds, and alſo the Sum of twenty Shillings for every Week the ſame ſhall be continued after Notice from the ſaid Commiſſioners to remove the ſame.

Rates to be made,

XXIX. And be it further enacted by the Authority aforeſaid, That when and ſo ſoon as the ſaid Commiſſioners ſhall order or direct any of the ſaid Streets, Lanes, Courts, Yards, Alleys, Paſſages, and Places, or any Part thereof, to be new paved, it ſhall be lawful for the ſaid Commiſſioners, and they are hereby authoriſed, once in every Year, or oftener, if it ſhall be thought needful, for the ſaid Commiſſioners to make a Rate or Rates, Aſſeſſment or Aſſeſſments, upon the ſeveral Houſes, Shops, Warehouſes, Vaults, Cellars, Docks, Wharfs, Cranes, Crane-houſes, Yards, Lands, Tenements, and Hereditaments, ſituate or being in any ſuch Street, Lane, Court, Yard, Alley, Paſſage, or Place, and in ſuch competent Sum and Sums of Money as the ſaid Commiſſioners ſhall order and direct, ſo as ſuch Rates or Aſſeſſments do not exceed in the Whole the Sum of one Shilling and Sixpence in the Pound in any one Year of the yearly Rent or yearly Value of ſuch Lands, Houſes, Shops, Warehouſes, Docks, Wharfs, Cranes, Crane-houſes, Cellars, Vaults, or other Tenements; and ſuch Rates and Aſſeſſments ſhall be paid and diſcharged by the reſpective Inhabitants, Tenants, and Occupiers of the Premiſes ſo rated and aſſeſſed, or any or either of them; all which Rates and Aſſeſſments, made by virtue of this Act, the ſaid Commiſſioners are hereby authoriſed and impowered to divide and proportion into half-yearly, quarterly, or leſſer Payments, as they ſhall think proper.

not exceeding 1s. 6d. per Pound.

Where Houſes, &c. are unoccupied, only a third of the Rate to be collected.

XXX. Provided always, and be it further enacted by the Authority aforeſaid, That when and for ſo long Time as any of the ſaid Houſes, Lands, Tenements, Hereditaments, and Premiſes ſhall remain unoccupied, only one-third Part of the ſaid Rates and Aſſeſſments ſhall be payable or collected; and ſuch third Part of the ſaid Rates and Aſſeſſments, as well as one third Part of the ſaid Rates and Aſſeſſments whilſt the ſame Premiſes ſhall be inhabited or occupied, it ſhall and may be lawful for the Tenant or Occupier paying the ſame to deduct the Amount of the Monies ſo paid out of the Rent due, or to accrue due, to his Landlord, for or in reſpect of the Tenement ſo charged, and a Tender of the Receipt or Receipts for ſuch Thirds of the ſaid Rates ſhall be adjudged and conſidered a good and lawful Tender of Rent, to the Amount of the Monies contained in ſuch Receipt or Receipts.

Houſes occupied by more Tenants than one, the Tenant paying the Rate to deduct the whole out of the Rent due.

XXXI. Provided always, nevertheleſs, and be it further enacted by the Authority aforeſaid, That when any of the ſaid Houſes or diſtinct Tenements are occupied by two or more Tenants; then, and in ſuch Caſe, it ſhall and may be lawful for the Tenant or Tenants, or Occupier or Occupiers, paying the Rates and Aſſeſſments made on any ſuch Houſe or Tenement, to deduct the Whole thereof out of the Rent due, or that ſhall accrue due, from him, her, or them, for any Part of the ſaid Tenement he, ſhe, or they ſhall ſo occupy, to the Landlord or Landlords thereof, or other Perſon or Perſons authoriſed or impowered to receive ſuch Rents, and to tender the Receipts given for the ſame Rates as Part of Rent.

Rates to be ſigned by two Juſtices.

XXXII. And be it further enacted by the Authority aforeſaid, That all Rates made by virtue of this Act ſhall be allowed and ſigned by any two Juſtices of the Peace acting in and for the ſaid County, who are alſo hereby impowered and authoriſed to grant a Warrant or Warrants for collecting thereof from the ſaid reſpective Inhabitants, Tenants, and Occupiers, by ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall nominate or appoint for the collecting thereof, and at ſuch Times, and in ſuch Parts, Shares, or Proportions as the ſaid Commiſſioners ſhall order, direct, or appoint; and which Warrant or Warrants ſhall be a ſufficient Authority to the Perſon or Perſons thereby authoriſed for the Purpoſes therein mentioned: And if any of the ſaid Inhabitants, Tenants, or Occupiers, ſhall refuſe or neglect to pay any of the ſaid Rates and Aſſeſſments, or any Part, Share, or Proportion thereof, into which the ſame ſhall be divided by the ſaid Commiſſioners as aforeſaid, after the reſpective Times appointed for Payment thereof; then, and in every ſuch Caſe, it ſhall and may be lawful for any two Juſtices of the Peace, acting in and for the ſaid County, to grant a Warrant or Warrants to ſuch Perſon or Perſons as the ſaid Commiſſioners ſhall appoint for levying every ſuch Rate and Aſſeſſment, or any Part, Share, or Proportion thereof, ſo to be divided as aforeſaid, and then in Arrear, by Diſtreſs and Sale of the Goods and Chattels of ſuch Perſon or Perſons ſo neglecting, refuſing, or omitting to pay the ſame: And in caſe no ſuch Goods or Chattels can be found to be ſo diſtrained, or in caſe ſuch Goods and Chattels ſhall be locked up or ſecured, or removed from the Perſon or Perſons authoriſed to diſtrain as aforeſaid, ſo that he or they cannot diſtrain the ſame; then, and in either of the ſaid Caſes, upon Information given thereof to the ſaid Juſtices, or any two Juſtices of the Peace for the County or Place where the Perſon or Perſons required to pay the ſaid Rate ſhall reſide, it ſhall and may be lawful for ſuch Juſtices, and they are hereby impowered to commit the Offender or Offenders to the Common Gaol or Houſe of Correction for the County or Place where ſuch Offences ſhall be committed, there to remain without Bail or Mainprize for any Time not exceeding the Space of ſix Months, nor leſs than three Months, or until the Payment of the Monies by ſuch Warrant directed to be levied, and reaſonable Charges occaſioned by Non-payment thereof.

If Tenants refuſe to pay, how Rates may be recovered.

XXXIII. Provided

All Perſons in Arrear may be compriſed in one Warrant, or Schedule thereto.

XXXIII. Provided alſo, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to compriſe in every ſuch Warrant of Diſtreſs, or by Schedule thereto, the ſeveral Perſons in Arrear for the ſaid Rates, or for any Part or Share thereof, ſo to be proportioned or divided as aforeſaid, ſo as the ſaid reſpective Perſons be particularly named therein, with the reſpective Sums in Arrear; and when due, and when any Copy ſhall be demanded of ſuch Warrant, a Copy thereof, with the Name of the Perſon demanding the ſame, and the Sum or Sums of Money thereby required to be levied of him, extracted from ſuch Schedule, ſhall be deemed, adjudged, and taken to be a complete and perfect Copy of ſuch Warrant, any Law, Uſage, or Cuſtom to the contrary notwithſtanding.

All Places of Worſhip, void Spaces of Ground, &c. may be rated, not exceeding 6d. per ſquare Yard, &c.

XXXIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, and they are hereby required, at ſuch Times as the Rates hereby directed ſhall be made, to rate and aſſeſs, for the Purpoſes aforeſaid, all Churches, Churchyards, Meeting-houſes, and other Places of publick Worſhip, or intended for that Purpoſe, with the Ground belonging thereunto, Hoſpitals, Priſons, and all other publick Buildings whatſoever; and alſo all Buildings whilſt erecting and unfiniſhed, and all void and unoccupied Spaces of Ground fenced in, or otherwiſe ſituate and being in, or abutting upon, the ſaid Streets, Lanes, and other Places, to be rated as aforeſaid, at ſuch Rate as the ſaid Commiſſioners ſhall adjudge reaſonable, but not exceeding Sixpence by the Year for every ſquare Yard of Pavement lying in the Front of ſuch Premiſes, to be meaſured to the middle Line of the Street: And ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſo to be from Time to Time made, ſhall be paid in ſuch Parts and Proportions as ſhall be ordered, directed, or appointed, by the ſaid Commiſſioners, by the reſpective Perſons after mentioned; (that is to ſay,) For every Church and Churchyard by the Churchwardens thereof; for every vacant Piece of Ground by the Owner or Owners, or Proprietor or Proprietors thereof; for every Meeting-houſe, and other Place of publick Worſhip, by the Proprietor or Proprietors, Truſtee or Truſtees, or their Treaſurer, Miniſter, or Deacon, or other Perſon officiating therein; and for every Hoſpital, Priſon, or other publick Building, by the Treaſurer, Maſter, or Keeper thereof; which Rates they are hereby ſeverally authoriſed and impowered to advance and pay out of the Monies to be received by them reſpectively in their ſeveral Truſts or Offices: And the ſaid laſt-mentioned Rates and Aſſeſſments, as well as all other the Rates and Aſſeſſments hereby impoſed, or any Part thereof, ſhall and may likewiſe be recovered of the Perſon or Perſons ſo required to pay the ſame (as alſo of the Landlord or Landlords, Owner or Owners, or other Perſon or Perſons intitled to or for whoſe Uſe the Rents and Profits of the Premiſes, for which the ſaid Rates are in Arrear, have been theretofore uſually received, as to one-third Part thereof, and the Whole of ſuch Rates in Arrear, when the Premiſes are or have been uſually occupied by two or more Tenants, or let out in ſeparate Apartments), by Action or Suit, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in any inferior Court, together with Coſts of Suit; which ſaid Action ſhall be proſecuted in the Name of the Collector, or ſuch other Perſon as the ſaid Commiſſioners ſhall appoint in general to proſecute ſuch Suits.

By whom ſuch Rates are to be paid.

Rates may be recovered by Action.

Waſte or vacant Ground to be fenced in at the Expence of the Owner.

XXXV. And be it further enacted by the Authority aforeſaid, That all Landlords, Owners, Tenants, or Occupiers, of any waſte or vacant Piece of Ground, or Scite of any Houſe or Tenement lying in or adjoining to any of the Streets, Lanes, or Places, compriſed in this Act, which ſhall lie open and unfenced from the ſame; or when the Fence ſhall be in a ruinous Condition, or out of Repair, ſhall within ſix Days after Notice delivered to him, her, or them, or any or either of them, by Order of the ſaid Commiſſioners, well and ſufficiently fence in the Premiſes mentioned in ſuch Notice, or cauſe the old Fence (if any) to be well and ſufficiently repaired within the Time aforeſaid: And in caſe ſuch Work ſhall not be completely finiſhed within the Time aforeſaid, it ſhall and may be lawful for the ſaid Commiſſioners to order and cauſe the ſame to be done, completed, and finiſhed; and the Tenant or Occupier thereof, or other Perſon in Poſſeſſion thereof, or ſeiſed thereof, to whom ſuch Notice as aforeſaid ſhall have been given, ſhall pay the Expence thereof upon Demand of the Perſon authoriſed by the ſaid Commiſſioners to receive the ſame; and in caſe of Refuſal or Neglect to pay the ſame, it ſhall and may be lawful for the ſaid Commiſſioners to bring, commence, and proſecute one or more Action or Actions, Suit or Suits, in any of his Majeſty's Courts of Record at *Weſtminſter*, or other inferior Court, for the Recovery of ſuch Expence, together with Coſts of Suit from the Perſon or Perſons ſo neglecting or refuſing to pay as aforeſaid.

In caſe of Neglect, by whom to be done and at whoſe Expence.

Occupiers quitting Tenements, &c. without paying rates, may be followed.

XXXVI. And be it further enacted by the Authority aforeſaid, That when any Perſon or Perſons ſhall quit the Occupation of any of the Meſſuages, Lands, Tenements, and other the Premiſes ſo rated and aſſeſſed as aforeſaid, before he, ſhe, or they ſhall have paid his, her, or their ſaid Rate; that then, and in every ſuch Caſe, it ſhall and may be lawful to and for ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners for ſuch Purpoſes to levy the ſame by Diſtreſs and Sale of the Defaulter's Goods, by Warrant under the Hand and Seal of any one or more Juſtices of the Peace acting in and for the ſaid County (which Warrant the ſaid Juſtice or Juſtices is and are hereby authoriſed and impowered to grant), into any Place within their reſpective Juriſdictions, or out of the Limits thereof (ſuch Warrant being firſt backed or counterſigned by ſome Magiſtrate in the County, City, or Liberty where the Diſtreſs is to be made), and the ſame to ſell, rendering the Overplus (if any ſuch ſhall be), after deducting the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattels, upon Demand of the ſame.

Perſons paying theſe Rates exempted from all other Expences of paving.

XXXVII. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons paying the Rates and Aſſeſſments, by this Act laid and aſſeſſed, within the Streets, Lanes, and Places to be paved as aforeſaid, ſhall be, and they, and every of them, is and are hereby exempted and diſcharged from all other Charges and Expences of paving the ſame Streets, Lanes, and Places, or any Part or Parts thereof, and alſo from all Penalties which may or might be incurred by Reaſon or Means of their neglecting to pave the ſame reſpectively, any Law, Statute, or Uſage to the contrary notwithſtanding.

XXXVIII. Provided

Agreements between Landlord and Tenant not vacated.

XXXVIII. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall be deemed or taken to make void any Lease, or the Covenants, Conditions, and Agreements therein contained, or any other Covenant, Contract, or Agreement, between Landlord and Tenant; and that every Lease whereon the Rent thereof is reserved clear of all Taxes, except the Tax therein specified, such Rent shall be paid accordingly, without any Deduction or Allowance whatsoever on account of the Rates and Assessments to be made, laid, or assessed, by virtue of this Act, any Thing herein contained to the contrary thereof notwithstanding.

If Collectors become insolvent, the Money to be again assessed.

XXXIX. And be it further enacted by the Authority aforesaid, That in case any Collector of the said Rates or Assessments shall become insolvent, or shall imbezzle or make away with, detain or misapply, any Sum or Sums of Money so collected by him for the Purposes aforesaid, or shall die possessed of any Sum or Sums of Money by him or them collected by virtue of this Act, or so as the same cannot be obtained by the Time the said Commissioners shall stand in Need thereof, for the Purposes for which the same was collected; then, and in every such Case, such Sum and Sums of Money shall be again rated and assessed by the said Commissioners, in such Proportion and Manner as the Rates are directed to be made by this Act, and shall be collected, levied, and distrained, in such Manner, and under such Penalties, as are herein provided for collecting and levying the Rates due and payable by this Act.

Commissioners may borrow Money at Interest, or raise Money by Sale of Annuities,

not exceeding 5000 l.

'XL. And, for the better enabling the said Commissioners to carry into Execution the several Powers 'and Authorities hereby vested in them, and the several Directions of this Act,' be it enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners to borrow, upon the Credit of the Rates and Assessments to be made by virtue of this Act, any Sum or Sums of Money at Interest, and to raise any Sum or Sums of Money by the Sale of Annuities, for the natural Life or Lives of such Person or Persons as shall be nominated and appointed by the Purchaser or Contributor, so as such Annuity or Annuities do not exceed the Rate of ten Pounds by the Hundred, and so in proportion for any greater or less Sum, to be paid as aforesaid; and so as the Purchase-money for any one Annuity exceed not the Sum of one thousand Pounds; and so as the Monies to be raised by the Ways and Means aforesaid, or either of them, do not exceed the Sum of five thousand Pounds.

Commissioners may order Repayment of Monies borrowed, and Interest, &c. After Order signed, Monies advanced to be charged upon the Rates,

XLI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners to make an Order for Repayment of the Monies to be borrowed as aforesaid, and the Interest thereon, and also for the Payment of such Annuity or Annuities as shall be purchased as aforesaid, particularising at what respective Times in the Year, and in what Proportions, the said Interest and Annuities shall be paid, according to the Agreement of the Parties upon the said Loan or Purchase; and from and immediately after such Order and Receipt for the Monies advanced shall be signed by the said Commissioners, the Monies so advanced and lent at Interest as aforesaid, and the respective Annuities so to be purchased as aforesaid, shall be and are hereby charged upon the Rates and Assessments to be made by virtue of this Act; and the said Principal Monies and Interest, with the said Annuities, shall be payable and paid thereout, pursuant to the said Order, to the Person or Persons advancing such Monies at Interest, their respective Executors, Administrators, and Assigns; but as to the Annuities, the same are to be paid as aforesaid, during the Term of the natural Life or Lives of the Person or Persons to be nominated by each such Purchaser or Contributor, as before mentioned: And that all and every such Purchaser and Purchasers of such Annuities, and their Executors, Administrators, or Assigns, shall have good, sure, absolute, and indefeasible Estates and Interests in the said Annuity or Annuities so by him, her, or them, respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities, or Monies advanced at Interest as aforesaid, shall be subject or liable to the Tax charged, or to be charged, upon Land by Authority of Parliament.

Annuities deemed indefeasible Estates.

and not to be chargeable to the Land Tax.

Annuities may be assigned.

XLII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Person or Persons advancing and lending Money at Interest as aforesaid, and also for the Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her, or their Executors, Administrators, or Assigns, at any Time or Times, by Writing under his, her, or their Hand and Seal, or Hands and Seals, to assign their respective Interest Monies and Annuities, or any Part thereof, and their respective Right, Title, and Interest therein, or to any Part thereof, with their respective Orders for the same, and so *toties quoties*; and a Memorandum or Entry of all such Orders and Assignments shall be made in the Book to be kept for that Purpose, at the Charge of the said Commissioners; for which Entry or Memorandum two Shillings and Sixpence, and no more, shall be paid; and no such Assignment shall be deemed valid, unless such Memorandum or Entry shall be first made as aforesaid.

Entries to be made by the Clerk.

As Annuitants die, the Rates to be lowered.

XLIII. And be it further enacted by the Authority aforesaid, That as the Payment of the said respective Annuities shall cease by the Death of the Person or Persons on whose Life or Lives the same shall be granted, the said Rates and Assessments shall be proportionably lowered, but so as not to occasion a Deficiency in the Monies wanting to defray the several Charges and Outgoings required by any Thing done in pursuance of this Act.

When Annuities cease by Death, other Annuities may be sold, to raise Money for the Payment of Interest.

XLIV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, and they are hereby authorised and impowered, as and when any of the said Annuities shall cease by the Death of the Person or Persons on whose Life or Lives the same shall have been granted, to raise Money by the Sale of any other Annuity or Annuities, so as the Monies to be raised by such Sale do not exceed the Monies borrowed at Interest as aforesaid; which said last-mentioned Annuities shall be subject to and governed by the Powers, Authorities, and Directions aforesaid respecting Annuities; and the Monies to be received by the said Commissioners upon Sale of the said last mentioned Annuities shall be applied in Discharge of the said Interest Monies, as far as the same will extend and go, any Thing herein contained to the contrary thereof notwithstanding.

Expences of passing this Act to be first paid.

XLV. Provided always, and be it further enacted by the Authority aforesaid, That the Charges and Expences of procuring and passing this Act shall be paid out of the first Monies which shall be raised by virtue of this Act.

XLVI. And

Any other Street in the Pariſh may be paved, upon Petition to the Commiſſioners, (Exception.)

XLVI. And be it further enacted by the Authority aforeſaid, That if at any Time hereafter Two-thirds or more of the Leaſeholders and Landlords or Owners of Houſes and Tenements, within any of the ſaid other Streets, Lanes, Alleys, Courts, Paſſages, or Places, ſituate and being in the ſaid Pariſh of *Saint Paul, Shadwell* (other than ſuch of them as have been new paved by virtue of the ſaid recited Act for paving *Roſemary Lane*, and other the Places before mentioned), or within any new Street, Row, Lane, Court, Alley, Paſſage, or Place, hereafter to be erected and built within the ſaid Pariſh, ſhall at any Time hereafter apply by Petition to the ſaid Commiſſioners, expreſſing their Deſire to have the ſeveral Regulations, Powers, and Authorities, given and directed by this Act, to extend to and comprehend ſuch Street, Lane, Alley, Row, Court, Paſſage, and Place; that then it ſhall and may be lawful for the ſaid Commiſſioners to order the ſame accordingly, and the Pavement of the ſaid Street, Lane, or other Place, comprehended by ſuch Petition, ſhall, after an Order made by the ſaid Commiſſioners for the Purpoſes aforeſaid, be from thenceforth veſted in the ſaid Commiſſioners appointed by this Act; and ſuch Street or Place ſhall remain under the ſame Government, Direction, and Management of them, and their Officers, or other Perſons appointed by them for that Purpoſe, as the ſaid ſeveral Streets, Lanes, and Places, firſt authoriſed to be paved; and the ſaid Commiſſioners, Officers, Servants, Workmen, and other Perſons acting under them, ſhall have the ſame Power and Authority in, over, and through ſuch Street or Place, petitioned for as aforeſaid, as alſo over the ſeveral Meſſuages, Lands, Tenements, and Hereditaments, and the ſeveral Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commiſſioners, Bodies Politick and Corporate, and their Officers, Servants, and Workmen, and all and every other Perſon or Perſons whatſoever, intereſted in or intitled to any Privilege therein, and every Matter and Thing relating to the Premiſes, as the ſaid Commiſſioners appointed by this Act, and their Officers, Servants, and Workmen, acting under them, are inveſted with by this Act; and the ſaid Commiſſioners are hereby authoriſed and impowered to make the like Rates and Aſſeſſments upon the ſeveral Meſſuages, Lands, Tenements, and Hereditaments, contained in ſuch Street, Lane, Alley, Paſſage, or Place, petitioned for as aforeſaid, as they are hereby authoriſed and impowered to do in the Streets, Lanes, and Places, firſt mentioned to be paved; and to raiſe, by the Ways and Means herein before mentioned, ſo much Money as ſhall be ſufficient to defray the Charges and Expences ariſing in conſequence of ſuch Petition and Order as aforeſaid, which ſhall ſtand charged upon the Rates and Aſſeſſments to be made by virtue of this Act, in like Manner as the Monies herein before directed to be raiſed, and ſhall be ſubject and governed by the like Clauſes, Authorities, and Directions, herein before ſet forth reſpecting the ſame; and every Clauſe, Matter, and Thing, contained in this Act, ſhall be conſtrued, adjudged, deemed and taken to extend to every ſuch Street, Lane, and Place, petitioned for as aforeſaid, and alſo to the ſaid ſeveral Meſſuages, Lands, Tenements, and Hereditaments whatſoever, ſituate, lying, and being therein, and the ſeveral Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commiſſioners, Bodies Politick and Corporate, their Officers, Servants, and Workmen, and all and every other Perſon or Perſons intereſted in or intitled to any Privilege therein, and every Matter and Thing relating to or in any-wiſe concerning the Premiſes, in like Manner as the ſame Clauſes extend, or ſhall be adjudged or conſtrued to extend, in ſimilar Caſes, to the ſeveral Streets, Lanes, and Places, firſt authoriſed to be paved, and to the ſeveral Inhabitants, Landlords, Tenants, and Occupiers thereof, Companies, Commiſſioners, Bodies Politick and Corporate, and all and every other Perſon or Perſons whatſoever intereſted or intitled to any Privilege therein, or to any Matter or Thing relating to the Premiſes; and the like Penalties, Forfeitures, and Puniſhments, ſhall be inflicted, and for the like Cauſes, as are herein expreſſed, and ſhall be ſued for, recovered, levied, and executed, in the ſame Manner.

and then ſuch Street to be under their Government, &c. as thoſe comprehended in this Act.

Leaſeholders, &c. queſtioning the Validity of ſuch Petition, to bring their Action in three Months.

XLVII. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any of the ſaid Leaſeholders, Landlords, or Owners, at any Time within the Space of three Months from the Date of the Order of the ſaid Commiſſioners, to be made upon ſuch Petition as aforeſaid, to proſecute any Action or Suit in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt the ſaid Commiſſioners making ſuch Order, or their Surveyor, for trying the Validity of ſuch Petition and Order, in which Action Coſts of Suit ſhall be awarded to the Party in whoſe Favour a Verdict ſhall be found.

After three Months, Evidence of the Commiſſioners Order to be deemed ſufficient.

XLVIII. Provided always, nevertheleſs, and be it further enacted by the Authority aforeſaid, That in caſe no ſuch Action ſhall be commenced and proſecuted with Effect, within the Space of three Months from the Date of the Order of the ſaid Commiſſioners, to be made upon ſuch Petition as aforeſaid, that then, from and after the Expiration of the ſaid three Months, the producing of the Order of the ſaid Commiſſioners ſhall be deemed, adjudged, and taken, in any Court of Law or Equity, to be good and ſufficient Evidence of the Street, Lane, or Place, ſo petitioned for as aforeſaid, and mentioned in ſuch Order, being made Part of, and comprehended in, the ſeveral Streets, Lanes, and Places, hereby authoriſed to be paved; and that the ſame is compriſed in the reſpective Clauſes, Powers, and Authorities, contained in this Act, and of the Right of the Commiſſioners to exerciſe the ſeveral Powers and Authorities contained herein, over or reſpecting any ſuch Street, Lane, or Place.

Penalties may be mitigated.

XLIX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, from Time to Time, to compound and agree with any Perſon or Perſons againſt whom any Action or Actions, Suit or Suits, ſhall be brought, commenced, or proſecuted, for any Penalty or Penalties contained in this Act, or in any Contract or Contracts hereafter to be entered into, on account of any Breach or Non-performance of any ſuch Contract or Contracts, for ſuch Sum or Sums of Money as they ſhall think proper; and alſo to mitigate, compound, or leſſen, any other the Forfeitures incurred under this Act, ſo as the Sums ſo compounded and agreed for be not leſs than the Injury or Damage ſuſtained by the Breach or Non-performance of any Clauſe compriſed in this Act, or of ſuch Contract or Contracts, and all the Coſts, Charges, and Expences, which ſhall be occaſioned thereby, and ſo as the Mitigation of the other Forfeitures as aforeſaid do not extend to remit above one Moiety of the ſaid Forfeitures reſpectively.

L. And

L. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any of the Juſtices of the Peace (although ſuch Juſtices ſhall be Commiſſioners for the Purpoſes of this Act) to hear and determine any of the ſaid Offences, and alſo to hear and determine, at any Seſſions of the Peace for the ſaid County, any Appeal that may be brought or proſecuted againſt any Rate or Conviction to be made under and by the Authority of this Act, although ſuch Juſtice or Juſtices ſhall have ſigned or allowed ſuch Rate, or made ſuch Conviction; and in all Caſes where Cognizance is given by this Act to any Juſtice or Juſtices of the Peace, it ſhall and may be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Perſon or Perſons for more certain Information in the Matter depending: And in all Caſes where the Commiſſioners are authoriſed and impowered to bring or inſtitute any Action at Law, or where it ſhall be fit or neceſſary to proſecute any Information or Indictment touching the Premiſes, the ſame ſhall and may be brought, inſtituted, and proſecuted, by or in the Name or Names of the Treaſurer or Treaſurers appointed by virtue of this Act; and ſuch Treaſurer or Treaſurers is and are hereby indemnified in every ſuch Action or Actions, Proſecution or Proſecutions, by the Monies to be raiſed by virtue of this Act.

Commiſſioners who are Juſtices may act in any Appeal, &c. as any other Juſtices.

Where Commiſſioners are impowered to bring Actions, the ſame may be inſtituted in the Name of the Treaſurer.

How he is to be indemnified.

LI. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, and for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the Juſtices of the Peace at any Seſſions of the Peace to be held for the ſaid County, and within three Calendar Months after the Cauſe of ſuch Complaint ſhall have ariſen, ſuch Appellant firſt giving, or cauſing to be given, twenty-one Days Notice at the leaſt, in Writing, of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk to the ſaid Commiſſioners, and within two Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with two ſufficient Sureties conditioned to try ſuch Appeal at, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by the Juſtices at any ſuch Seſſions; and the ſaid Juſtices at ſuch Seſſions, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt, as they the ſaid Juſtices ſhall think proper, and are authoriſed to do at any Quarter Seſſions; and the Determination of ſuch Seſſions ſhall be final, binding, and concluſive, to all Intents and Purpoſes.

Perſons aggrieved may appeal to the Seſſions.

LII. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act impoſed (the Manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of one Juſtice of the Peace acting in and for the ſaid County or Place, and within his proper Juriſdiction; which Warrant ſuch Juſtice is hereby impowered and authoriſed to grant, upon the Confeſſion of the Party or Parties, or upon the Information of any one or more credible Witneſs or Witneſſes upon Oath; and the Penalties and Forfeitures, when recovered, after rendering the Overplus (if any be) upon Demand to the Party or Parties whoſe Goods and Chattels ſhall be ſo diſtrained and ſold (the Charges of ſuch Diſtreſs and Sale being firſt deducted), ſhall be paid to the Treaſurer to the ſaid Commiſſioners for the Time being, and be applied towards the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall and may be lawful to and for ſuch Juſtice, and he is hereby authoriſed and impowered, by Warrant under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the common Gaol or Houſe of Correction of ſuch County or Place, there to remain without Bail or Mainprize for any Time not exceeding three Calendar Months, nor leſs than fourteen Days, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner fully paid and ſatisfied.

Penalties and Forfeitures how to be recovered and applied.

LIII. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners to reward any Informer or Informers, as they ſhall think proper, ſo as ſuch Reward does not exceed one Moiety of the Penalties and Forfeitures ariſing from the Information of ſuch Informer or Informers, any Thing herein contained to the contrary notwithſtanding.

Commiſſioners may reward Informers.

LIV. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Default or Want of Form in any Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be hereafter done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the ſpecial Damages in an Action on the Caſe.

Diſtreſs not to be deemed unlawful for Want of Form.

LV. Provided always, and be it further enacted by the Authority aforeſaid, That no Plaintiff or Plaintiffs ſhall recover in any Action, for any ſuch Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed any ſuch Irregularity, Treſpaſs, or wrongful Proceedings, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he or they ſhall ſee fit, whereupon ſuch Proceedings, or Orders and Judgments, ſhall be had, made, and given, in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Plaintiff not to recover if Tender of Amends hath been made.

LVI. And be it further enacted by the Authority aforeſaid, That no Nomination, Contract, Bond, Warrant, Judgment, or other Writing whatſoever, under the Hand and Seal or Hands and Seals of, or only ſigned by, any Commiſſioner or Commiſſioners, or Juſtice or Juſtices of the Peace, or exhibited before them, or under the Hand and Seal or Hands and Seals of, or only ſigned by, any other Perſon or Perſons whatſoever, relating to the Execution of this Act, ſhall be chargeable with any Stamp-duty whatſoever.

Writings to be without Stamps.

Proceedings to be entered in a Book.

LVII. And be it further enacted by the Authority aforeſaid, That all Orders and Proceedings of the ſaid Commiſſioners at their Meetings ſhall be entered in a Book or Books to be kept for that Purpoſe; and ſuch Orders and Proceedings ſo entered ſhall be ſigned by the Clerk or Clerks at any Meeting of the ſaid Commiſſioners aſſembled, as the Caſe ſhall require; and ſuch Orders ſhall be deemed and taken to be original Orders; which ſaid Book or Books ſhall and may be produced and read in Evidence in all Courts whatſoever.

Books may be read in Evidence.

Proceedings not to be quaſhed for Want of Form,

or removeable by Certiorari.

LVIII. And be it further enacted by the Authority aforeſaid, That no Proceedings to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order made, or other Matter or Thing to be done or tranſacted in, or relating to, the Execution of this Act, ſhall be vacated or quaſhed for Want of Form, or be removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary notwithſtanding.

Limitation of Actions,

LIX. And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until twenty Days Notice ſhall be thereof given in Writing to the Clerk to the ſaid Commiſſioners, or after ſufficient Satisfaction, or Tender thereof, hath been made to the Party or Parties aggrieved, or after ſix Calendar Months next after the Fact committed, for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought; and every ſuch Action ſhall be brought, laid, and tried, in the County or Place where ſuch Matters and Things reſpectively ſhall be committed or done, and not in any other County or Place; and the Defendant

General Iſſue.

or Defendants in ſuch Actions and Suits, and every of them, may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial or Trials which ſhall be had therepon, and the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought, was done in purſuance and by the Authority of this Act: And if the ſaid Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was ſo brought before twenty Days Notice thereof given as aforeſaid, or that ſufficient Satisfaction was made or tendered as aforeſaid, or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be laid in any other County or Place than as aforeſaid, then the Jury or Juries ſhall find for the Defendant or Defendants therein; and if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants, or if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions; or if, upon any Demurrer or Demurrers in ſuch Action or Actions, Judgment ſhall be given for the Defendant or Defendants therein; then, and in either of the Caſes aforeſaid, ſuch Defendant or

Treble Coſts.

Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants may have for his, her, or their Coſts in any Caſes by Law.

Publick Act.

LX. And be it further enacted by the Authority aforeſaid, That this Act ſhall be taken and allowed in all Courts of Juſtice as a Publick Act; and all Judges, Juſtices, and others, are hereby required to take Notice thereof as ſuch, without the ſame being ſpecially pleaded.

CAP. LV.

An Act to explain and amend an Act, paſſed in the fourteenth Year of his preſent Majeſty's Reign, intituled, *An Act for the better Relief and Employment of the Poor within the Pariſh of* Saint Leonard, Shoreditch, *in the County of* Middleſex; *and for building a Workhouſe; and for purchaſing a Piece of Land for a Burial Ground, for the Uſe of the ſaid Pariſh.*

CAP. LVI.

An Act for applying the Funds provided for rebuilding the Offices of the Six Clerks of the King's Court of Chancery, by an Act, made in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for the Regiſter and Accountant-general of the ſaid Court, for the better preſerving the Records, Decrees, Orders, and Books of Account, kept in ſuch Offices*; in building Offices for the ſaid Six Clerks in the Garden of *Lincoln's Inn*, inſtead of rebuilding the preſent Six Clerks Office in *Chancery Lane*; and for other Purpoſes.

Preamble, Act 14 Geo. III. recited.

"WHEREAS by an Act of Parliament, paſſed in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for rebuilding the Office of the Six Clerks of the King's Court of Chancery, and for erecting Offices for the Regiſter and Accountant-general of the ſaid Court, for the better preſerving the Records, Decrees, Orders, and Books of Account, kept in ſuch Offices*; it was (among other Things) enacted, That out of the Securities purchaſed with the Surplus Money mentioned in the ſaid Act, and out of the Intereſt produced and to be produced from ſuch Securities, and out of the Surplus Intereſt which ſhould ariſe or be produced from Securities purchaſed in purſuance of ſeveral Acts of Parliament in the ſaid Act mentioned, and out of the Intereſt which ſhould ariſe or be produced from Securities to be purchaſed in purſuance of the ſaid Act, ſuch Sum or Sums of Money as the Lord High Chancellor of *Great Britain*, or the Lord Keeper or Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, ſhould in his or their Diſcretion deem neceſſary, ſhould be applied, under the Direction of the ſaid Court, in the firſt place, in paying and defraying the Charges and Expences attending the paſſing and obtaining the ſaid Act, and then in rebuilding the ſaid Office called *The Six Clerks Office*, with the Offices belonging thereto, and in purchaſing Ground and Houſes for that Purpoſe, if any ſhould be deemed neceſſary by the ſaid Court, and in providing a proper Place for tranſacting the

Buſineſs

'Buſineſs of the ſaid Six Clerks Office during the Time ſuch Office ſhould be rebuilding; and that the 'Ground and Houſes to be purchaſed for the Purpoſe of rebuilding the ſaid Six Clerks Office, if any 'ſhould be deemed neceſſary, ſhould be conveyed to, and veſted in, the ſaid Six Clerks, to hold to them 'and their Succeſſors, for ever, in Truſt, for the Purpoſes in the ſaid Act mentioned: And whereas the 'Office of the ſaid Six Clerks, and the Ground belonging thereto, is ſo ſurrounded by Houſes and other 'Buildings, that the ſaid Office is in continual Danger of Accidents by Fire, and a ſufficient Space of 'Ground contiguous thereto cannot be obtained for rebuilding the ſame, detached from any Dwelling-'houſes: And whereas the Honourable Society of *Lincoln's Inn* are Owners of a convenient Spot of 'Ground, Part of the ancient Garden belonging to the ſaid Society, which will better anſwer the Pur-'poſes intended by the ſaid Act; and the Worſhipful the Maſters of the Bench of the ſaid Society are 'willing, and have agreed to ſell and diſpoſe of ſo much Ground, Part of the ſaid Garden, as ſhall be 'neceſſary for the Purpoſe of erecting the ſaid Office thereon; that is to ſay, All that Piece or Parcel of 'Ground, ſituate on the Eaſt Side of the ſaid Garden next *Chancery Lane*, abutting South on Ground 'granted or agreed to be granted by the ſaid Society for the Purpoſe of erecting Offices for the Regiſter 'and Accountant-general of the ſaid Court of Chancery; Eaſt in Part on Ground adjoining to *Chancery* '*Lane*, belonging to the ſaid Society, which is to continue their Property, but to be left vacant for an 'Area, only before the Six Clerks Office to be incloſed with an Iron Palliſade Railing by the ſaid Six 'Clerks, but not to be uſed by them for any Purpoſe whatſoever; and in other Part on *Chancery Lane* 'aforeſaid, Weſt, on Ground belonging to the ſaid Society, to be laid open, Part of which, not exceed-'ing three Feet in Width, for the Length of eighty-ſeven Feet three Inches from the South End of the 'ſame, and three Feet nine Inches in Width for the remaining Part of the ſaid Weſt Side, to be incloſed 'with an Iron Palliſade Railing by the ſaid Six Clerks, as an Area before the ſaid Offices, but not to be 'uſed by them for any Purpoſe whatſoever; and North on Ground belonging to the ſaid Society (which 'is to be veſted in the ſaid Six Clerks, under certain Reſtrictions as herein after is mentioned, for the Uſe 'of the ſaid Offices), containing in Breadth from Eaſt to Weſt, at the South End, ſixty Feet of Aſſize, 'and from North to South on the Eaſt Side, one hundred and ſixty-one Feet ſeven Inches and a Quarter 'of Aſſize, with a Break of two Feet nine Inches Weſtward in the ſaid Eaſt Side, at the Diſtance of 'eighty-ſeven Feet three Inches from the South End, containing in Breadth from Eaſt to Weſt, at the North 'End, fifty-four Feet ſix Inches of Aſſize, and in Length from North to South, on the Weſt Side, one 'hundred and ſixty-one Feet ſeven Inches and a Quarter of Aſſize, with a Break Eaſtward in the ſaid 'Weſt Side of two Feet and nine Inches, at the Diſtance of eighty-ſeven Feet three Inches from the 'South End; which Dimenſions are excluſive of the Footings or Plinths which are allowed to project on 'the Surface of the Ground on the Eaſt, North, and Weſt Sides of the ſame, two Inches; alſo all that 'Piece or Parcel of Ground, ſituate between the North Boundary of the before-mentioned Piece or Par-'cel of Ground and the North Wall of the ſaid Garden, containing in Length from Eaſt to Weſt, on 'the South Side thereof, next the ſaid Ground, fifty-four Feet ſix Inches of Aſſize, abutting South on 'the ſaid firſt-mentioned Ground, Eaſt on *Chancery Lane*, North on the Garden Wall aforeſaid, and 'Weſt on Ground belonging to the ſaid Society; all which Pieces or Parcels of Ground are ſituate on a 'Parallel with the Buildings now carrying on in the ſaid Garden, and commence, on the Southermoſt 'Boundary thereof, at the Diſtance of forty-two Feet nine Inches Southward of the Center of the ſaid 'Buildings: And the ſaid Ground hath been approved as proper for the Scite of the ſaid Office by the 'Right Honourable the Lord High Chancellor, who hath fixed a Price thereon, which the ſaid Benchers 'have agreed to accept; but the Funds provided by the ſaid Act cannot be applied in purchaſing the ſaid 'Ground, and in building the ſaid Office thereon, without the Authority of Parliament: And in as much 'as the Soil and Freehold of the ſaid Garden is veſted in Truſtees, upon Truſt, for the ſaid Society, a 'good Title cannot be made to the ſaid Ground without the Aid of Parliament;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That out of the Securities purchaſed with the Surplus Money mentioned in the ſaid recited Act, and out of the Intereſt produced, and to be produced, from ſuch Securities, and out of the Surplus Intereſt produced, or to be produced, from Securities purchaſed in purſuance of the ſeveral Acts in the ſaid recited Act mentioned, and out of the Intereſt produced, or to be produced, from Securities purchaſed in purſuance of the ſaid recited Act, ſuch Sum and Sums of Money as the Lord High Chancellor of *Great Britain*, or the Lord Keeper, or the Lords Commiſſioners for the Cuſtody of the Great Seal of *Great Britain* for the Time being, ſhall, in his and their Diſcretion, deem neceſſary to be paid by virtue of any Order or Orders of the ſaid Court, and be applied under the Direction of the ſaid Court in paying and defraying the Charges and Expences attending the paſſing and obtaining of this Act, and in purchaſing the ſaid Ground belonging to the ſaid Society of *Lincoln's Inn* herein before mentioned and deſcribed, and in building thereon an Office for the ſaid Six Clerks, and the Offices thereto belonging, as well as in carrying into Execution the Purpoſes of the ſaid recited Act, except ſo much thereof as relates to the rebuilding the ſaid Six Clerks Office in the Place where the ſame now ſtands, and except ſo far as the ſaid recited Act is hereby altered or varied.

The Lord Chancellor, &c. to apply certain Sums, to be raiſed as mentioned 14 Geo. III. for the Purpoſes of this and the ſaid recited Act.

Exception.

II. And be it further enacted and declared, That the ſaid Parcel of Ground belonging to the ſaid Society, herein-before mentioned and deſcribed, ſhall, from and after the paſſing of this Act, be, and the ſame is hereby veſted in the ſaid Six Clerks, to hold to them and their Succeſſors, for ever, to the Intent to erect thereon an Office for the Six Clerks, and an Inrolment Office, ſuch Inrolment Office being now Part of the Building of the preſent Six Clerks Office; ſuch Offices reſpectively to be uſed and employed in ſuch and the ſame Manner as the ſaid Office called *The Six Clerks Office*, and the Inrolment Office, are now uſed and employed, and to and for no other Uſe or Purpoſe whatſoever.

Ground before deſcribed to be veſted in the Six Clerks, to erect thereon an Office, &c.

'III. And whereas the ſaid Office of the ſaid Six Clerks, and the Offices thereto belonging, and the 'ſaid Six Clerks, and the Sworn Clerks, Waiting Clerks, and Clerks of Inrolments of the ſaid Court of 'Chancery, executing their ſeveral Offices within the Liberty of the *Rolls* in the County of *Middleſex*, for 'and in reſpect of their ſaid ſeveral and reſpective Offices, have, purſuant to divers Acts of Parliament, 'been taxed, rated, and aſſeſſed, to the Payment of the Land Tax within the ſaid Liberty, and it will be 'a great Injury to ſuch Liberty if the ſaid Offices ſhall not continue to be rated and aſſeſſed within ſuch 'Liberty;' be it further enacted, That from and after the Removal of the ſaid Offices reſpectively into the Building ſo to be erected upon the Ground belonging to the ſaid Society of *Lincoln's Inn*, and notwithſtanding ſuch Removal, ſuch Offices ſhall reſpectively continue to be taxed, rated, and aſſeſſed, for the Payment of the Land Tax within the ſaid Liberty of the *Rolls* only, and ſhall not be taxed, rated, or aſſeſſed, within any other Diviſion, Pariſh, or Place whatſoever, nor ſhall the ſaid Offices, or any of them, be taxed, rated, or aſſeſſed, for the Payment of any other Rates, Taxes, or Aſſeſſments whatſoever, impoſed or to be impoſed, ſave as herein-before is mentioned; nor ſhall the ſaid Society of *Lincoln's Inn* be rated or taxed, for or in reſpect of the ſaid Offices, to any Rates, Taxes, or Aſſeſſments whatſoever.

After removal of the Offices, the Land Tax to be paid in the ſame Place and Manner as heretofore.

IV. And be it further enacted by the Authority aforeſaid, That when any Officer or Officers belonging to the ſaid Offices ſhall neglect or refuſe to pay the Sum or Sums of Money, which ſhall be rated or aſſeſſed upon them, or any of them, by virtue of any Act for granting an Aid to His Majeſty by a Land Tax, any two or more of the Commiſſioners, appointed by ſuch Act for the Liberty of the *Rolls*, ſhall and may certify by Writing, under their Hands and Seals, ſuch Neglect or Refuſal, and the Sum payable by virtue of ſuch Act, to the Commiſſioners for executing ſuch Act in the County or Place where ſuch Officer or Officers reſide, and any two or more of ſuch Commiſſioners are hereby authoriſed and required, upon Receipt of ſuch Certificate, by Warrant under their Hands and Seals, to authoriſe and impower the reſpective Collectors of the Pariſh or Place where ſuch Officer or Officers reſide to diſtrain the Goods and Chattels of ſuch Officer or Officers, and the Diſtreſs or Diſtreſſes ſo made to detain and keep for the Space of four Days; and if ſuch Officer or Officers do not pay the ſaid Sum or Sums of Money, for which ſuch Diſtreſs ſhall be made as aforeſaid, within the Space of four Days, that then the ſaid Goods and Chattels ſo diſtrained as aforeſaid ſhall and may be appraiſed and ſold by two ſuch honeſt and ſufficient Perſons as the ſaid Commiſſioners who ſhall ſign the ſaid Warrant ſhall nominate and appoint, and the Monies ariſing thereby ſhall be paid to the Collectors of the ſaid Liberty of the Rolls, for and towards Satisfaction of the ſaid Sum or Sums of Money, and the Surplus (if any be) ſhall be returned to the Owner of the ſaid Goods, after the Charge of the ſaid Diſtreſs and Sale ſhall be deducted.

If any Officer refuſe to pay the Sums rated, the Money to be recovered by Diſtreſs.

'V. And whereas the ſaid Six Clerks are poſſeſſed of Chambers or Rooms over the ſaid Office, called *The* '*Six Clerks Office*, which were anciently the Reſidence of the ſaid Six Clerks, but it will be greatly incon-'venient and dangerous if any ſuch Chambers are erected over the Office for the ſaid Six Clerks, to be 'erected in purſuance of this Act, whereby the ſaid Six Clerks will loſe the Benefit and Emolument 'ariſing from ſuch Chambers: And whereas, by reaſon of the ſaid Office, called *The Six Clerks Office*, and the 'Offices thereto belonging, being, in purſuance of this Act, to be erected on the ſaid Ground belonging 'to the ſaid Society of *Lincoln's Inn*, the Ground whereon ſuch Offices now ſtand will, from and after the 'Building and Removal of the ſaid Offices, be no longer applied for the Purpoſes of ſuch Offices;' be it therefore further enacted, That when and ſo ſoon as conveniently may be after the new Building for the ſaid Six Clerks Office, and the Offices thereto belonging, ſhall be completed, the ſaid Ground belonging to the ſaid Six Clerks, and the Buildings ſtanding thereon, ſhall, by Order of the ſaid Court of Chancery, be ſold, in ſuch Manner as the ſaid Court ſhall direct, and the Money to ariſe by ſuch Sale ſhall be paid into the Bank of *England*, in the Name and with the Privity of the Accountant-general of the ſaid Court; and upon Payment by the Purchaſer or Purchaſers reſpectively of his, her, or their Purchaſe-money into the Bank of *England*, as aforeſaid, the ſaid Six Clerks ſhall grant, convey, and deliver the ſaid Ground and Premiſes, or ſuch Part or Parts thereof reſpectively as ſhall be ſo ſold unto ſuch Purchaſer or Purchaſers, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, as the ſaid Court ſhall direct.

After the new Building for the Offices ſhall be completed, the old Building and Ground to be ſold, &c.

VI. And be it further enacted, That upon every ſuch Sale and Conveyance of the ſaid Ground and Premiſes as aforeſaid, the Money to ariſe by ſuch Sale or Sales ſhall be paid by ſuch Purchaſer or Purchaſers, his, her, and their Heirs, Executors, or Adminiſtrators, as aforeſaid, into the Bank of *England*, in the Name and with the Privity of the ſaid Accountant-general of the ſaid Court, to be placed to the Account of Money *ariſing by Sale of the Six Clerks Office*, purſuant to the Method preſcribed by the Act of the twelfth Year of the Reign of King *George* the Firſt, Chapter the thirty-ſecond, and the general Orders of the ſaid Court, and without Fee or Reward, purſuant to the Act of the twelfth Year of King *George* the Second, Chapter twenty-fourth; and the ſame ſhall there remain, until the ſame ſhall, by virtue of any Order or Orders of the ſaid Court, to be made for that Purpoſe from Time to Time, be placed out in one entire Sum, or in Parcels, on ſuch Government or Parliamentary Securities as in and by ſuch Order ſhall be directed, to the Intent that the Intereſt and annual Produce, ariſing from the Money ſo to be placed out, may be applied for the Purpoſes herein-after mentioned; and that the ſaid Court of Chancery may, by Order or Orders of the ſaid Court, from Time to Time, change the Security or Securities on which the ſaid Monies ſhall be ſo placed out, as the ſaid Court ſhall think expedient.

Upon Sale and Conveyance of the old Building and Ground, Purchaſers to pay the Money into the Bank, purſuant to Act 12 Geo. I. c. 32. and 12 Geo. II. c. 24.

VII. And be it further enacted, That the Intereſt and annual Produce which ſhall ariſe or be produced from Securities, to be purchaſed in purſuance of this Act, with Money ariſing by Sale of the ſaid Ground and Premiſes, ſhall, from Time to Time, be received by the Governor and Company of the Bank of *England*, and placed to the Credit of an Account, to be raiſed in the Books kept there for the Suitors of the ſaid Court, of Intereſt ariſing from Money placed out in purſuance of this Act, and ſhall from Time to Time be paid, by virtue of any Order or Orders of the ſaid Court, to the ſaid Six Clerks and their Succeſſors, in Lieu and Recompence of the Chambers ſo belonging to their ſeveral Offices, and for the Purpoſe

The annual Produce of Money ariſing by the Sale of the ſaid Premiſes to be paid to the Six Clerks, in lieu of their Chambers, &c.

poſe of keeping the ſaid Offices to be erected in purſuance of this Act in proper Repair, and what ſhall be ſo ordered to be paid to the ſaid Six Clerks ſhall be conſidered as a Freehold Eſtate in them reſpectively, as coming in Lieu of their ſaid Chambers.

Proviſo with reſpect to the iſſuing of Money.

VIII. Provided always, That from ſuch Time as the Lord High Chancellor of *Great Britain*, Lord Keeper or Lords Commiſſioners for the Cuſtody of the Great Seal for the Time being, ſhall deem the Purpoſes of the ſaid recited Act, and of this Act, ſo far as reſpects the Funds provided by the ſaid recited Act to be fully ſatisfied, and ſhall in Teſtimony thereof, by an Order of the ſaid Court, declare the ſame, and direct the Accountant-general of the ſaid Court not to iſſue any Draft, and the Governor and Company of the Bank of *England* not to iſſue any further Sum or Sums of Money out of the Funds provided by the ſaid recited Act for any of the Purpoſes aforeſaid, the Appropriation by the ſaid recited Act and herein-before made of the Surplus Money, placed to the Account of Intereſt ariſing from Monies placed out in purſuance of the ſaid Act of the twelfth Year of his late Majeſty King *George* the Second, and of the Surplus Money placed to the Account of Intereſt ariſing from Monies placed out in purſuance of an Act of the fifth Year of His preſent Majeſty, and alſo of the Intereſt of Securities to be purchaſed purſuant to the ſaid Act of the fourteenth Year of his preſent Majeſty, ſhall from thenceforth ceaſe and be at an End.

Proviſo with reſpect to different Parts of the Building.

IX. Provided always, and be it further enacted, that no Caſement, Privy, or Houſe of Office whatſoever, be erected on any Part of either of the Pieces or Parcels of Ground herein-before deſcribed above the Level of the Ground Floor of the ſaid Offices; and that no Building whatſoever be erected on the laſt mentioned Piece or Parcel of Ground to riſe above the Level of the Springing of the Arches in the Fronts of the Buildings, intended to be erected by the ſaid Society, or within thirty Feet of the Weſtern Boundary of the ſaid laſt-mentioned Ground; and alſo, that the ſaid laſt-mentioned Ground be incloſed on the Weſtern Boundary by an open Iron Palliſade Railing only, and thoſe Parts of the Eaſtern Boundary not built againſt be incloſed by a Wall, the Top of the Coping of which ſhall be on a Level with the Springing of the ſaid Arches; and alſo, that the external Plan and Elevations of the Baſement and Ground Story of the Buildings to be erected on the ſaid Pieces or Parcels of Ground do correſpond with the Buildings intended to be erected by the ſaid Society; and that the Chimney Shafts be erected regularly, and be carried up to ſuch Heighths as not to annoy or be offenſive to the Rooms or Chambers in the ſaid Buildings intended to be erected by the ſaid Society; and that no Act or Thing be done upon any Part of the ſaid ſeveral Premiſes to annoy or be offenſive to any of the ſaid Chambers, or the Occupiers thereof.

Proviſo.

X. Provided alſo, and be it enacted, That the ſaid Society do not erect any Building or Buildings whatſoever between the Eaſt Front of the Buildings now carrying on by the ſaid Society and the Weſtern Boundary of the ſaid firſt-mentioned Piece or Parcel of Ground.

The Offices and Buildings to be erected not to be ſubject to the Regulations of 14 Geo. III.

XI. And it is hereby further enacted and declared, That the ſaid Offices or Buildings to be erected in purſuance of this Act, and the Offices or Buildings to be erected adjoining thereto, for the Uſe of the Regiſter and Accountant-general of the ſaid Court of Chancery, and all other Buildings already erected, or begun, or which may hereafter be erected or begun, on any Part of the Ground or Premiſes of *Old Lincoln's Inn*, ſhall not be ſubject to all or any of the Regulations and Directions contained in an Act of Parliament, paſſed in the fourteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for the further and better Regulation of Buildings and Party Walls; and for the more effectually preventing Miſchiefs by Fire within the Cities of* London *and* Weſtminſter, *and the Liberties thereof, and other the Pariſhes, Precincts, and Places, within the Weekly Bills of Mortality, the Pariſhes of* Saint Mary le Bon, Paddington, Saint Pancras, *and* Saint Luke *at* Chelſea, *in the County of* Middleſex; *and for indemnifying, under certain Conditions, Builders and other Perſons againſt the Penalties to which they are or may be liable for erecting Buildings within the Limits aforeſaid contrary to Law*; any Thing in the ſaid Act contained to the contrary notwithſtanding.

CAP. LVII.

An Act for watering *Piccadilly*, from the End of *Berkeley Street* to *Hyde Park Gate*, in the Pariſh of *Saint George Hanover Square*, in the County of *Middleſex*.

CAP. LVIII.

An Act for lighting the Streets, Lanes, Roads, and publick Paſſages, within the Town of *Hampſtead*, and Parts adjacent within the Pariſh of *Hampſtead*, in the County of *Middleſex*; and for eſtabliſhing a Nightly Watch therein, and a Patrole between the ſaid Town and *London*.

Preamble.

'WHEREAS the Town of *Hampſtead*, in the Pariſh of *Hampſtead*, in the County of *Middleſex*, is very populous and extenſive; and from its Situation, the Inhabitants thereof, and of the Parts adjacent within the ſaid Pariſh, as alſo all Perſons paſſing to and from the ſame in the Night-time, are expoſed to Robberies and other Outrages: And whereas the lighting the ſaid Town, and Parts adjacent within the ſaid Pariſh, and the eſtabliſhing therein a proper and well regulated nightly Watch, and a Horſe and Foot Patrole to conduct Paſſengers between the ſaid Town and *London* in the Night-time, would greatly contribute to prevent thoſe Evils;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Miniſter of the ſaid Pariſh for the Time being, the Juſtices of the Peace for the ſaid County of *Middleſex* reſident in the ſaid Pariſh, together with *Eraſmus Warren*, *Gerrard Howard*, *Stephen Guyon*, Sir *John Honywood*, *Robert Cary*, *Joſeph Webb*, *John Peter Blaqueire*, *Robert Vincent*, *Thomas Walker*, *Thomas Langdale*, *Iſaac Ardeſoif*, *Latham Arnold*, *Richard Clay*, *George Webſter*, *George Stevens*, *George*

Commiſſioners Names.

George Collins, *John Stock*, *Edward Montagu*, *Thomas Gardner*, *Thomas Lane*, *Edward Kynaſton*, *John Hyndman*, *Thomas Rumſey*, *John Foſter*, *Thomas Smith*, *Richard Norris*, *Maurice Griffith*, *William Beaumont*, *George Goodwin*, *William Jefferys*, *Robert Simmonds*, *John Stokes*, *Edward Cartwright*, and their Succeſſors, to be elected in Manner herein-after mentioned, and the Churchwardens of the ſaid Pariſh for the Time being, are hereby appointed Commiſſioners for putting this Act in Execution; and when any of the Commiſſioners herein named, or hereafter to be elected, ſhall die, reſign, refuſe to act, or ſhall remove from, and reſide out of, the ſaid Pariſh, it ſhall be lawful for the ſurviving or remaining Commiſſioners, or any five or more of them, from Time to Time, and they are hereby required to elect and appoint one other proper Perſon, reſiding in the ſaid Pariſh, to be a Commiſſioner in the Stead of every ſuch Commiſſioner ſo dying, reſigning, refuſing to act, or removing, as aforeſaid; and every Perſon ſo elected and appointed ſhall be joined with the ſurviving or remaining Commiſſioners, and is hereby impowered to act in the Execution of this Act, in as full and ample a Manner, to all Intents and Purpoſes, as if ſuch Perſon had been particularly named in and appointed by this Act.

Commiſſioners dying, &c. new ones to be choſen.

II. Provided always, and be it further enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, unleſs, at the Time of his acting therein he ſhall rent or occupy Meſſuages, Lands, Tenements, or Hereditaments, within the Limits of this Act, of the yearly Value of twenty Pounds: and if any Perſon or Perſons, hereby made incapable to act, ſhall preſume to act as a Commiſſioner, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of fifty Pounds, to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*; and every Perſon ſo proſecuted, or againſt whom ſuch Action ſhall be brought, ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof given on the Part of the Plaintiff or Plaintiffs in ſuch Action, than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act; and the Money to be recovered in ſuch Action ſhall, after Payment of the Coſts and Expences attending ſuch Action, be applied to the Purpoſes of this Act.

Qualification of Commiſſioners.

50l. Penalty for acting, if not qualified.

III. And be it further enacted by the Authority aforeſaid, That the firſt Meeting of the ſaid Commiſſioners, to be had by virtue of this Act, ſhall be held on the ſecond *Wedneſday* in the Month of *June*, in the Year one thouſand ſeven hundred and ſeventy-five, or within fourteen Days then next after, at the Houſe of *Robert Simmonds*, known by the Name of the *Long Room*, in the ſaid Town of *Hampſtead*, who ſhall then and there proceed to put this Act in Execution; and ſhall then, and from Time to Time afterwards, adjourn and meet at the ſame, or at ſuch other Place or Places within the ſaid Pariſh, as they the ſaid Commiſſioners, or any five or more of them, ſhall think fit, for putting this Act in Execution, publick Notice of ſuch Meetings being given in the Church of the ſaid Pariſh on the *Sunday* next preceding every ſuch Meeting reſpectively.

Commiſſioners firſt Meeting.

IV. Provided always, That two Commiſſioners ſhall be ſufficient for the Purpoſe of Adjournment only; and if, at any Meeting appointed to be held by virtue of this Act, there ſhall not appear a ſufficient Number of Commiſſioners to act, or to adjourn to another Day; or in caſe it ſhall by any Means happen that there ſhall be no Adjournment made; then the Clerk to the ſaid Commiſſioners, or in caſe of Failure thereof, then any five of the ſaid Commiſſioners ſhall, by cauſing Notice to be affixed upon the Door of the Church of the ſaid Pariſh, at leaſt three Days before the next Meeting, appoint the Commiſſioners to meet at the Place where the laſt preceding Meeting was appointed to have been held, upon ſome Day, not exceeding ten Days from the Day on which ſuch laſt Meeting was appointed to have been held; and all Proceedings of the ſaid Commiſſioners ſhall be at publick Meetings held in purſuance of this Act, and not otherwiſe; and in caſe of an Equality in Votes, the Chairman ſhall have the caſting Voice.

Method of Adjournment.

All Proceedings to be at publick Meetings.

V. And be it further enacted by the Authority aforeſaid, That at all Meetings to be held under and by virtue of this Act, the ſaid Commiſſioners ſhall bear and pay their own Expences.

Commiſſioners to bear their own Expences.

VI. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for ſuch Commiſſioners as are in the Commiſſion of the Peace for the County of *Middleſex* to act as Juſtices within their Juriſdiction for putting this Act in Execution, notwithſtanding their being Commiſſioners, (except in ſuch Caſes where they ſhall be perſonally intereſted;) and in all Caſes where Cognizance is given by this Act to any Juſtice or Juſtices of the Peace it ſhall be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath to any Perſon or Perſons, for more certain Information in the Matter depending; and in all Caſes where the Commiſſioners are hereby authoriſed to bring or inſtitute any Action or Actions at Law, the ſame ſhall and may be brought or inſtituted in the Name of the Treaſurer or Clerk appointed by virtue of this Act.

Commiſſioners in the Commiſſion of the Peace may act as Juſtices.

Juſtices may adminiſter Oaths.

Actions to be brought in Name of the Treaſurer or Clerk.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, ſhall and may, and they are hereby impowered, from Time to Time, to elect and appoint one or more Treaſurer or Treaſurers, reſident within the ſaid Pariſh, to receive the Monies to be raiſed and collected in purſuance and for the Purpoſes of this Act; and alſo one or more Collector or Collectors of the Rates or Aſſeſſments herein-after directed to be made; and ſuch other Perſon or Perſons as the ſaid Commiſſioners may judge neceſſary, to be aſſiſting in carrying this Act into Execution; and from Time to Time to remove ſuch Treaſurer or Treaſurers, Collector or Collectors, Perſon or Perſons, and appoint ſuch other Perſon or Perſons, in his or their Stead and Place; and out of ſuch Rates or Aſſeſſments ſhall and may make ſuch Allowances to all ſuch Treaſurers, Collectors, and other Perſons, and take ſuch Security for the due Execution of their reſpective Offices, as they the ſaid Commiſſioners, or any five or more of them, in their Diſcretion ſhall think proper.

Commiſſioners may appoint Officers,

and allow them Salaries.

VIII. And be it further enacted by the Authority aforeſaid, that the ſaid Treaſurers, Collectors, and other Perſon and Perſons to be elected and appointed as aforeſaid, ſhall, at all Times when thereunto required by the ſaid Commiſſioners, or any five or more of them, make up and render to the ſaid Commiſſioners, or any five or more of them, or to ſuch Perſon or Perſons as they, or any five or more of them, ſhall for that Purpoſe appoint, full, true, and perfect Accounts in Writing, verified upon their Oaths reſpectively (which Oath the ſaid Commiſſioners, or any five or more of them, are hereby impowered to adminiſter), of all Monies by them received and paid by virtue of their ſaid Office;

Officers to account to Commiſſioners:

fice; and ſhall pay over the Money that upon any ſuch Account ſhall appear to be remaining in his or their Hands to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any five or more of them, ſhall, by Writing under their Hands, appoint to receive the ſame, together with the Vouchers in Support of ſuch Account, and alſo the Books, Papers, and Writings, in their reſpective Cuſtody or Power, anyways relating to this Act; and in caſe any ſuch Treaſurer, Collector, or other Perſon or Perſons, ſhall refuſe or neglect, for the Space of fourteen Days after being thereunto required as aforeſaid, it ſhall be lawful for the ſaid Commiſſioners, or any five or more of them, and they are hereby authoriſed and impowered to commence and proſecute one or more Action or Actions, in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt the Perſon or Perſons ſo neglecting or refuſing as aforeſaid, for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons reſpectively, with Coſts of Suit; or if Complaint ſhall be made by the ſaid Commiſſioners, or any five or more of them, or by any Perſon or Perſons to be appointed by them for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any one or more of the Juſtices of the Peace for the County or Place wherein the Party or Parties ſo neglecting or refuſing ſhall be and reſide, ſuch Juſtice and Juſtices may, and is and are hereby authoriſed and impowered, by a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cauſe the Perſon or Perſons ſo refuſing or neglecting to be brought before him or them, and upon his or their appearing, (or not being to be found) to hear and determine the Matter in a ſummary Way; and if, upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, it ſhall appear to ſuch Juſtice or Juſtices, that any of the Monies that ſhall have been collected or raiſed by virtue of this Act ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtice or Juſtices may, and is and are hereby authoriſed and impowered, by a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, to cauſe ſuch Monies to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons, offending in the Premiſes reſpectively: And if no ſuch Goods or Chattels can be found ſufficient to anſwer and ſatisfy the ſaid Monies, and the Charges of diſtraining for the ſame; or in caſe of Refuſal to account as aforeſaid, or that it ſhall appear to ſuch Juſtice or Juſtices, by the Confeſſion of the ſaid Party ſo offending, or by the Teſtimony of any credible Witneſs upon Oath, that any Books, Papers, or Writings, relating to the Execution of this Act, or to the Proceedings to be had under the ſame, ſhall be in the Cuſtody or Power of any ſuch Officer or Officers, Perſon or Perſons, and he or they ſhall refuſe to deliver up the ſame as aforeſaid; then, and in either of the ſaid Caſes, ſuch Juſtice or Juſtices ſhall commit every ſuch Offender to the common Gaol of the County or Place where ſuch Offender ſhall be and reſide, there to remain without Bail or Mainprize until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he or they ſhall compound with the ſaid Commiſſioners, or any five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint (which Compoſition the ſaid Commiſſioners, or any five or more of them, are hereby impowered to make), and until he or they ſhall deliver up ſuch Books, Papers, and Writings, as aforeſaid, or give Satisfaction in reſpect thereof: Provided always, That no Perſon who ſhall be committed on account of his having no Goods or Chattels, ſhall be detained in Priſon for any longer Term than two Calendar Months.

On Default thereof, to be ſued,

or carried before a Juſtice.

Juſtices may iſſue Warrant of Diſtreſs.

When ſufficient Diſtreſs cannot be found, &c. the Offender to be committed.

Proviſo.

IX. And be it further enacted by the Authority aforeſaid, That upon the Death, or Bankruptcy or Inſolvency of any ſuch Treaſurer, Collector, or other Officer or Perſon, to be appointed as aforeſaid, before he or they ſhall have paid and delivered up all the Monies he or they ſhall have received by virtue of this Act, the reſpective Executors or Adminiſtrators, in caſe of the Death of any ſuch Treaſurer or other Officer or Officers, or the Aſſignee or Aſſignees of his and their Eſtate and Effects, or other Perſon or Perſons poſſeſſing the ſame, or in whom the ſame have or hath veſted, in caſe of Bankruptcy or Inſolvency, ſhall, within forty Days next after ſuch Deceaſe, or Bankruptcy or Inſolvency, deliver to the ſaid Commiſſioners, or any five or more of them, at one of their Meetings, an Account in Writing, under his, her, or their Hand or Hands, of the Monies and Effects which ſuch Perſon or Perſons ſo deceaſed, or become Bankrupt or inſolvent, had been, by virtue of this Act, appointed to collect or receive, and which ſhall then have been collected or received by ſuch Perſon deceaſed, or become Bankrupt or inſolvent; and ſhall alſo pay, previous to the paying any other Debts or Sums of Money, all ſuch Monies as were in the Hands of ſuch Perſons reſpectively, at the Time of his or their Death or Inſolvency, or the iſſuing of any Commiſſion of Bankruptcy againſt him or them, and not paid over, or ſo much thereof as the ſaid Eſtate will extend to pay; and ſhall likewiſe deliver all Books, Papers, and Things, concerning his Office, to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any five or more of them, by Writing under their Hands, ſhall appoint to receive the ſame; and every Executor or Adminiſtrator, Aſſignee, or other Perſon or Perſons, poſſeſſed of ſuch Monies, Eſtate, or Effects, as aforeſaid, may plead ſuch Payment, in any Action or Suit which may be brought againſt him, her, or them, for or on account of ſuch Eſtate or Effects, or give the ſame in Evidence; and in caſe of Non-payment of ſuch Monies, or Non-delivery of ſuch Books, Papers, Writings, or Things, for the Space of ſeven Days after the ſame ſhall be demanded by any one of the ſaid Commiſſioners, it ſhall be lawful for the ſaid Commiſſioners, or any five or more of them, to commence, maintain, and proſecute, an Action or Actions in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt ſuch Executors or Adminiſtrators, Aſſignee or Aſſignees, or other Perſon or Perſons poſſeſſing the Eſtate and Effects which did belong to ſuch deceaſed Perſon, or ſuch Bankrupt or Inſolvent, for Recovery thereof, or for Recovery of Damages in Lieu of ſuch Books, Papers, Writings, and Things reſpectively; in which Action or Actions the ſaid Commiſſioners bringing ſuch Action or Actions ſhall be allowed their Coſts.

On Death or Bankruptcy of Officers, Executors, &c. to make good all Deficiencies;

and deliver all Books, &c. concerning his Office.

On Neglect thereof, Executors, &c. may be proſecuted.

X. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, ſhall and may, from Time to Time, direct and appoint ſuch a Number and ſuch Sort of Lamps, with Poſts or Irons, to be ſet up and placed, and in ſuch Manner, and in ſuch Parts, within the ſaid Town, and Parts adjacent within the ſaid Pariſh, as they ſhall judge neceſſary and proper; and

Commiſſioners may direct Lamps to be ſet up,

may contract with any Perſon or Perſons for furniſhing ſuch Lamps, and Poſts or Irons, or may provide the ſame themſelves; and may alſo contract or agree for the lighting, cleanſing, ſupplying, and maintaining ſuch Lamps; and ſhall alſo direct and appoint how long the ſame ſhall be and continue lighted, and during what Part or Parts of the Year; and ſhall alſo appoint ſuch Number of able-bodied Men to be employed as Watchmen in the Night-time, for the Safety of the Inhabitants of the ſaid Town, and Parts adjacent within the ſaid Pariſh; and alſo ſuch Number of Men to patrole the Road between the ſaid Town and *London*, on Foot or on Horſeback, for the Safety of Travellers (the ſaid Watchmen and Patrole to attend at ſuch Times and Places, and during all or any Part of the Year, and at ſuch Hours, and to perform ſuch Duty, and to go armed with ſuch Weapons, as the ſaid Commiſſioners, or any five or more of them, ſhall from Time to Time direct and appoint); and the ſaid Commiſſioners are hereby impowered, from Time to Time, to make ſuch Rules, Orders, and Regulations, for the better governing the Watchmen and Patroles, and all and every other the Purpoſes of this Act, as the ſaid Commiſſioners, or any five or more of them, ſhall think proper; all which ſaid Rules, Orders, and Regulations, ſhall be of the ſame Force and Effect, for the Purpoſes thereby intended, as if the ſame were enacted in the Body of this Act, provided ſuch Rules, Orders, and Regulations, are not repugnant to the Laws of this Realm.

appoint Watchmen, and a Patrole.

Lamps, &c. veſted in the Commiſſioners.

XI. And be it further enacted, That from and after the paſſing of this Act, the Right and Property of all Lamps, Lamp Irons, Poſts, and other Requiſites, which ſhall be provided, erected, or fixed, under or by virtue of this Act, and every other Matter and Thing uſed in or about carrying the ſame into Execution, ſhall be, and the ſame and every Part thereof are hereby veſted in the ſaid Commiſſioners; and they, or any five or more of them, are hereby authoriſed and impowered to bring, or cauſe to be brought, any Action or Actions, or to prefer any Bill or Bills of Indictment (as the Caſe ſhall require), againſt any Perſon or Perſons who ſhall break, ſpoil, injure, deſtroy, ſteal, take, or carry away any of the ſaid Lamps, Lamp Irons, Poſts, or any of the ſaid Materials, Implements, or Things, herein-before veſted in the ſaid Commiſſioners, or any Part or Parts thereof.

Any Perſon wilfully deſtroying Lamps, &c.

XII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully break, throw down, or damage, any of the ſaid Lamps, or ſhall wilfully extinguiſh the Light or Lights within the ſame, or ſhall damage the Irons or other Furniture thereof, or ſhall wilfully damage any Poſts, or other Materials or Things herein-before veſted in the ſaid Commiſſioners, it ſhall be lawful for any Perſon or Perſons whomſoever, who ſhall ſee ſuch Offence committed, to give Information of the Offence, or to ſeize, as alſo for any other Perſon or Perſons to aſſiſt in ſeizing, the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to convey and deliver him, her, or them, into the Cuſtody of a Peace Officer, in order to be ſecured and conveyed before ſome Juſtice of the Peace for the ſaid County of *Middleſex*; and ſuch Juſtice ſhall examine upon Oath any Witneſs or Witneſſes who ſhall appear or be produced to give Information touching the ſaid Offence; and if the Party or Parties accuſed ſhall be convicted of any of the Offences aforeſaid, either by his, her, or their own Confeſſion, or upon ſuch Information as aforeſaid, he, ſhe, or they, ſo convicted, ſhall forfeit and pay, for every ſuch Offence, to the ſaid Commiſſioners, or to ſuch Perſon as they, or any five of them, ſhall appoint to receive the ſame, the Sum of twenty Shillings; and, moreover, ſhall make Satisfaction for the Damage that may be done as aforeſaid: And in caſe any ſuch Offender or Offenders ſhall not, upon Conviction, pay ſuch Forfeiture, and make ſuch Satisfaction, as aforeſaid, ſuch Juſtice is hereby required to commit him, her, or them, to the Houſe of Correction for the ſaid County of *Middleſex*, there to be kept to hard Labour, for any Time not exceeding one Calendar Month; and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they, ſhall be ſo committed, unleſs ſuch Penalty or Forfeiture, and Satisfaction, ſhall be ſooner paid and given.

to forfeit 20 s. and pay all Damages,

or be committed to the Houſe of Correction.

Penalty on carelеſsly or accidentally damaging Lamps, &c.

XIII. And be it further enacted, That in caſe any Perſon or Perſons ſhall careleſsly or accidentally break, throw down, or damage, any of the ſaid Lamps ſo to be ſet up as aforeſaid, or the Poſts, Irons, or other Furniture thereof, and ſhall not immediately, upon Demand, make Satisfaction for the Damage done thereto; then, and in every ſuch Caſe, it ſhall be lawful for any one Juſtice of the Peace for the ſaid County of *Middleſex*, upon Complaint made to him by one or more credible Perſon or Perſons, to ſummon before him the Perſon or Perſons ſo complained of, and upon hearing the Allegations and Proofs on both Sides, or upon the Non-appearance of the Perſon or Perſons ſo complained of and ſummoned, ſuch Juſtice ſhall award ſuch Sum or Sums of Money, by Way of Satisfaction for ſuch Damage, as he ſhall think reaſonable; and in caſe the Perſon or Perſons ſo complained of ſhall neglect or refuſe to pay the Money ſo to be awarded, within three Days next after Demand made thereof, it ſhall be lawful for ſuch Juſtice to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender.

Commiſſioners may make a Pound Rate on the Inhabitants.

XIV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, ſhall meet together upon the firſt *Wedneſday* in *September*, and alſo upon the firſt *Wedneſday* in *December*, in every Year, or within twenty-one Days after each of the ſaid Days reſpectively; and ſhall make an equal Pound Rate, for defraying the Charges and Expences of executing this Act, upon all and every Perſon and Perſons who do or ſhall inhabit, hold, uſe, occupy, or enjoy, any Houſes, Gardens, Pleaſure Grounds, Shops, Warehouſes, Coach-houſes, Stables, and other Buildings, within the ſaid Town, and Parts adjacent within the ſaid Pariſh (ſuch Rate or Rates to be paid by the ſaid Perſon or Perſons reſpectively, at ſuch Times, and in ſuch Manner and Proportions, as the ſaid Commiſſioners making any ſuch Rate or Rates ſhall thereby direct and appoint), ſo as no ſuch Rate or Rates ſhall exceed the Sum of one Shilling in the Pound in any one Year, upon the yearly Value of the ſaid Houſes, Gardens, Pleaſure Grounds, Shops, Warehouſes, Coach-houſes, Stables, and other Buildings, within ſuch Parts of the ſaid Town, and Parts adjacent within the ſaid Pariſh, where Lamps ſhall be ſet up, affixed, and lighted, by virtue of this Act; nor exceeding the Sum of Sixpence in the Pound, upon the ſaid yearly Value where Lamps ſhall not be ſet up, affixed, and lighted, by virtue of this Act.

Proviſo.

XV. Provided always, That no ſuch Rate or Rates ſhall extend to that Part of the ſaid Pariſh called *Kilburn*.

XVI. And

'XVI. And whereas there are divers Houſes, Tenements, and Buildings, within the ſaid Town, and 'Parts adjacent within the ſaid Pariſh, which are let in ſeparate Apartments, or ready furniſhed, by 'which Means the Payment of the ſaid Rates for ſuch Houſes, Tenements, and Buildings, may be 'evaded;' for Remedy whereof, be it enacted by the Authority aforeſaid, That the Leſſee, Landlord, Owner, or Proprietor, of every ſuch Houſe, Tenement, or Building, ſhall, for the Purpoſes of this Act, be deemed and taken to be the Occupier or Occupiers thereof, and ſhall be ſubject and liable to the Payment of the Rates or Aſſeſſments to be made by virtue of this Act; and that each and every Perſon renting or occupying any ſuch Houſe, Tenement, or Building, or any Part or Parts thereof, ſhall be liable and compellable to the Payment of the ſaid Rates or Aſſeſſments, and all Arrears due thereon, the ſame to be recovered in Manner herein-after mentioned; and the Perſon or Perſons from whom ſuch Rates or Aſſeſſments ſhall be recovered or received, ſhall and may deduct the ſame out of the next or any other Rent that ſhall become due and payable from him, her, or them; and the Receipt for ſuch Payment ſhall be a ſufficient Diſcharge for ſuch Tenant or Occupier, to and againſt his, her, or their Landlord, for ſo much Money as ſhall be paid by or recovered from ſuch Tenant or Occupier reſpectively.

How Houſes let in ſeparate Apartments, &c. ſhall be paid for.

XVII. And be it further enacted by the Authority aforeſaid, That every Rate or Aſſeſſment that ſhall be made or aſſeſſed by the Authority of this Act, for or in reſpect of any Houſe, Tenement, or Building, which any Ambaſſador, Reſident, Agent, or Publick Miniſter of any Foreign Prince or State, or any of their Servants, now doth, or hereafter ſhall inhabit or occupy, ſhall be paid by the Leſſor, Landlord, or Owner of every ſuch Houſe, Tenement, or Building; who is hereby declared liable to the Payment thereof, and the ſame ſhall be recovered in Manner herein-after mentioned.

Houſes of Ambaſſadors, &c. to be paid for by the Landlords.

XVIII. And be it further enacted by the Authority aforeſaid, That where any Perſons, liable to the Payment of any ſuch Rates or Aſſeſſments, ſhall refuſe or neglect to pay the ſame, it ſhall be lawful for the Perſon or Perſons appointed to collect the ſame, by Warrant under the Hands and Seals of any two or more of his Majeſty's Juſtices of the Peace for the ſaid County, to levy all and every ſuch Rates and Aſſeſſments, and all Arrears due thereon, by Diſtreſs and Sale of the Goods and Chattels of the Party ſo refuſing or neglecting, which ſhall be found within the ſaid County; and if ſufficient Diſtreſs cannot be found within the ſaid County, then, upon Oath thereof made before any one or more Juſtice or Juſtices of the Peace of any other County, City, Liberty, or Place, the Goods and Chattels of the Perſon ſo refuſing or neglecting ſhall and may be diſtrained in any other County, City, Liberty, or Place, by virtue of ſuch Warrant.

How Rates may be recovered.

XIX. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Contract, or any other Security or Writing whatſoever, relating to the Execution of this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Writings to be without Stamps.

XX. And be it further enacted, That the Charges of paſſing this Act, and all other Charges incident thereto, ſhall be borne, paid, and defrayed, out of the firſt Monies to be raiſed by the Rates herein-before directed to be made.

Expences of this Act how to be paid.

XXI. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, ſuch Perſon may appeal to the Juſtices of the Peace, in their General or Quarter Seſſion of the Peace, to be holden for the County of *Middleſex*, next after the Cauſe of Complaint ſhall ariſe; and it ſhall be lawful for the ſaid Juſtices to hear all ſuch Appeals, and award reaſonable Coſts to the Party in whoſe Favour the ſame ſhall be determined; and the Order made by the ſaid Juſtices ſhall be final and concluſive to all Parties concerned therein.

Perſons aggrieved may appeal to the Quarter Seſſions;

whoſe Order ſhall be final.

XXII. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Warrant of Diſtreſs, or in the Rate or Aſſeſſment, or for any Irregularity which ſhall be afterwards committed by the Party diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall or may recover full Satisfaction for the ſpecial Damage ſuſtained, and no more, in an Action on the Caſe.

Diſtreſs not to be deemed unlawful for Want of Form.

XXIII. And be it further enacted by the Authority aforeſaid, That no Proceeding to be had touching any Conviction, Order, or other Matter or Thing, to be made, done, or tranſacted in, or relating to, the Execution of this Act, ſhall be vacated or quaſhed for Want of Form only, or be removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

Proceedings not to be quaſhed for Want of Form.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, the ſame ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the County of *Middleſex*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Actions may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to be ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid; that then, or in any or either of ſuch Caſes, the Jury ſhall find for the Defendant or Defendants; and if a Verdict ſhall be ſo found, or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action or Actions, or if upon Demurrer Judgment ſhall be given for the Defendant or Defendants therein; then, and in either of the ſaid Caſes, ſuch Defendant or Defendants ſhall have Treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants may have for his, her, or their Coſts, in any other Caſes by Law.

Limitation of Actions.

General Iſſue.

Treble Coſts.

XXV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Publick Act.

CAP. LIX.

An Act for the better Relief and Employment of the Poor within the Hundreds of *Mitford* and *Launditch*, in the County of *Norfolk*.

CAP. LX.

An Act for extending the Duty of two Pennies *Scots*, or one-ſixth Part of a Penny *Sterling*, payable on every Pint of Ale and Beer vended or ſold in the Village of *Port Glaſgow* and the Privileges thereof, over the Town of *Newark*; for ſupplying the Inhabitants of *Port Glaſgow* and *Newark* with freſh Water; for paving, cleaning, lighting, and watching the Streets of the ſaid two Towns; for erecting publick Markets therein; for repairing, and keeping in Repair, the Breaſt and Eaſt and Weſt Quays of the Harbour of *Port Glaſgow*, and other Purpoſes therein mentioned.

Preamble.

'WHEREAS the Towns of *Port Glaſgow* and *Newark*, in the Pariſh of *Port Glaſgow*, and County of *Renfrew*, in that Part of *Great Britain* called *Scotland*, are Sea-port Towns, and lie contiguous to and adjoin each other, and are bounded as follows; *videlicet*, by the River *Clyde* on the North, the *Clune Burn* on the Eaſt, the Lands of *Dubs Brae Head*, *White Croft*, and *Douglehills* on the South, and the *Devols Glen Burn* on the Weſt Parts: And whereas the Inhabitants of the ſaid two Towns have of late Years greatly increaſed, and a great Trade has been carried on in the ſaid Town of *Port Glaſgow*, particularly of importing and exporting Tobacco, and other Merchant Goods, and a Cuſtomhouſe has been erected in the ſaid Town for many Years paſt, and Officers appointed for collecting his Majeſty's Duties at the Town and Harbour of *Port Glaſgow*, which Harbour is very ſafe and commodious for Ships and Veſſels reſorting thereto: And whereas the Fewars and Inhabitants of the ſaid Towns of *Port Glaſgow* and *Newark* have, with Conſent of the Magiſtrates and Council of the City of *Glaſgow*, Superiors of the Whole, and Proprietors of Part of the ſaid Town of *Port Glaſgow*, and of *Robert Hamilton* of *Wiſhaw*, Eſquire, Superior of the Whole, and Proprietor of Part of the ſaid Town of *Newark*, agreed to have a regular Police legally eſtabliſhed for the Government of the ſaid two Towns, and that Baillies and Truſtees ſhould be annually elected and choſen out of the Fewars and Inhabitants of the ſaid Towns of *Port Glaſgow* and *Newark*, for managing, regulating, and conducting the Police and Government of the ſaid two Towns; for ordering, directing, and managing the publick Works hereinafter mentioned, for the Benefit and Advantage of the Fewars and Inhabitants of the ſaid two Towns; for directing the repairing, and keeping in Repair, the Breaſt and Eaſt and Weſt Quays of the Harbour of *Port Glaſgow*; and for the ordering, directing, and managing the paving, lighting, and watching the publick Streets of the ſaid Towns of *Port Glaſgow* and *Newark*, and Breaſt of *Port Glaſgow*; and for bringing of freſh Water into the ſaid Towns of *Port Glaſgow* and *Newark*, for the Uſe of the Inhabitants thereof, and of the Shipping and Veſſels reſorting to the ſaid Harbour of *Port Glaſgow*; and for building publick Markets in the ſaid Towns of *Port Glaſgow* and *Newark*, for the Conveniency of the Inhabitants; which ſeveral Purpoſes will be attended with a conſiderable Expence, which the ſaid two Towns have no Revenue to defray: And whereas by an Act paſſed in the Parliament of *Scotland*, in the fourth Year of the Reign of their late Majeſties King *William* and Queen *Mary*, a Duty of two Pennies *Scots* was granted to the Community of the City of *Glaſgow*, and to the Magiſtrates and Town Council of the ſame, and their Succeſſors in Office, for the Uſes therein mentioned, upon every Pint of Ale or Beer, either brewen or in-brought, and vended, tapped, or ſold within the ſaid City and Suburbs, and Liberties thereof, for the Space of thirteen Years, commencing from the firſt Day of *November*, in the Year one thouſand ſix hundred and ninety-three; which ſaid Duties were, by an Act of the Parliament of *Scotland*, in the third Year of the Reign of her late Majeſty Queen *Anne*, further continued for the Term of ſixteen Years; and by an Act of the Parliament of *Great Britain*, made in the firſt Year of the Reign of his late Majeſty King *George* the Firſt, the ſaid Duties were further continued till the firſt Day of *November*, one thouſand ſeven hundred and thirty-eight; and by another Act, made in the ninth Year of the Reign of his late Majeſty King *George* the Second, the ſaid Duties were further continued for the Term of twenty-five Years, and were alſo extended over the Villages of *Gorbells* and *Port Glaſgow*, and their Privileges reſpectively; and by another Act, made in the twenty-eighth Year of the Reign of his ſaid late Majeſty King *George* the Second, the aforeſaid Duty was further continued upon all Ale or Beer, brewed or in brought within the ſaid City of *Glaſgow*, and Liberties thereof, and within the Villages of *Gorbells* and *Port Glaſgow*, and Privileges thereof reſpectively, from and after the Expiration of the ſaid Act of the ninth Year of the Reign of his ſaid late Majeſty King *George* the Second, for the further Term of thirty-eight Years, and from thence to the End of the then next Seſſion of Parliament: And whereas the Magiſtrates and Council of the City of *Glaſgow* have, towards enabling the ſaid Fewars of *Port Glaſgow* and *Newark* to repair, and keep in Repair, the Breaſt and Eaſt and Weſt Quays of *Port Glaſgow*, and to carry on publick Works in the ſaid Towns of *Port Glaſgow* and *Newark*, for the Benefit of the Inhabitants thereof, aſſigned and conveyed to the ſaid Fewars the aforeſaid Duty of two Pennies *Scots* upon every Pint of Ale or Beer, either brewen or in-brought, or vended, tapped, or ſold, within the ſaid Town of *Port Glaſgow*, and Liberties thereof, for the Space of the aforeſaid Act, made in the twenty-eighth Year of the Reign of his late Majeſty King *George* the Second, which ſhould be to run after the firſt Day of *September* laſt, conform to Contract executed betwixt the ſaid Magiſtrates and Council of *Glaſgow* and the aforeſaid Fewars of *Port Glaſgow* and *Newark*, bearing Date the ſixth, fourteenth, and twenty-third Days of *September*, one thouſand ſeven hundred and ſeventy-four,

Act of the Parliament of Scotland, 4 Gul. & Mariæ.

3 Annæ.

1 Geo. I.

9 Geo. II.

28 Geo. II. recited.

' and

'and recorded in the Town Court Books of *Glaſgow* upon the twenty-ſeventh Day of *September*, and 'Year laſt mentioned: And whereas there is no Revenue in the ſaid Towns of *Port Glaſgow* and *Newark* 'for maintaining the Government thereof, paying Miniſters Stipends, Schoolmaſters Salaries, repairing 'and preſerving the Streets and Cauſeways of the ſaid Towns, lighting, paving, and watching the ſame, 'nor for erecting publick Markets, and other publick Works, for the Uſe and Benefit of the Inhabitants 'of the ſaid Towns, and purchaſing Grounds for theſe Purpoſes; and it being on theſe Accounts neceſ-'ſary that the aforeſaid Duty of two Pennies *Scots* ſhould be extended over the ſaid Town of *Newark*, and 'Inhabitants thereof, within the Bounds aforeſaid;' may it therefore pleaſe your Majeſty that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Rates, Duties, and Impoſitions, made payable by the Acts before recited, particularly by the aforeſaid Act of the ninth Year of the Reign of his late Majeſty King *George* the Second, and by the aforeſaid Act of the twenty-eighth Year of the Reign of his ſaid late Majeſty, upon all Ale or Beer, brewed or in-brought, or vended, tapped, or ſold, within the Town of *Port Glaſgow*, and Privileges thereof, and alſo the ſame Rates, Duties and Impoſitions, upon all Ale or Beer, brewed or in-brought from *Glaſgow*, or any Place whatever, or vended, tapped, or ſold within the ſaid Town of *Newark*, and Liberties thereof, and within the whole Boundaries of the ſaid Towns of *Port Glaſgow* and *Newark*, ſhall, from and after the firſt Day of *June* next, be raiſed, levied, collected, paid and made payable, to the Baillies and Truſtees for the ſaid Fewars of *Port Glaſgow* and *Newark* hereinafter mentioned for the Time being, and to their Succeſſors in Office, for the Uſe and Behoof of the ſaid Towns, or to their Treaſurer or Collector in their Name, for and during the whole Time that ſhall be to run of the aforeſaid Act of the twenty-eighth Year of the Reign of his late Majeſty King *George* the Second, from the ſaid firſt Day of *June*; and that the ſaid Duties hereby granted over the ſaid Towns of *Port Glaſgow* and *Newark*, and Inhabitants thereof, within the Bounds and Limits aforeſaid, ſhall be levied and paid by the ſame Powers and Authorities, and according to the ſame Rules, Methods, and Directions, and under the ſame Penalties and Forfeitures, as are preſcribed, mentioned, and expreſſed in the ſeveral Acts of Parliament herein-before recited, or any of them; and that the ſaid Acts, and every Article, Rule, Clauſe, Matter, and Thing in them, or any of them, contained, ſhall be of full Force and Effect, to all Intents and Purpoſes, for raiſing, collecting, ſecuring, and levying the ſaid Duty within the ſaid Towns of *Port Glaſgow* and *Newark*, and Liberties thereof, and Boundaries aforeſaid, for and during the whole Time of the ſaid Act of the twenty-eighth Year of the Reign of his late Majeſty King *George* the Second, from and after the ſaid firſt Day of *June*, as fully and effectually as if the ſame were particularly and at large repeated, expreſſed, and re-enacted, in the Body of this preſent Act.

Powers of the before-recited Acts extended to Newark.

Duties to be paid to the Baillies, &c of Port Glaſgow and Newark, &c.

II. And be it further enacted by the Authority aforeſaid, That from and after the fourteenth Day from the paſſing of this Act, *Humphry Colquhoun* Deputy Comptroller of the Cuſtoms in *Port Glaſgow*, *Alexander Molliſon* Surgeon there, *George Murdoch* Eſquire, Comptroller of the Cuſtoms there, *James King* ſenior, *James King* junior, *Robert Douglas*, *Hugh Milliken*, *John Bannatyne*, *Allan Stevenſon*, *John Molliſon*, *John Dunlop*, *Andrew Mac Millan*, *Robert Cumming*, *Murdoch King*, *Thomas Knox*, *Patrick Dougall*, *William Howatt*, *James Ramſay*, *William Laird*, *Andrew Crawford*, and *John Foſter* ſenior, all Merchants in *Port Glaſgow*; *John Burns* Vintner there, *Alexander Blair* Eſquire, Land Surveyor there, *John Stirling* in the Cuſtom-houſe there, *Robert Jamieſon* and *James Glasford* Coopers there, *Robert Bennet* Shipmaſter there, *John Hamilton* Barber there, and *Robert Cumming* Wright there, all Fewars and Proprietors of Lands in the ſaid Town of *Port Glaſgow*; and *John Barr* junior Clock and Watch Maker, *John Williſon* and *James Aiken*, Merchants; *Alexander Barnhill* Brewer, *William Clarke*, *Andrew Laird*, *David Laird*, and *William Hood*, Wrights; *John Martine* Writer, *Alexander Mac Kechany* Ship-carpenter, *George Johnſton* Joiner, *Matthew Edward* Carpenter, *James Sinclair* Tide Officer, *Archibald Denniſton* Farmer, *David Auld* Maſon, *John Simpſon* junior Merchant, *Alexander Spear* Shoemaker, *Henry Robertſon* Merchant, *Nicholas Conyers* and *Robert King* Land Waiters; and *William Dunlop* Shipmaſter; all Fewars and Proprietors of Lands within the ſaid Town of *Newark*, and all the other Fewars within the Limits and Boundaries before mentioned, and their ſeveral and reſpective Succeſſors in the ſaid Lands, and their Aſſignees and Diſponees, ſhall, and are hereby authoriſed and impowered, upon the laſt *Tueſday* of *September* next, to meet at twelve of the Clock at Noon in the Council Chamber in *Port Glaſgow*, and there by Plurality of Voices of ſuch as are preſent, to elect and make Choice of thirteen of the Fewars of *Port Glaſgow* and *Newark*, as Truſtees for managing, conducting, and carrying on the publick Works hereafter directed to be made or done in the ſaid Towns of *Port Glaſgow* and *Newark*, and for levying, collecting, and receiving the Duties herein granted, and for regulating and ordering the Police of the ſaid two Towns; and that the thirteen Perſons ſo to be choſen ſhall be and continue Truſtees under this preſent Act for one Year afterwards, being until the laſt *Tueſday* of *September* immediately following; and a Liſt of the ſaid thirteen Perſons ſhall, within three Days after their Election, be tranſmitted to the Magiſtrates and Council of the City of *Glaſgow*, out of which thirteen Perſons the ſaid Magiſtrates and Council ſhall chooſe one, who ſhall be and is hereby authoriſed to act as eldeſt Baillie in and over the ſaid Towns of *Port Glaſgow* and *Newark*, and Inhabitants thereof, for the Space of one Year after his Election: And in caſe the ſaid Magiſtrates and Council ſhall at any Time neglect or refuſe to chooſe the eldeſt Baillie within ten Days after the ſaid Liſt of Truſtees hath been tranſmitted to them the ſaid Magiſtrates and Council; then, and in ſuch Caſe, the ſaid Truſtees, or the major Part of them, ſhall have Power, and are hereby authoriſed and required, within ſix Days after the Expiration of the ſaid ten Days, to name one of their Number to be the eldeſt Baillie for the Year then next enſuing; and immediately after ſuch Election or Nomination of the ſaid eldeſt Baillie, it ſhall be lawful for him and the other twelve Truſtees, to be choſen as aforeſaid, or the major Part of them, to meet and convene in the ſaid Council Chamber of *Port Glaſgow*, upon the third Day after the Election of the ſaid eldeſt Baillie, or upon the firſt lawful Day after

Truſtees Names;

Meeting appointed for the Choice of 13 Truſtees;

One of whom to be choſen eldeſt Baillie.

Truſtees to elect one of their Number to be the youngeſt Baillie.

after the Expiration of the ſaid three Days, at twelve of the Clock at Noon, and there elect and make Choice of one of the ſaid twelve Truſtees to be the youngeſt Baillie for one Year, in and over the ſaid Towns of *Port Glaſgow* and *Newark*, and whole Inhabitants thereof; to whom the ſaid Baillies, or either of them, are hereby authoriſed, impowered, and required to adminiſter Juſtice, and to exerciſe all the Power and Authority by the Laws of *Scotland* committed to the Baillies of a Burgh or Barony.

Truſtees to diſqualify four of their Number annually, and to elect four others.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to the ſaid Baillies and Truſtees, to be choſen and elected as aforeſaid, or any ſeven of them, to meet and convene in the ſaid Council Chamber of *Port Glaſgow*, or in ſuch other Place in the ſaid Towns of *Port Glaſgow* and *Newark*, or either of them, as they ſhall appoint, upon the laſt *Tueſday* in the Month of *September* yearly, after the Month of *September* next, and there, by Plurality of Votes, to diſqualify four of their Number from being Truſtees, and to elect and make choice of four of the Fewars of the ſaid Towns of *Port Glaſgow* and *Newark* to ſupply the vacant Places of the ſaid four Truſtees to be diſqualified as aforeſaid; and ſuch Liſt of the ſaid thirteen Truſtees ſhall be annually delivered to the Magiſtrates and Council of *Glaſgow*, within three Days after the ſaid Election, and the eldeſt and youngeſt Baillies of the ſaid Towns ſhall be annually choſen in ſuch Manner as is herein-before directed, touching the Choice of Baillies, in the Month of *September* next immediately after the paſſing of this Act; and that the ſaid four Perſons ſo to be elected and choſen, ſhall, with the Baillies and other Truſtees, from Time to Time, be and continue Truſtees for one Year, and until the laſt *Tueſday* of *September* immediately following.

Liſt of Truſtees to be delivered to the Magiſtrates, &c. of Glaſgow, and Baillies to be elected, annually.

IV. And it is hereby enacted, That none of the ſaid four Truſtees to be diſqualified annually as aforeſaid, ſhall be re-elected and choſen as Truſtees, until after the Expiration of full three Years from the reſpective Times of their being diſqualified, as above mentioned.

No diſqualified Truſtee to be re-elected within 3 Years after.

V. Provided always, and be it enacted by the Authority aforeſaid, That no Fewar in the Towns of *Port Glaſgow* and *Newark* ſhall be intitled to vote in the Election of the aforeſaid thirteen Truſtees, unleſs he be poſſeſſed of and ſtand infeft in a Property in the ſaid Towns of *Port Glaſgow* and *Newark*, or either of them, of the yearly Value of five Pounds Sterling of free Rent; and that no Perſon ſhall be voted or elected as a Baillie or Truſtee, unleſs he be poſſeſſed of a Property in the ſaid Towns, or either of them, in which he ſhall ſtand infeft of the yearly Value of ten Pounds Sterling of free Rent; and in caſe any of the Fewars of the ſaid Towns of *Port Glaſgow* and *Newark* ſhall be elected Truſtees as aforeſaid, and ſhall refuſe or neglect to accept of that Office, every Perſon ſo refuſing or neglecting ſhall, by the Baillies for the Time being, or any one of them, be fined in a Sum of Money not exceeding two Pounds Sterling; and any of the ſaid Truſtees, who ſhall be elected and choſen to ſerve as a Baillie as aforeſaid, that ſhall refuſe or neglect to accept of that Office, and diſcharge the Duties thereof, ſhall forfeit a Penalty of five Pounds Sterling, to be levied and applied in Manner herein-after mentioned; and it ſhall be lawful for the ſaid Baillies and Truſtees, or any ſeven of them, to meet and convene, and elect and make choice of a new Baillie or Baillies, Truſtee or Truſtees, in the Room and Place of the Baillie or Baillies, Truſtee or Truſtees, refuſing to accept of the reſpective Offices aforeſaid, and ſhall alſo meet and convene in like Manner to make Choice of a Baillie or Baillies, Truſtee or Truſtees, in the Room of ſuch as ſhall die during the Time of their being ſuch Baillie or Baillies, Truſtee or Truſtees.

Qualifications of Electors, and of Baillies.

Penalty on Truſtees refuſing to act not to exceed 2 l. and on Baillies not exceeding 5 l.

VI. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Baillies and Truſtees, and their Succeſſors in Office for the Time being, or any ſeven or more of them, and they are hereby authoriſed and impowered to contract and agree with the Owners or Proprietors of any Warehouſes, Cellars, Sheds, and other Erections, for the Accommodation of Trade, and with the Owners or Proprietors of any Ground that ſhall be thought neceſſary to be purchaſed for the Purpoſe of building Warehouſes, Cellars, Sheds, and other publick Works within the Bounds and Limits of the ſaid two Towns of *Port Glaſgow* and *Newark*; and alſo with the Owners of any Springs or Fountains within one Statute meaſured Mile of the ſaid Towns of *Port Glaſgow* and *Newark*, and with ſuch other Perſon or Perſons they ſhall judge proper, for the Liberty of collecting, receiving, and conveying the ſaid Springs and Fountains for ſupplying the Inhabitants of the ſaid Towns of *Port Glaſgow* and *Newark* with freſh Water, and for the laying down Pipes and other Conductors for conveying the ſaid Water, and building Ciſterns and Reſervoirs for collecting and receiving the ſame; and that the ſaid Baillies and Truſtees, or any ſeven or more of them, ſhall pay ſuch Rates or Conſideration for the ſame as ſhall be agreed upon between them and the Owners and Proprietors of ſuch Springs and Fountains as aforeſaid, either by abſolute Purchaſe, or by Payment of a certain annual Sum for the Uſe of the ſame, and as ſhall be agreed upon with the aforeſaid other Perſon or Perſons for undertaking, doing, and performing the ſeveral Works before mentioned; and that the ſaid Baillies and Truſtees, and their Succeſſors in Office, are hereby authoriſed and impowered to convey ſuch Water into the ſaid Towns of *Port Glaſgow* and *Newark* by Pipes, to be laid in and through the Grounds lying between ſuch Springs and Fountains as aforeſaid and the ſaid Towns of *Port Glaſgow* and *Newark* and the Ciſterns or Reſervoirs built or to be built thereon.

Baillies, &c. impowered to contract for Ground, &c. for building Warehouſes, &c. and for the bringing freſh Water to Port Glaſgow and Newark.

'VII. And whereas it may happen that ſome of the Owners, Proprietors, or Occupiers of ſuch Springs 'and Fountains as aforeſaid, and of the Lands through which it may be neceſſary to convey the Water 'from the ſaid Springs and Fountains, and to lay down Pipes and other Conductors for that Purpoſe, may, 'not agree with the ſaid Baillies and Truſtees for the Purchaſe of the ſaid Water, and for the Privi-'lege of laying ſuch Pipes, or erecting other Works on their reſpective Lands or Grounds; or may, 'through Infancy, Minority, Defect of the Title Deeds, Incumbrances, Debts, or other Diſabilities or 'Cauſes be diſabled to grant valid and effectual Conveyances of the Premiſes in favour of the ſaid Baillies 'and Truſtees, and their Succeſſors in Office;' be it therefore enacted by the Authority aforeſaid, That in all and every of the Caſes herein immediately before mentioned, it ſhall and may be lawful to and for the Baillies and Truſtees aforeſaid, and their Succeſſors in Office, or any ſeven or more of them, and they are hereby authoriſed and impowered to apply to the Sheriff-depute of the County of *Renfrew*, who, upon ſuch Application, ſhall and he is hereby impowered and required to order a Viſitation and Inſpection

If Baillies, &c. and Owners of Water, &c. cannot agree on Terms of Purchaſe, Application to be made to the Sheriff-depute of Renfrew.

tion to be made of ſuch Springs, Fountains, and Grounds, and to call before him the reſpective Owners and Occupiers thereof, or the Truſtees, Tutors, or Curators, or others, having the Charge and Adminiſtration of the Affairs of ſuch Owners and Occupiers, and requiring them, within a limited Time, to ſhew Cauſe why ſuch Springs or Fountains ſhould not be aliened or granted, or why the ſaid Pipes and Conductors ſhould not be laid through their Grounds, and Ciſterns built thereon for the Purpoſes aforeſaid; and that thereupon the ſaid Sheriff ſhall proceed to hear the ſaid Parties, and to pronounce Sentence in the ſaid Matter, in ſuch Manner as ſhall appear to him reaſonable and juſt.

Perſons aggrieved may apply to the Lords of Seſſion.

VIII. Provided always, and be it further enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved, by the Sentence of the ſaid Sheriff, that it ſhall and may be lawful to ſuch Perſon or Perſons to apply, by Petition, to the Lords of the Council and Seſſion to have ſuch Sentence reviewed, altered, or amended; and the ſaid Lords of Seſſion are hereby impowered and required to proceed and determine therein ſummarily, without abiding the Courſe of any Roll.

Proviſo.

IX. Provided always, That ſuch Application ſhall be made to the Lords of Seſſion within fifteen Days, to commence and to be computed from the Day on which the Court of Seſſion ſhall ſit after the ſaid Sheriff ſhall have pronounced his Sentence as aforeſaid.

Purchaſe-money to be ſettled by a Jury.

X. And be it enacted by the Authority aforeſaid, That if upon Trial it ſhall appear to the ſaid Sheriff-depute that the Springs, Fountains, and Grounds aforeſaid may be ſo aliened and granted without eſſential Hurt or Prejudice to the Owners or Occupiers of the ſame, and it ſhall be ſo found and declared, that then, and in ſuch Caſe, for aſcertaining the Value or Conſideration to be paid for the ſame, it ſhall and may be lawful to and for the ſaid Sheriff-depute, and he is hereby impowered and required, after the elapſing of the ſaid Space in which the Perſons who think themſelves aggrieved are allowed to apply to the Court of Seſſion for Redreſs as aforeſaid, or in caſe of any ſuch Application after a Decree of the ſaid Lords ſhall be extracted thereupon, to ſummon and impannel a competent Number of diſcreet, ſubſtantial, and diſintereſted Perſons, not leſs than fifteen, and out of ſuch Perſons ſo ſummoned and returned to name and appoint a Jury of nine Perſons, each of them poſſeſſed of an Eſtate of one hundred Pounds *Scots* of valued Rent in the County of *Renfrew*, to come and appear before him, at ſuch Time and Place as by his Warrant or Precept ſhall be directed, and to receive ſuch Evidence as ſhall by either Party be brought before him; and the ſaid Sheriff-depute ſhall examine ſuch Witneſſes as ſhall be brought by either Party in the Courſe of the ſaid Evidence, upon Oath (which Oath he is hereby authoriſed and impowered to adminiſter), touching the Value to be paid to the reſpective Proprietors and Occupiers for the Liberty of collecting and uſing the ſaid Springs or Fountains, and for laying Pipes and Conductors through the ſaid Grounds, and building Ciſterns and Reſervoirs thereon, and for altering, amending, and repairing the Ciſterns, Reſervoirs, and Pipes, in all Time thereafter reſpectively, as the ſaid Caſe ſhall be; and that the Verdict of the ſaid Jury ſhall be final and concluſive in ſo far as ſhall reſpect the Conſideration or Purchaſe Money to be paid to the Owners and Occupiers of ſuch Springs, Fountains, or Grounds reſpectively, as aforeſaid; and that all Parties concerned ſhall have their lawful Challenges againſt any of the ſaid Jurymen.

Sheriff depute to pronounce Judgment for Payment of the Purchaſe-money, &c.

XI. And be it further enacted by the Authority aforeſaid, That the Sheriff-depute aforeſaid ſhall, and he is hereby authoriſed and required, upon ſuch Verdict being given as before mentioned, to pronounce Judgment for the Payment of ſuch Sum or Sums ſo to be awarded by the ſaid Jury, and to ordain the Owners or Occupiers and Proprietors of ſuch Springs, Fountains, and Grounds, or their Truſtees, Tutors, Curators, or Adminiſtrators, upon Payment or lawful Tender thereof, quietly to permit and ſuffer the ſaid Springs and Fountains to be collected or received into Ciſterns or proper Reſervoirs, to be erected by the ſaid Baillies and Truſtees, and their Succeſſors, or by ſuch Perſon or Perſons as they ſhall appoint; and alſo to permit and allow proper Pipes and other Conductors to be laid for the Conveyance of the ſaid Water through their reſpective Lands or Grounds, and Ciſterns and Reſervoirs to be built thereon; and the ſaid Baillies and Truſtees, and their Succeſſors, and their Officers and Servants, to have Acceſs and Liberty to make, alter, amend and repair the ſame for ever hereafter, in ſuch Manner as the ſaid Baillies and Truſtees, or their Succeſſors in Office, or any ſeven or more of them, ſhall order and direct; and that the Judgment, Decree, or Determination, pronounced by the ſaid Sheriff upon the ſaid Verdict or Verdicts, conformable to the Method above preſcribed, ſhall be binding and concluſive to all Intents and Purpoſes whatever, againſt the ſeveral Proprietors and Occupiers of ſuch Springs, Fountains, and Grounds, and the ſaid Baillies and Truſtees reſpectively; and that the ſame, or Extracts thereof from the Sheriff's Court Books ſhall be deemed and taken as good and effectual Evidence and Proof in any Court of Law or Equity whatſoever.

which ſhall be binding to all Parties.

Baillies, &c. to remove Pipes improperly laid at their own Expence.

XII. Provided always, and be it enacted by the Authority aforeſaid, That if any Pipes for conducting the Water aforeſaid ſhall interfere with Houſes built, or to be built, upon the Grounds within the Limits and Boundaries aforeſaid of the ſaid Towns of *Port Glaſgow* and *Newark*, the ſaid Baillies and Truſtees, and their Succeſſors, ſhall be obliged, and are hereby required to remove all ſuch Pipes at the proper Charges and Expences of the ſaid Baillies and Truſtees, and their Succeſſors.

Continuance of this Act with reſpect to purchaſing of Springs, &c.

XIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force, ſo far as the ſame relates to the purchaſing of Springs, Fountains, and Grounds, for the Purpoſes aforeſaid, for the Space of fifteen Years, to be computed from the fourteenth Day of *June*, one thouſand ſeven hundred and ſeventy-five, and from thence to the End of the then next Seſſion of Parliament, and no longer.

Baillies, &c. impowered to levy a Tax of 6d. in the Pound for cleaning and paving Streets, &c.

XIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Baillies and Truſtees, and their Succeſſors in Office, or any ſeven or more of them, to appoint proper Perſons for watching and cleaning the ſeveral Streets, Lanes, Alleys, Avenues, and Paſſages, in and about the ſaid Towns of *Port Glaſgow* and *Newark*, within the Bounds and Limits aforeſaid, and to appoint the Streets and Breaſt of *Port Glaſgow* and *Newark*, which are already paved, to be properly repaired; and

and alſo to pave any new Streets, Lanes or Paſſages, which may be made in the ſaid Towns of *Port Glaſgow* and *Newark*; and alſo to appoint Lamps to be erected at the moſt convenient Places within the ſaid two Towns; and to lay a Tax on the Inhabitants in the ſaid Towns of *Port Glaſgow* and *Newark*, within the Bounds and Limits aforeſaid, for bringing in Water, cleaning, paving, lighting, and watching, the ſame as aforeſaid, and for the more effectually performing the other Purpoſes before recited in this Act, the ſaid Tax not to exceed Sixpence Sterling in the Pound of the yearly real Rent of the Houſes, and other Subjects poſſeſſed by them; and that all Veſſels taking Water from the Pipes to be laid by virtue of this Act ſhall pay at the Rate of Eight-pence Sterling for every Ton of two hundred and fifty-two Gallons.

Lamps to be lighted at ſuch Times as the Baillies, &c. ſhall appoint.

XV. And it is hereby further enacted, that all and each of the Lamps, which now are or hereafter ſhall be erected by or in purſuance of this Act, ſhall be lighted in the Afternoon of every Day, at ſuch Hour or Hours as the ſaid Baillies and Truſtees, and their Succeſſors in Office, or any ſeven or more of them, ſhall direct and appoint, from and after the firſt Day of *October* in each Year, to the firſt Day of *April* immediately following; but it ſhall and may be lawful to and for the ſaid Baillies and Truſtees to order and direct the Lamps to be lighted ſooner than the firſt Day of *October* in each Year, or to continue the lighting of ſuch Lamps longer than the firſt Day of *April*, or both, as they ſhall ſee Cauſe.

All Perſons ſtealing or wilfully damaging Lamps, &c.

XVI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall ſteal, take away, break, or throw down, or damage any Lamp or Lamps that now are, or hereafter ſhall be, ſet up for enlighting any of the ſaid Streets, Lanes, Alleys, Avenues, or Paſſages, or ſhall wilfully extinguiſh the Light or Lights within the ſame, or damage the Iron or other Furniture thereof, it ſhall and may be lawful to and for any Perſon or Perſons whatſoever, who ſhall ſee ſuch Offence committed, to ſeize, as alſo to and for any Perſon or Perſons to aſſiſt in ſeizing the Offender or Offenders, and by the Authority of this Act, without any other Warrant, to convey him, her, or them, into the Cuſtody of a Peace Officer, or any of the Town Officers of *Port Glaſgow* and *Newark*, in order to be ſecured, and conveyed before either of the ſaid Baillies of the ſaid two Towns; and that ſuch Baillies ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall appear, or be produced to give Information touching ſuch Offence (which Oath the ſaid Baillie is hereby authoriſed and required to adminiſter); and that if the Party or Parties accuſed ſhall be convicted of ſuch Offence, either by his, her, or their own Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes, he, ſhe, or they, ſo convicted, ſhall forfeit and pay the Sum of two Pounds Sterling for each Lamp ſo broken, thrown down, or damaged, or for every Light ſo extinguiſhed as aforeſaid; and, moreover, ſhall make full Satisfaction to the ſaid Baillies and Truſtees, and their Succeſſors, or to ſuch Perſon as they ſhall appoint to receive the ſame, for the Damage ſo by him, her, or them done as aforeſaid: And in caſe ſuch Offender or Offenders ſhall not, on Conviction, pay ſuch Forfeiture, and make ſuch Satisfaction as aforeſaid, ſuch Baillie is hereby required to commit him, her, or them to the Common Gaol of the Town of *Port Glaſgow*, or to the Gaol in the Town of *Renfrew* in the ſaid County, for any Time not exceeding the Space of one Month; and that ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they ſhall be ſo committed, unleſs ſuch Forfeiture and Satisfaction ſhall be ſooner paid and given.

to forfeit 2 l. Sterling,

or to be committed.

Penalty on Perſons accidentally breaking or damaging Lamps, &c.

XVII. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall careleſsly or accidentally break, throw down, or damage any of the Lamps ſo ſet up, or to be hereafter ſet up, as aforeſaid, or the Iron or other Furniture thereof, and ſhall not immediately, upon Demand, make Satisfaction for the Damage done thereto; then, and in every ſuch Caſe, it ſhall and may be lawful to and for any one of the Baillies of the ſaid Towns of *Port Glaſgow* and *Newark* for the Time being, upon Complaint to him made by any one or more credible Witneſs or Witneſſes, to ſummon before him the Parties or Party who ſhall be complained of for doing ſuch Damage as aforeſaid; and upon hearing the Allegations and Proof upon both Sides, or upon the Non-appearance of the Party or Parties ſo complained of and ſummoned, to award ſuch Sum or Sums of Money, by way of Satisfaction for ſuch Damage, as ſuch Baillie ſhall think reaſonable: And in caſe of Neglect or Refuſal of the ſaid Party or Parties to pay ſuch Sum or Sums of Money ſo awarded within ten Days next after Demand thereof, to cauſe the ſame to be levied by Diſtreſs and Sale of his, her, or their Goods and Chattels, the Surplus, if any be, ariſing by ſuch Sale, after deducting the neceſſary Charges and Expences of the ſaid Diſtreſs and Sale, to be liquidated by the ſaid Baillie, to be paid to him, her, or them, when demanded; and in caſe no Payment is made, and that no Goods or Chattels of the Offender or Offenders can be found, then it ſhall be lawful to the ſaid Baillies, or any one of them, by Warrant under his or their Hands, to commit the Offender or Offenders to the common Gaol of the Town of *Port Glaſgow*, or of the County of *Renfrew*, for any Space not exceeding ten Days.

Baillies, &c. may appoint a Clerk, Collector, and other Officers;

XVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Baillies and Truſtees, and their Succeſſors in Office, or any ſeven or more of them, at a publick Meeting aſſembled, ſhall have full Power, and they are hereby impowered and authoriſed to nominate and appoint, by Writing under their Hands, a Clerk, or Collector or Collectors, and other proper Officers, with ſuitable Salaries, for levying the Duties and Impoſitions herein-before granted, and alſo ſuch other Officers under them as they ſhall judge neceſſary to be employed for carrying this Act into Execution; and from Time to Time to remove ſuch Clerk, Collector or Collectors, Officer or Officers, or any of them, and to appoint others in their Stead; and that the ſaid Baillies and Truſtees, and their Succeſſors, may, yearly and every Year, order and appoint ſuch Number of Watchmen as they ſhall judge proper to be kept within the ſaid Towns of *Port Glaſgow* and *Newark*, and ſhall elect ſuch honeſt and able-bodied Men to be employed in that Service as they ſhall think beſt qualified for the ſame; and ſhall alſo direct where the ſeveral Watchmen ſhall be ſtationed, and in what Manner they ſhall be armed, and how often they ſhall go their Rounds, how long they ſhall continue upon Duty, and what Wages ſhall be allowed to ſuch Watchmen for their Attendance;

and Watchmen.

tendance; and alſo ſhall or may hire, erect, or maintain any proper Place or Places within the ſaid Towns for the Reception of the ſaid Watchmen, and ſhall make all ſuch Regulations and Orders in Writing as the Nature of each particular Service ſhall appear to them to require.

When Aſſeſſments are to be levied.

XIX. And it is hereby enacted by the Authority aforeſaid, That the Rates or Aſſeſſments by this Act impoſed for defraying the Expence of bringing Water into, and paving, cleanſing, lighting, and watching the Streets of the ſaid Towns of *Port Glaſgow* and *Newark*, within the Bounds and Limits aforeſaid, and for the more effectually performing the other Purpoſes before recited in this Act, ſhall be leviable and levied at the Term of *Lammas* yearly; and that if any Perſon or Perſons who ſhall be rated and aſſeſſed by virtue and in purſuance of this Act ſhall refuſe or neglect to pay the Rate or Aſſeſſment charged upon him, her, or them, in purſuance of this Act, for the Space of ten Days next after his, her, or their reſpective Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be due and demanded by the Collector or Collectors authoriſed and impowered to collect and receive the ſame (ſuch Demand being either perſonally made to the reſpective Perſon or Perſons ſo charged, or left in Writing at his, her, or their reſpective Houſe or Houſes, Place or Places of Abode); that then, and in every ſuch Caſe, it ſhall and may be lawful to and for ſuch Collector or Collectors, every or any of them, having a Warrant or Warrants under the Hand of any one of the Baillies of the ſaid Towns of *Port Glaſgow* and *Newark* for the Time being (which Warrant or Warrants the ſaid Collector or Collectors is and are hereby required to apply for, and the ſaid Baillies are hereby authoriſed and required to grant), and, with the Aſſiſtance of a Peace Officer, or any Officer of the ſaid Towns of *Port Glaſgow* and *Newark*, to enter his, her, or their Houſe or Houſes, Apartment or Apartments, and then and there to ſeize and keep Poſſeſſion of his, her, or their Goods and Chattels; and if the ſaid Rate or Aſſeſſment ſhall not be paid within three Days next after ſuch Seizure ſhall be made, together with the Coſts and Charges thereof, to ſell by publick Auction at the Market Croſs of *Port Glaſgow* (which is hereby declared to be a legal Market Croſs, and to be at the Place where the *King's Street* and *Kirk Street* in the ſaid Town croſs each other), ſo much and ſuch Part of the ſaid Goods and Chattels as ſhall be ſufficient to pay the ſaid Rate or Aſſeſſment, with the Coſts and Charges attending ſuch Seizure and Sale, returning the Overplus (if any be) to the Owner or Owners of ſuch Goods and Chattels; the ſaid Coſts and Charges to be ſettled and allowed by the ſaid Baillie or Baillies who ſhall have granted ſuch Warrant reſpectively.

On Refuſal of Payment, Collector may ſeize Goods, &c.

and ſell the ſame three Days after Seizure.

Weekly Markets to be held, &c.

XX. And be it enacted by the Authority aforeſaid, That from and after the paſſing of this Act, the ſaid Towns of *Port Glaſgow* and *Newark* ſhall be a Market Town; and it ſhall and may be lawful to and for the ſaid Baillies and Truſtees, and their Succeſſors in Office, to hold weekly Markets at the Market Croſs before mentioned, or at any other Part or Place they ſhall appoint and direct within the Bounds and Limits aforeſaid; and alſo to make ſuch Bye-laws, Rules, and Regulations, as they ſhall judge neceſſary and proper for regulating, ordering, and governing the ſaid Market, and to appoint and ordain ſuch Bye-laws, Rules and Regulations, to be obſerved and fulfilled, under ſuch Fines and Penalties as the ſaid Baillies, or any one of them, ſhall award, not exceeding twenty Shillings Sterling; to be levied and recovered as herein-after mentioned.

What Houſes, &c. are to be aſſeſſed.

XXI. And be it enacted by the Authority aforeſaid, That the Aſſeſſments aforeſaid ſhall be laid upon Dwelling-houſes, Shops, Sheds, Warehouſes, Cellars, Vaults, or other Tenements actually poſſeſſed, occupied, and tenanted, at the Time of laying on the ſame only, and that the Poſſeſſor thereof, whether Proprietor or Tenant, ſhall be liable for the Payment of the ſaid Aſſeſſments; and that if any Dwelling-houſes, Shops, Sheds, Warehouſes, Cellars, Vaults, or other Tenements, which are not poſſeſſed at the Time of laying on the general Aſſeſſment, ſhall afterwards, during the Currency of that Year, become poſſeſſed, it ſhall be lawful to, and in the Power of, the ſaid Baillies and Truſtees, and their Succeſſors, to meet and aſſeſs the ſame in Manner before preſcribed; and that it ſhall be in the Power of the ſaid Baillies and Truſtees, and their Succeſſors, if they ſhall ſee Cauſe for ſo doing, totally to exempt Houſes of the yearly Rent of twenty-five Shillings Sterling or under from Payment of any Aſſeſſments by virtue of this Act.

Exception.

XXII. Provided always, and be it enacted by the Authority aforeſaid, That no Rate or Aſſeſſment ſhall be made or levied by virtue of this preſent Act for the Dry Dock and Sheds at *Port Glaſgow*, belonging to the Community of the City of *Glaſgow*, nor for what further Sheds may be hereafter built by the ſaid City, nor for Orchards, Gardens, and other Grounds whereon no Houſes or Buildings are erected; and that the Rents and Revenues therefrom ariſing ſhall, in all Time coming, be exempted and freed from the Payment of the aforeſaid Rate or Aſſeſſment, any Thing herein contained to the contrary notwithſtanding.

Tenants, &c. to declare the Extent of their Rents, &c.

'XXIII. And, for determining the real Rent of each Dwelling-houſe, Shop, Shed, Cellar, Vault, 'Warehouſe, other Tenement, liable to the Payment of any Aſſeſſment to be impoſed by virtue of this 'Act,' it is hereby further enacted, That the Tenant or Poſſeſſor ſhall be obliged to declare upon Oath the Extent thereof, if required; which Oath either of the ſaid Baillies are hereby impowered to adminiſter; and that in caſe the Poſſeſſor or Poſſeſſors ſhall happen to be alſo Proprietors, he, ſhe, or they ſhall be obliged in like Manner to declare the Price he, ſhe, or they, or the Perſon or Perſons under whom he, ſhe, or they claim, paid for his, her, or their Poſſeſſion, or what it coſt him, her, or them, and he, ſhe, or they ſhall be aſſeſſed at the Rate aforeſaid, according to the Rent, equal to ſix Pounds Sterling *per Centum* of ſuch Price or Coſts; or it ſhall be optional to the ſaid Proprietor or Proprietors to have his, her, or their Subjects valued by two Men indifferent, diſintereſted, on Oath, to be mutually choſen by them and the ſaid Truſtees, according to which Valuation the ſaid Proprietor or Proprietors ſhall pay the aforeſaid Aſſeſſment at the Rate of ſix Pounds *per Centum* as aforeſaid.

Obſtructions to be removed.

XXIV. And be it further enacted by the Authority aforeſaid, That the ſaid Baillies and Truſtees, and their Succeſſors in Office, or any ſeven or more of them, at a General Meeting aſſembled, ſhall have Power, and they are hereby authoriſed to make Regulations from Time to Time for removing Obſtructions

and preventing Nuſances of every Kind, within the Bounds and Limits compriſed in this Act, and enforce the ſame by ſuch ſmall Penalties as they ſhall appoint, not exceeding in any Caſe ten Shillings Sterling for each Tranſgreſſion; to be levied in Manner herein after mentioned.

Baillies, &c. impowered to borrow 2000l. and aſſign the Rates as a Security.

XXV. And be it further enacted by the Authority aforeſaid, That the ſaid Baillies and Truſtees, and their Succeſſors in Office, or any ſeven or more of them, at a publick Meeting aſſembled, ſhall, and they are hereby authoriſed and impowered, by any Mortgage or Mortgages, after defraying the Charges of the Act, and of purchaſing of Buildings and Grounds for the Purpoſes before mentioned, or other Act or Acts, Deed or Deeds, under their Hands duly executed, to borrow or take up at Intereſt any Sum or Sums of Money not exceeding two thouſand Pounds Sterling, upon the Security and Credit of the Rates, Duties, or Aſſeſſments, granted by this Act, for defraying the Charges of this Act, and of bringing in Water, lighting, paving, and watching the Streets of the ſaid Towns of *Port Glaſgow* and *Newark*, repairing and keeping in Repair the Breaſt and Eaſt and Weſt Quays of the Harbour of *Port Glaſgow*, erecting publick Markets, paying Miniſter's Stipend, Schoolmaſter's Salary, and other Works for the Utility and Conveniency of the Inhabitants of the ſaid two Towns within the Bounds and Limits thereof aforeſaid, and may aſſign ſuch Duties to any Perſon or Perſons, Bodies Politick or Corporate, who ſhall furniſh or advance ſuch Money, or any Part thereof, as a Security for the Repayment of the ſame.

Minutes of Proceedings to be entered in proper Books.

XXVI. And be it further enacted by the Authority aforeſaid, That the ſaid Baillies and Truſtees, and their Succeſſors in Office, ſhall keep and enter in proper Books Minutes of their Proceedings, and fair, juſt, and true Accounts of the Receipts and Diſburſements of all Monies which ſhall be received or expended by them in conſequence of this Act; which Books or Accounts and other Proceedings ſhall be open at all convenient Hours of Buſineſs to the Inſpection of any of the Commiſſioners hereafter named, or to any of the Fewars of the ſaid Towns of *Port Glaſgow* and *Newark*, poſſeſſed and ſtanding infeft in Lands within the Bounds and Limits aforeſaid to the Value of five Pounds Sterling of Rent yearly; and the ſaid Commiſſioners ſhall at every Meeting bear and pay their own Charges and Expences; and the ſaid Accounts ſhall annually, on the Day of diſqualifying and electing four of the aforeſaid Truſtees, be regularly balanced by the Clerk or Treaſurer to the ſaid Baillies and Truſtees, and be laid before them, ſo as they may have a clear and diſtinct View of the Rates, Aſſeſſments, and Funds, to be levied by virtue of this Act, and of the Receipts, Diſburſements, and Expenditures to be made in purſuance of this Act for the Year preceding.

Commiſſioners to bear their own Expences.

General Meetings to be held monthly, &c.

XXVII. And be it further enacted by the Authority aforeſaid, That all Queſtions and Buſineſs that ſhall be diſcuſſed by the ſaid Baillies and Truſtees with relation to the Execution of this Act, ſhall only be when they are aſſembled in General Meetings, which are hereby appointed to be held on the firſt *Tueſday* of every Month, or at adjourned Meetings from the ſaid General Meeting; and that all Queſtions and Buſineſs to be then and there tranſacted ſhall be determined by a Plurality of the Voices of the Baillies and Truſtees aforeſaid then preſent; and that the eldeſt Baillie for the Time, if he be preſent, and in caſe of his Abſence, the youngeſt Baillie, ſhall preſide at all Meetings of the ſaid Truſtees, and beſides his having his ſingle Vote in common with the other Truſtees, ſhall, in caſe of Equality of Voices, have the caſting or deciſive Vote; and that any ſeven or more of the ſaid Truſtees ſhall be, and are hereby declared to be, a *Quorum*.

Baillies, &c. impowered to dig Stones, Sand, &c.

XXVIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Baillies and Truſtees, and their Succeſſors, or their Deputies, Agents, Officers, and Servants, to open Stone Quarries, Sand, Clay, and Gravel Pits, and to dig, gather, take, and carry away, from ſuch Quarries and Pits, any Stones, Sand, Gravel, Clay, and other Materials, in or out of any Grounds lying within two Miles of the ſaid Towns of *Port Glaſgow* and *Newark* (not being Ground on which ſtands any Houſes, Garden, Orchard, planted Walk or Walks, or Avenue to a Houſe), where ſuch Materials are or may be found, and from Time to Time to cauſe the ſame to be carried off, or ſo much thereof as the ſaid Baillies and Truſtees, and their Succeſſors, and their Deputies, Agents, Officers, or Servants, ſhall judge neceſſary for repairing and keeping in Repair the Breaſt and Eaſt and Weſt Quays of the Harbour of *Port Glaſgow*, and for building and erecting publick Markets and other publick Works in the ſaid Towns of *Port Glaſgow* and *Newark*, within the Bounds and Limits aforeſaid, for the Uſe and Utility of the Inhabitants thereof, the ſaid Baillies and Truſtees, and their Succeſſors, always paying the Value (to be eſtimated according to the Prices of ſuch Materials at the Time in that Part of the Country) of the Stones, Sand, Gravel, Clay, and other Materials, to be carried in and out of the aforeſaid Ground, to the Proprietors, Liferenters, Tackſmen, and other Parties intereſted in ſuch Grounds out of which ſuch Materials ſhall be carried away in Manner aforeſaid.

paying the Value thereof.

Roads to be made to the Harbour of Port Glaſgow, &c.

XXIX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Baillies, Truſtees, and their Succeſſors, and Deputies, Agents, Officers, and Servants, to make uſe of and maintain Roads from the ſaid Grounds to be opened for quarrying and digging Stones, Gravel, Clay, and other Materials, to any Part of the River and Firth of *Clyde*, or from the ſaid Pits and Quarries to be opened as aforeſaid, directly to the Harbour of *Port Glaſgow*, or to the Towns of *Port Glaſgow* and *Newark*, and to make the ſame through any Grounds belonging to any Perſon or Perſons whatſoever (not being the Ground on which ſtands any Houſe or Garden, Orchard, or Walk or Walks planted, or Avenue to any Houſe), the ſaid Truſtees making reaſonable Satisfaction for the Damage done to the Ground through which the ſaid Road or Roads paſs to the Proprietors, Liferenters, Tackſmen, and other Parties concerned and intereſted in ſuch Grounds to which ſuch Damage ſhall be done or occaſioned as aforeſaid.

Exception.

XXX. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That it ſhall not be in the Power of the ſaid Baillies and Truſtees, or their Succeſſors, or of their Servants or Agents, or of any other Perſon or Perſons employed by them, to dig or carry away any Sand or other Materials for repairing or keeping in Repair the ſaid Breaſt or Quays, or other Works aforeſaid, from or out of any of the Sand Banks

Banks and Fiſhing Places belonging to the Burgh of *Dumbarton* in the River *Clyde*, or in the River *Leven*, without the Conſent of the Magiſtrates and Town Council of *Dumbarton* firſt had and obtained.

Baillies, &c. at General Meetings, may make Bye-laws, &c.

XXXI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Baillies and Truſtees, and their Succeſſors in Office, or any ſeven or more of them, at a General Meeting aſſembled, at any Time or Times hereafter, to make, ordain, and eſtabliſh ſuch Orders, Rules, and Bye-laws, for the better executing of this Act; and alſo, from Time to Time, as Occaſion may require, to repeal, add to, amend or alter ſuch Rules, Orders, and Bye-laws, as to them ſhall ſeem meet, fitting, and requiſite; and to fix and appoint reaſonable pecuniary Penalties, not exceeding forty Shillings Sterling, for the Non-obſervance or other Breach of all or any ſuch Rules or Bye-laws, or any Part thereof (to be recovered and applied in ſuch Manner as is hereafter directed); and the ſaid Baillies and Truſtees, and their Succeſſors in Office, ſhall cauſe the ſaid Rules, Orders, and Bye-laws, to be printed and diſtributed, and hung up in the moſt conſpicuous Place of the ſaid Towns, and to pay the Expence and Charges thereof out of the Rates and Duties aforeſaid.

Penalties and Forfeitures how to be recovered and applied.

XXXII. And it is hereby further enacted, That all Penalties and Forfeitures by this Act impoſed (the Manner of the Recovery whereof is not otherwiſe hereby particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand of any one of the Baillies of the ſaid Towns of *Port Glaſgow* or *Newark*, or any one of the Juſtices of the Peace for the County or Place where the Offender ſhall dwell, which Warrant ſuch Baillie or Juſtice is hereby authoriſed and required to grant, upon the Confeſſion of the Party or Parties, or upon the Information of one or more credible Witneſs or Witneſſes upon Oath; and that the Penalties and Forfeitures, when recovered (after rendering the Overplus, if any be, upon Demand, to the Party or Parties whoſe Goods ſhall be ſo diſtrained and ſold, the Charges of ſuch Diſtreſs being firſt deducted), ſhall be paid to the Collector or Collectors of the Duties hereby granted for the Time being, and ſhall be applied towards the Purpoſes of this Act: And that in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be paid forthwith, it ſhall and may be lawful to and for ſuch Baillie or Juſtice aforeſaid, and he is hereby authoriſed and required, by Warrant under his Hand, to cauſe ſuch Offender or Offenders to be committed to the Gaol of the County, or to the Gaol in *Port Glaſgow*, therein to continue for a Time not exceeding two Months, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner fully paid and ſatisfied.

For want of Diſtreſs, Offenders to be committed.

Commiſſioners for auditing Accounts of Baillies, &c.

XXXIII. And be it enacted by the Authority aforeſaid, That the Right Honourable *William* Earl of *Glencairn*, and his Succeſſors in the Eſtate of *Finlayſtown*, the Provoſt, eldeſt Baillie, and Dean of Guild of the City of *Glaſgow*, and their Succeſſors in Office, *Robert Hamilton* of *Wiſhaw* Eſquire, and his Succeſſors in the Eſtate of *Newark*, or any three of them, as a *Quorum*, ſhall be and are hereby appointed Commiſſioners for reviſing, examining, auditing, and confirming the Accounts of the Receipts and Diſburſements of the ſaid Baillies and Truſtees, under and by virtue of this Act, for the Ends and Purpoſes herein before mentioned.

Commiſſioners to meet annually;

XXXIV. And be it further enacted by the Authority aforeſaid, That a General Meeting of the ſaid Commiſſioners ſhall be held in the Council Chamber at *Port Glaſgow*, upon the ſecond *Tueſday* of *October* next, and upon the ſecond *Tueſday* of *October* in every following Year; and that the ſaid Baillies and Truſtees, and their Succeſſors, ſhall, at every ſuch General Meeting, cauſe to be laid before the ſaid Commiſſioners, or any three or more of them, a true and fair Account of all Monies which ſhall have been collected and levied the Year preceding, from the Rates, Duties, Fines, and Forfeitures before mentioned, and of every Sum or Sums of Money which ſhall have been borrowed during the Year preceding, for the Uſes and Purpoſes before mentioned; and alſo of all the Monies which ſhall have been uſed, paid, and applied, out of the ſame, for repairing, and keeping in Repair, the Breaſt and Eaſt and Weſt Quays of the Harbour of *Port Glaſgow*, and for carrying into Execution the ſeveral other Purpoſes herein before mentioned; and that all the ſaid Accounts ſhall be examined and certified by the Commiſſioners preſent at ſuch annual Meeting, or by the Majority of them; and that the ſaid Commiſſioners ſhall, at every ſuch Meeting, bear their own Charges.

and to bear their own Expences.

Meetings may be adjourned, &c.

XXXV. And be it enacted by the Authority aforeſaid, That it ſhall be in the Power of the ſaid Commiſſioners, or the Majority of them, aſſembled at ſuch annual General Meeting, to adjourn themſelves from Time to Time, as they ſhall ſee Cauſe; and alſo it ſhall be in the Power of the ſaid Baillies and Truſtees, and their Succeſſors in Office, at all Times, to call Meetings of the ſaid Commiſſioners, when Neceſſity ſhall require, by Advertiſements for that Purpoſe, publiſhed at leaſt fourteen Days before the Day of ſuch Meeting, in all the *Glaſgow* News-papers for the Time being; and that no Buſineſs ſhall be proceeded in at any of the ſaid Meetings unleſs there be three Commiſſioners at leaſt preſent.

Reſervation of Rights.

XXXVI. And be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, alter, abridge, leſſen, change, or intrude upon, any Right of Property, Juriſdiction, or Power of the Magiſtrates and Council of the City of *Glaſgow*, and their Succeſſors, in, about, or concerning the Harbour, Dock, Breaſt, Piers and Quays, built and to be built at *Port Glaſgow*, and particularly the New or Mid Quay or Pier, lately built at *Port Glaſgow* by the ſaid Magiſtrates and Council; and alſo ſaving and reſerving to the ſaid Magiſtrates and Council, and Community of the City of *Glaſgow*, all Rights and Privileges, whether of Property, Superiority, or Juriſdiction, that they have or are in Poſſeſſion of, in and upon the River *Clyde*, except in ſo far as contained in the aforeſaid Contract; alſo ſaving and reſerving to the ſaid Magiſtrates and City Council of *Glaſgow*, and to all Lords of Baronies, and to all other Bodies Politick or Corporate, and other Perſon or Perſons whatever, all their legal Rights, Eſtates, and Intereſts in the Premiſes, and particularly reſerving to all Proprietors of Ground, within the Bounds and Limits aforeſaid of the ſaid Towns of *Port Glaſgow* and *Newark*, through which Pipes or Conductors have already been or may hereafter be brought, full Power and Liberty, at any Time hereafter, to take and uſe Water for themſelves and the Inhabitants dwelling on or poſſeſſing

poſſeſſing ſuch Grounds; and alſo reſerving to all and every Perſon or Perſons within the Bounds and Limits aforeſaid, already poſſeſſed of Pipes for bringing Water into the ſaid Towns of *Port Glaſgow* or *Newark*, or either of them, and being ſerved with Water by the ſaid Pipes, their full Rights and Intereſts in the Premiſes, as formerly enjoyed by them.

Rights of Robert Hamilton of Wiſhaw, Eſq; reſerved.

XXXVII. And it is hereby ſpecially provided and enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to take away, leſſen, hurt, or infringe, any Right of Superiority, Juriſdiction, or other Right whatſoever, which the ſaid *Robert Hamilton* of *Wiſhaw* Eſquire, or his Predeceſſors, now have or had over the Grounds of the ſaid Towns of *Port Glaſgow* and *Newark*, within the ſaid Bounds and Limits aforeſaid; and that all Right whatever competent to him therein ſhall continue and remain with him, his Heirs and Succeſſors, and have the ſame Effect as formerly, and as if this preſent Act had not been made, any Thing herein contained to the contrary notwithſtanding.

Oaths may be adminiſtered by Baillies or Juſtices of the Peace.

XXXVIII. And be it further enacted by the Authority aforeſaid, That in all Caſes where Cognizance is given to any of the ſaid Baillies of *Port Glaſgow* and *Newark*, or any Juſtice or Juſtices of the Peace, by this Act, it ſhall be lawful for the ſaid Baillie or Baillies, Juſtice or Juſtices of the Peace, to adminiſter an Oath to any Perſon or Perſons, for his or their more certain Information in the Matter or Matters which ſhall be then depending.

Defendants may produce this Act in any Suit, &c.

XXXIX. And be it further enacted by the Authority aforeſaid, That in caſe any Suit or Action ſhall be commenced againſt the ſaid Baillies and Truſtees, or their Succeſſors, or any other Perſon or Perſons, for any Thing done in purſuance of this Act, the Defendant or Defendants in ſuch Suit or Action may produce this Act, and plead that the ſaid Things were done by Authority and in purſuance of this Act; and if it ſhall appear ſo to be done, that then the Defendants ſhall be abſolved from every ſuch Suit, Action, or Actions, and ſhall have Treble Coſts and Expences in the Defence thereof awarded to them from and againſt the Proſecutor or Proſecutors of the ſame.

Treble Coſts.

Sheriffs, &c. to aſſiſt in putting this Act in Execution.

Publick Act.

XL. And be it further enacted by the Authority aforeſaid, That all Sheriffs, Juſtices of the Peace, Judges, and Magiſtrates, with their Officers, Meſſengers at Arms, and all other Officers and Executors of the Law whatſoever, and every of them, are hereby required to be aiding and aſſiſting in putting this Act into due and effectual Execution: And that this Act ſhall be deemed, taken, and allowed, in all Courts of Law and Equity, as a Publick Act; and all Judges and Juſtices are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. LXI.

An Act for veſting in *James Watt*, Engineer, his Executors, Adminiſtrators, and Aſſigns, the ſole Uſe and Property of certain Steam Engines, commonly called *Fire Engines*, of his Invention, deſcribed in the ſaid Act, throughout his Majeſty's Dominions, for a limited Time.

Preamble.

'WHEREAS his moſt Excellent Majeſty, King *George* the Third, by his Letters Patent, under the Great Seal of *Great Britain*, bearing Date the fifth Day of *January*, in the ninth Year of his Reign, did give and grant unto *James Watt*, of the City of *Glaſgow*, Merchant, his Executors, Adminiſtrators, and Aſſigns, the ſole Benefit and Advantage of making and vending certain Engines, by him invented, for leſſening the Conſumption of Steam and Fuel in Fire Engines within that Part of his Majeſty's Kingdom of *Great Britain* called *England*, the Dominion of *Wales*, and the Town of *Berwick upon Tweed*, and alſo in his Majeſty's Colonies and Plantations abroad, for the Term of fourteen Years; with a Proviſo, obliging the ſaid *James Watt*, by Writing under his Hand and Seal, to cauſe a particular Deſcription of the Nature of the ſaid Invention to be inrolled in his Majeſty's High Court of Chancery, within four Months after the Date of the ſaid recited Letters Patent: And whereas the ſaid *James Watt* did, in purſuance of the ſaid Proviſo, cauſe a particular Deſcription of the ſaid Engine to be inrolled in the ſaid High Court of Chancery, upon the twenty-ninth Day of *April*, in the Year of our Lord one thouſand ſeven hundred and ſixty-nine, which Deſcription is in the Words and Form, or to the Effect following; that is to ſay, "My Method of leſſening the Conſumption of Steam, and conſequently Fuel, in Fire Engines, conſiſts of the following Principles: Firſt, That Veſſel in which the Powers of Steam are to be employed to work the Engine which is called *The Cylinder* in common Fire Engines, and which I call *The Steam Veſſel*, muſt, during the whole Time the Engine is at Work, be kept as hot as the Steam that enters it; firſt, by incloſing it in a Caſe of Wood, or any other Materials that tranſmit Heat ſlowly; ſecondly, by ſurrounding it with Steam, or other heated Bodies; and, thirdly, by ſuffering neither Water, or any other Subſtance colder than the Steam, to enter or touch it during that Time. Secondly, In Engines that are to be worked wholly or partially by Condenſation of Steam, the Steam is to be condenſed in Veſſels diſtinct from the Steam Veſſels or Cylinders, although occaſionally communicating with them; theſe Veſſels I call *Condenſers*; and, whilſt the Engines are working, theſe Condenſers ought at leaſt to be kept as cold as the Air in the Neighbourhood of the Engines, by Application of Water, or other cold Bodies. Thirdly, Whatever Air or other elaſtick Vapour is not condenſed by the Cold of the Condenſer, and may impede the Working of the Engine, is to be drawn out of the Steam Veſſels or Condenſers by means of Pumps, wrought by the Engines themſelves, or otherwiſe. Fourthly, I intend in many Caſes to employ the expanſive Force of Steam to preſs on the Piſtons, or whatever may be uſed inſtead of them, in the ſame Manner as the Preſſure of the Atmoſphere is now employed in common Fire Engines: In Caſes where cold Water cannot be had in Plenty, the Engines may be wrought by this Force of Steam only, by diſcharging the Steam into the open Air after it has done its Office;" [which Fourth Article the ſaid *James Watt* declares, in a Note affixed

His Majeſty's Letters Patent granted to James Watt recited.

Specification of the Fire Engine.

affixed to the Specification of the ſaid Engine, ſhould not be underſtood to extend to any Engine where the Water to be raiſed enters the Steam Veſſel itſelf, or any Veſſel having an open Communication with it.] " Fifthly, Where Motions round an Axis are required, I make the Steam Veſſels in Form of hollow " Rings, or circular Channels, with proper Inlets and Outlets for the Steam, mounted on horizontal Axles, " like the Wheels of a Water Mill; within them are placed a Number of Valves, that ſuffer any Body " to go round the Channel in one Direction only; in theſe Steam Veſſels are placed Weights, ſo fitted to " them, as entirely to fill up a Part or Portion of their Channels, yet rendered capable of moving freely " in them, by the Means herein after mentioned or ſpecified: When the Steam is admitted in theſe En- " gines, between theſe Weights and the Valves, it acts equally on both, ſo as to raiſe the Weight to one " Side of the Wheel, and by the Re-action on the Valves, ſucceſſively, to give a circular Motion to the " Wheel, the Valves opening in the Direction in which the Weights are preſſed, but not in the con- " trary; as the Steam Veſſel moves round, it is ſupplied with Steam from the Boiler, and that which has " performed its Office may either be diſcharged by means of Condenſers, or into the open Air. Sixthly, " I intend, in ſome Caſes, to apply a Degree of Cold, not capable of reducing the Steam to Water, but " of contracting it conſiderably, ſo that the Engines ſhall be worked by the alternate Expanſion and Con- " traction of the Steam. Laſtly, Inſtead of uſing Water to render the Piſton or other Parts of the En- " gines Air and Steam tight, I employ Oils, Wax, reſinous Bodies, Fat of Animals, Quickſilver, and " other Metals, in their fluid State." And whereas the ſaid *James Watt* hath employed many Years, and ' a conſiderable Part of his Fortune, in making Experiments upon Steam, and Steam Engines, com- ' monly called *Fire Engines*, with a View to improve thoſe very uſeful Machines, by which ſeveral very ' conſiderable Advantages over the common Steam Engines are acquired; but upon account of the many ' Difficulties which always ariſe in the Execution of ſuch large and complex Machines, and of the long ' Time requiſite to make the neceſſary Trials, he could not complete his Intention before the End of the ' Year one thouſand ſeven hundred and ſeventy-four, when he finiſhed ſome large Engines as Specimens ' of his Conſtruction, which have ſucceeded ſo as to demonſtrate the Utility of the ſaid Invention: And ' whereas, in order to manufacture theſe Engines with the neceſſary Accuracy, and ſo that they may be ' ſold at moderate Prices, a conſiderable Sum of Money muſt be previouſly expended in erecting Mills, ' and other Apparatus; and as ſeveral Years, and repeated Proofs, will be required before any conſiderable ' Part of the Publick can be fully convinced of the Utility of the Invention, and of their Intereſt to adopt ' the ſame, the whole Term granted by the ſaid Letters Patent may probably elapſe before the ſaid *James* ' *Watt* can receive an Advantage adequate to his Labour and Invention: And whereas, by furniſhing ' mechanical Powers at much leſs Expence, and in more convenient Forms, than has hitherto been done, ' his Engines may be of great Utility in facilitating the Operations in many great Works and Manufac- ' tures of this Kingdom; yet it will not be in the Power of the ſaid *James Watt* to carry his Invention ' into that complete Execution which he wiſhes, and ſo as to render the ſame of the higheſt Utility to the ' Publick of which it is capable, unleſs the Term granted by the ſaid Letters Patent be prolonged, and his ' Property in the ſaid Invention ſecured, not only within that Part of *Great Britain* called *England*, the ' Dominion of *Wales*, the Town of *Berwick upon Tweed*, and his Majeſty's Colonies and Plantations ' abroad, but alſo within that Part of *Great Britain* called *Scotland*, for ſuch Time as may enable him to ' obtain an adequate Recompence for his Labour, Time, and Expence: To the End, therefore, that the ' ſaid *James Watt* may be enabled and encouraged to proſecute and complete his ſaid Invention, ſo that ' the Publick may reap all the Advantages to be derived therefrom in their fulleſt Extent,' may it pleaſe your moſt Excellent Majeſty (at the humble Petition and Requeſt of the ſaid *James Watt*) that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, the ſole Privilege and Advantage of making, conſtructing, and ſelling the ſaid Engines, herein before particularly deſcribed, within the Kingdom of *Great Britain*, and his Majeſty's Colonies and Plantations abroad, ſhall be, and are hereby declared to be, veſted in the ſaid *James Watt*, his Executors, Adminiſtrators, and Aſſigns, for and during the Term of twenty-five Years; and that he the ſaid *James Watt*, his Executors, Adminiſtrators, and Aſſigns, and every of them, by himſelf and themſelves, or by his and their Deputy or Deputies, Servants or Agents, or ſuch others as he the ſaid *James Watt*, his Executors, Adminiſtrators, and Aſſigns, ſhall at any Time agree with, and for no others, from Time to Time, and at all Times, during the Term of Years herein before mentioned, ſhall and lawfully may make, uſe, exerciſe, and vend the ſaid Engines, within the Kingdom of *Great Britain*, and in his Majeſty's Colonies and Plantations abroad, in ſuch Manner as to him the ſaid *James Watt*, his Executors, Adminiſtrators, and Aſſigns, ſhall in their Diſcretions ſeem meet; and that the ſaid *James Watt*, his Executors, Adminiſtrators, and Aſſigns, ſhall and lawfully may have and enjoy the whole Profit, Benefit, Commodity, and Advantage, from Time to Time coming, growing, accruing, and ariſing, by reaſon of theſe his ſaid Inventions, for the ſaid Term of twenty-five Years, to have, hold, receive and enjoy the ſame, for and during and to the full End and Term of twenty-five Years, as aforeſaid; and that no other Perſon or Perſons within the Kingdom of *Great Britain*, or any of his Majeſty's Colonies or Plantations abroad, ſhall, at any Time during the ſaid Term of twenty-five Years, either directly or indirectly, do, make, uſe, or put in Practice, the ſaid Inventions, or any Part of the ſame, ſo attained unto by the ſaid *James Watt* as aforeſaid, nor in any wiſe counterfeit, imitate, or reſemble the ſame; nor ſhall make, or cauſe to be made, any Addition thereunto, or Subſtraction from the ſame, whereby to pretend himſelf or themſelves the Inventor or Inventors, Deviſor or Deviſors thereof, without the Licence, Conſent, or Agreement of the ſaid *James Watt*, his Executors, Adminiſtrators, or Aſſigns, in Writing under his or their Hand and Seal, or Hands and Seals, firſt had and obtained in that Behalf, upon ſuch Pains and Penalties as can or may be juſtly inflicted on ſuch Offenders for

Sole Privilege of making, &c. ſaid Engines veſted in James Watt, his Executors, &c. for 25 Years.

their Contempt of this Act; and further, to be anſwerable to the ſaid *James Watt*, his Executors, Adminiſtrators, and Aſſigns, according to Law, for his and their Damages thereby occaſioned.

This Act not to extend to hinder any Perſon from making or uſing any Fire Engine, &c. which is not the preſent Invention of the ſaid James Watt.

II. Provided always, and be it hereby declared, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prejudice or hinder any Perſon or Perſons from making or uſing any Fire or Steam Engine, or any particular Contrivance relating to the ſame, which is not at preſent of the Invention of the ſaid *James Watt*, or which has been publickly uſed or exerciſed by any other Perſon or Perſons before the Time of the Date of the ſaid Letters Patent herein recited; but that all ſuch Engines and Contrivances which are not at preſent of the ſaid Invention of the ſaid *James Watt*, or are not particularly ſpecified in this Act, ſhall be and remain to the Publick, and to the reſpective Inventors thereof, as if this Act had never been made, any Thing herein contained to the contrary notwithſtanding.

Proviſo.

III. Provided alſo, That every Objection in Law competent againſt the ſaid Patent, ſhall be competent againſt this Act to all Intents and Purpoſes, except ſo far as relates to the Term hereby granted.

The Privileges granted by this Act not to be transferred to more than 5 Perſons;

IV. Provided always, That if the ſaid *James Watt*, his Executors, Adminiſtrators, or Aſſigns, or any Perſon or Perſons who ſhall at any Time, during the ſaid Term of twenty-five Years, have or claim any Right, Title, or Intereſt, in Law or Equity, of, in, or to the Power, Privilege, or Authority, of the ſole Uſe and Benefit of the ſaid Invention, ſhall make any Transfer or Aſſignment, or pretended Transfer or Aſſignment, of the ſaid Liberty or Privilege hereby granted, or any Share or Shares of the Benefit or Profits thereof; or ſhall declare any Truſt thereof to or for any Number of Perſons exceeding the Number of five; or ſhall open, or cauſe to be opened, any Book or Books for publick Subſcriptions, to be made by any Number of Perſons exceeding the Number of five, in order to the raiſing any Sum or Sums of Money, under Pretence of carrying on the ſaid Liberty or Privilege hereby granted; or ſhall by him or themſelves, or his or their Agents or Servants, receive any Sum or Sums of Money whatſoever, of any Number of Perſons exceeding in the Whole the Number of five, for ſuch or the like Intents or Purpoſes; or ſhall preſume to act as a Corporate Body; or ſhall divide the Benefit of the Liberty or Privileges hereby granted, into any Number of Shares exceeding the Number of five; or ſhall commit or do, or procure to be committed or done, any Act, Matter, or Thing whatſoever, during ſuch Time as ſuch Perſon or Perſons ſhall have any Right or Title, either in Law or Equity, which ſhall be contrary to the true Intent and Meaning of an Act of Parliament, made in the ſixth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for the better ſecuring certain Powers and Privileges intended to be granted by his Majeſty, by two Charters, for Aſſurance of Ships and Merchandiſes at Sea, and for lending Money upon Bottomry, and for reſtraining ſeveral extravagant and unwarrantable Practices therein mentioned*; or in caſe the ſaid Power, Privilege, or Authority, ſhall at any Time become veſted in or in Truſt for more than the Number of five Perſons, or their Repreſentatives, at any one Time, otherwiſe than by Deviſe or Succeſſion (reckoning Executors and Adminiſtrators as and for the ſingle Perſons whom they repreſent, as to ſuch Intereſt as they are or ſhall be intitled to in Right of ſuch their Teſtator or Inteſtate); that then, and in every of the ſaid Caſes, all Liberties and Advantages whatſoever hereby granted ſhall utterly ceaſe, determine, and become void, any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

on Penalty of forfeiting the ſame.

Publick Act.

V. And be it further enacted by the Authority aforeſaid, That this Act ſhall be adjudged, deemed, and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

CAP. LXII.

An Act for completing and maintaining the Pier at the Town of *Mevagiſſey*, in the County of *Cornwall*.

Preamble.

'WHEREAS the Town of *Mevagiſſey*, in the County of *Cornwall*, is ſituated on the South Side of 'the ſaid County, contiguous to the *Britiſh* Channel, and hath been for a long Series of Years 'found a very convenient Situation for carrying on the Pilchard Fiſhery; and the ſame has been done to 'the great Advantage, not only of the Publick in general, but of many Perſons concerned or employed 'therein; and for the Safety and Protection of Veſſels employed in the ſaid Fiſhery, and others who 'might have Occaſion to navigate to and from the ſaid Town, a ſmall Pier was formerly erected and kept 'in Repair by the Owner of the Ground and Soil near to the ſame; and certain ſmall Dues were taken 'from the Owners of all ſuch Veſſels as partook of the Protection thereof: And whereas the ſaid Pier 'having been found very incommodious, difficult of Acceſs, and inadequate to the Increaſe of the ſaid 'Fiſhery, and the Reſort of Veſſels to the ſaid Town, the ſame hath been ſuffered to fall into Ruin and 'Decay; and it hath been judged neceſſary to erect a new Pier upon a more extended and enlarged Plan; 'for which Purpoſe the Sum of one thouſand three hundred Pounds, or thereabouts, hath been ſubſcribed 'and paid; which hath been expended in executing Part of the Work intended to be carried into Execu'tion; and in order to make and erect the proper Embankments, Quays, Wharfs, Ways, Paſſages, and 'Approaches to the ſaid Pier, and for the Protection thereof, it is neceſſary to veſt in Commiſſioners the 'Soil of a ſufficient Quantity of Ground; and for that End, and for completing the ſeveral Works afore'ſaid, and in making Satisfaction to the Owners of the Ground and Soil which will be uſed in effecting 'the ſame, it hath been found, that the further Sum of three thouſand Pounds, or thereabouts, will be 'neceſſary; and that, by laying a reaſonable Tonnage or Duty on all Ships and other Veſſels which ſhall 'partake of the Benefits reſulting from the ſaid Improvements, not only the ſaid further Sum, but the 'Intereſt thereof, and of the Sums already advanced, may be kept down, and the ſaid Pier and Works at 'all Times kept and maintained in good and ſufficient Repair; yet, nevertheleſs, the good Ends and 'Purpoſes

'Purpoſes aforeſaid cannot be effectually carried into Execution without the Aid and Authority of Par-'liament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Perſons who for the Time being ſhall be ſeiſed of any Freehold or Inheritance of any Lands, Tenements, or Hereditaments (except thoſe poſſeſſed of a Freehold under a Leaſe granted for a Life or Lives abſolute, with a reſerved yearly Rent payable out of the ſame), within the Town and Pariſh of *Mevagiſſey*, of the clear yearly Value of ten Pounds above Reprizes; that all ſuch Perſon and Perſons as ſhall or may for the Time being be ſeiſed reſpectively of the Freehold or Inheritance of the ſeveral Houſes of *Carhais* in the Pariſh of *Saint Michael Carhais*, of *Trewarthenick* in the Pariſh of *Cornelly*, of *Penrice* in the Pariſh of *Saint Auſtell*, of *Heligan* in the Pariſh of *Saint Ewe*, the Vicar of *Mevagiſſey* for the Time being, the Right Honourable *Robert* Lord Viſcount *Clare* in the Kingdom of *Ireland*, *John Quicke* of *Nanſwhydden* in the County of *Cornwall* Eſquire, and *John Symmons* of *Slebeck* in the County of *Pembroke* Eſquire, *Samuel Ball*, *Stephen Rice*, *Thomas Jago*, *Roger Paſcoe*, *Oliver Paſcoe*, *John Pearce*, *Richard Nicholls*, *Philip Ball*, *John Rawe*, and *John Mills* the elder, and their Succeſſors, to be elected in Manner herein after mentioned, ſhall be, and they are hereby conſtituted and appointed Truſtees, for carrying on, completing, maintaining, and preſerving, the ſaid Pier, and for executing ſuch other Works as to them, or any five or more of them, at their General Meeting aſſembled, ſhall ſeem moſt proper and convenient, and for putting in Execution all other the Powers in and by this Act given and granted, according to the Method herein after preſcribed; and it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, to order and direct all Matters and Things, and to cauſe the ſame to be done, from Time to Time, which ſhall be neceſſary for the carrying on, completing, maintaining, and preſerving, the ſaid Pier, and the other Works directed to be done, according to the true Intent and Meaning of this Act.

Truſtees appointed:

Their Powers.

II. And be it further enacted by the Authority aforeſaid, That when and as often as any Truſtee, Inhabitant of the ſaid Town of *Mevagiſſey*, ſhall die, or ceaſe to be an Inhabitant of the ſaid Town of *Mevagiſſey*, the ſurviving or remaining Truſtees, or any five or more of them, ſhall and may, by Writing under their Hands and Seals, nominate and appoint one or more Perſon or Perſons, being an Inhabitant or Inhabitants of the ſaid Town of *Mevagiſſey*, being poſſeſſed of or intitled to a Real or Perſonal Eſtate of the Value of five hundred Pounds, to be a Truſtee or Truſtees, in the Room of ſuch Truſtee or Truſtees ſo dying, or ceaſing to be an Inhabitant or Inhabitants of the ſaid Town; and ſuch Truſtee or Truſtees, ſo nominated and appointed as aforeſaid, ſhall have the ſame Power and Authority for putting this Act in Execution as the Truſtee or Truſtees in whoſe Place or Places he or they were ſo choſen were inveſted with.

In caſe of Death, &c. other Truſtees to be elected.

III. And be it further enacted, That the firſt Meeting of the ſaid Truſtees ſhall be on the fourteenth Day after the paſſing of this Act, at the Houſe of *Joſeph Wilſon*, within the ſaid Town of *Mevagiſſey*; and that it ſhall and may be lawful for the ſaid Truſtees, or any five or more of them, to meet and aſſemble from Time to Time as they ſee proper, at ſuch Place or Places as they ſhall judge moſt convenient, within the ſaid Town of *Mevagiſſey*, for carrying on and effecting the Purpoſes of this Act.

Time and Place of the firſt Meeting of the Truſtees, &c.

IV. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any five or more of them, and their Agents and Officers, from Time to Time, by their Orders and Directions, to take away or remove any Obſtructions that may be neceſſary to be taken away or removed for the improving, completing, and maintaining, the ſaid Pier and other Works as aforeſaid, or for the better attaining the Purpoſes of this Act, making Satisfaction to the reſpective Owner or Owners of the Premiſes in ſuch Manner as is herein after mentioned.

Truſtees may remove Obſtructions,

making Satisfaction to Owners.

V. And be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees appointed by this Act, or any five or more of them, to contract and agree with any Workmen, Artificers, or other Perſons whomſoever, *bona fide*, for the making and doing all and every or any Part of the Work or Buſineſs to be done in or about the completing the ſaid Pier, and alſo with any Perſon or Perſons for Timber, Stones, or other Materials which ſhall be neceſſary to be uſed in or about the completing the ſaid Pier and other Works aforeſaid.

Truſtees may contract for making the Works.

'VI. And whereas, in order for the better carrying into Execution the Purpoſes of this Act, it will be 'neceſſary to extinguiſh the ſaid ancient Dues, and to veſt in the Truſtees appointed by this Act not only 'the Ground and Soil upon which the ſaid Pier ſhall ſtand, but alſo five hundred and ſixty Feet of Ground 'in Length, for the Purpoſe of erecting a Wharf and Approach to the ſaid Pier, to be aſcertained by a 'direct Line from the Stairs of a certain Place called *The Old Quay*, to the Wharf of a certain Cellar next 'the Sea, now in the Occupation of *Robert Glanvill*, and to be continued in a ſtraight Line from the ſaid 'Cellar Wall to a certain other Cellar Wall next a Place called *The Strand*, now in the Occupation of '*Charles Pearce*, and in Breadth twenty Feet, to be aſcertained by Admeaſurement from the Line con-'necting the Cellar Walls of the ſaid *Robert Glanvill* and *Charles Pearce* outward towards the Beach, and 'from the Cellar Wall of the ſaid *Robert Glanvill* to the *Old Quay Stairs*; and likewiſe twenty Feet in 'Breadth, from the Eaſtern End of the ſaid intended Wharf, to be continued from thence, as an Ap-'proach to the Platform of the ſaid Pier: And whereas, as a full Satisfaction and Compenſation for the 'ſaid Ground and ancient Dues, it hath been agreed, that the clear annual Sum of ten Pounds ſhall be 'charged upon the ſaid Pier and Wharfs, and be paid out of the Tolls or Duties by this Act laid or im-'poſed, for the Benefit of the preſent and future Owners of the ſaid Ground, and the Perſon or Perſons 'who is, are, or could be intitled to claim and demand the ſaid ancient Dues;' be it therefore enacted, That the ſaid ancient Dues ſhall, from and after the paſſing of this Act, be, and the ſame are hereby extinguiſhed, and ſhall be no longer payable or demandable; and that the ſaid Ground and Soil whereon the ſaid Pier doth or ſhall ſtand or be erected, and alſo the ſaid Pieces of Ground herein before deſcribed, ſhall from thenceforth be, and the ſame are hereby accordingly veſted in the ſaid Truſtees and their Succeſſors, as

Certain neceſſary Things to be done for the Purpoſes of this Act.

Ancient Dues to be extinguiſhed; and Ground for the Pier, and other Ground to be purchaſed, veſted in Truſtees.

as their abſolute Eſtate and Property, for the Purpoſes of this Act, for ever, free from all Charges, Incumbrances, and Eſtates whatſoever, ſubject only to the ſaid annual Sum of ten Pounds.

Pier and Wharfs chargeable with the Payment of 10l. per Annum for the Ground purchaſed.

'VII. And that in Conſideration thereof,' be it further enacted, That the ſaid Pier and Wharfs, and the Tolls and Duties hereby laid and impoſed, ſhall, in the firſt Place, be liable to and charged with the clear annual Sum of ten Pounds, to be paid and payable to the preſent and future Owners of the ſaid ancient Dues and Pieces of Ground herein-before deſcribed, for ever, at two Days or Times in the Year, by equal Portions, that is to ſay, the twenty-fourth Day of *June* and the Twenty-fifth Day of *December* in every Year, the firſt Payment thereof to begin and be made on ſuch of the ſaid Days as ſhall firſt happen after the paſſing of this Act; and that the Perſon or Perſons, the Poſſeſſors of *Nanſwhydden* and Manors of *Mevagiſſey*, who for the Time being ſhall be intitled to the ſaid annual Sum of ten Pounds, ſhall have and be intitled to all ſuch Powers and Remedies for recovering and receiving the ſame as are uſually given in the Caſes of Rent-charge.

Truſtees to pay the ſaid 10l. per Annum out of the Tolls.

'VIII. And, for the more regular and punctual Payment of the ſaid annual Sum of ten Pounds,' be it further enacted, That the ſaid Truſtees, and their Succeſſors, ſhall, and they are hereby authoriſed and directed, from Time to Time, as the ſaid annual Sum ſhall become due, to pay the ſame out of the ſaid Truſt Monies then or which ſhall afterwards firſt come to their Hands, any Thing in this Act contained to the contrary thereof notwithſtanding.

Truſtees may purchaſe other Lands.

IX. And be it further enacted, That the ſaid Truſtees, or any five or more of them, ſhall have full Power and Authority to agree with the Owner or Owners, Occupier or Occupiers, of any other Buildings, Houſes, Grounds, or Eſtates, as they ſhall find neceſſary for them to be poſſeſſed of, or to be removed, or otherwiſe employed, for the better Execution of the Purpoſes of this Act.

Bodies Politick, or other Perſons under Incapacity, impowered to convey Lands, &c.

X. 'And whereas it may happen that ſome Perſon or Perſons, or Bodies Politick or Corporate, Feoffees in Truſt, Infants, Femes-covert, or others diſabled by Law to grant or convey the Inheritance in Lands, may be ſeiſed of Lands and Tenements which may be neceſſary to be conveyed and made uſe of for the Purpoſes of this Act;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for all Bodies Politick or Corporate, whether Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or Truſtees whatſoever, for and on Behalf of any Infants, Femes-covert, or other Ceſtuique Truſts, and for all and every other Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any Lands, Tenements, or Hereditaments, to treat and agree with the ſaid Truſtees, or any five or more of them, at their publick Meeting or Meetings, from Time to Time to be appointed for the Sale of, and to convey to the ſaid Truſtees, or their Succeſſors, for ſuch valuable Conſideration as ſhall be *bona fide* agreed upon, ſuch Buildings, Houſes, Lands, Tenements, or Hereditaments, as ſhall be by the ſaid Truſtees, or any five or more of them, adjudged neceſſary and convenient for the Purpoſes aforeſaid; and that all Contracts, Agreements, Sales, and Conveyances, which ſhall be *bona fide* made for the Purpoſes aforeſaid, ſhall be good and effectual in Law to all Intents and Purpoſes, any Law, Statute, Uſage, or other Matter or Thing whatſoever to the contrary thereof in any wiſe notwithſtanding.

Feoffees in Truſt, &c. indemnified for ſo doing.

XI. And be it enacted, That all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, and Truſtees, Corporations Aggregate or Sole, and all other Perſons aforeſaid, are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

If Perſons ſuſtain Damage by Neglect or Default, Truſtees may ſettle the Recompence;

but if ſuch Perſons be diſſatisfied, a Jury to be ſummoned,

XII. And be it further enacted, That if any Perſon or Perſons ſhall, at any Time or Times, ſuſtain any Damage in his, her, or their Lands, Hereditaments, or Property, by the Execution of any of the Powers of this Act, by any Act, Neglect, or Default of the ſaid Truſtees, or of the Workmen employed therein, or otherwiſe, in every ſuch Caſe, the ſaid Truſtees, or any five or more of them, ſhall have full Power, from Time to Time, and at all Times, to ſettle and agree upon ſuch Recompence and Satisfaction to be made for the ſame to the Perſon or Perſons injured or aggrieved, as they ſhall judge fit and reaſonable to be paid, out of the Monies ariſing or to be raiſed in purſuance or by virtue of this Act; but if it ſhall happen that the Perſon or Perſons making Complaint of ſuch Loſſes or Damages ſhall diſlike or be diſſatisfied with ſuch Recompence and Satisfaction, in every ſuch Caſe, it ſhall be lawful for the ſaid Truſtees, or any five or more of them, and they are hereby required and impowered, from Time to Time, upon Requeſt in Writing to be made or given to them, or any five or more of them, by ſuch Perſon or Perſons injured or aggrieved as aforeſaid, to iſſue out their Warrant or Warrants, under their Hands and Seals, to the Sheriff for the Time being of the ſaid County of *Cornwall*, requiring ſuch Sheriff to impannel, ſummon, and return, and the ſaid Sheriff is hereby required accordingly to impannel, ſummon, and return, a Jury of twenty-four able and ſufficient Men, qualified according to the Laws and Statutes of this Realm to be returned for Trials of Iſſues joined in his Majeſty's Courts at *Weſtminſter*, to appear before the ſaid Truſtees, or any five or more of them, at ſuch Time and Place as in and by ſuch Warrant or Warrants ſhall be appointed, and alſo to return Iſſues upon every Perſon ſo impannelled and returned the Sum of forty Shillings, which ſhall be duly eſtreated and levied; and for Default of a ſufficient Number of Jurymen appearing, ſuch Sheriff, or his Deputy, ſhall return other honeſt and indifferent Men of the Standers-by, or that can ſpeedily be procured to attend that Service, to make up the ſaid Jury to the Number of twelve;

Jurymen may be challenged; and Witneſſes may be examined.

and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen: And the ſaid Truſtees, or any five or more of them, are hereby impowered, by Warrant or Warrants under their Hands and Seals, from Time to Time, as Occaſion ſhall require, to ſummon and call before them all ſuch Perſons as ſhall be thought neceſſary to be examined as Witneſſes touching the Matters in queſtion: And the ſaid Truſtees, or any five or more of them, may authoriſe and order the ſaid Jury, or any ſix or more of them, to view the Place or Places, or Matter in queſtion; which Jury, upon their Oaths, to be adminiſtered by the ſaid Truſtee, (which Oaths, and alſo proper Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence as a Witneſs or Witneſſes before the ſaid Truſtees, the ſaid Truſtees, or any two or more of them, are hereby impowered to adminiſter), ſhall inquire how far the ſaid

ſaid Truſtees, or their Agents or Servants, have any-ways occaſioned ſuch Damage; and if any ſhall appear, ſuch Jury ſhall aſſeſs the Value of ſuch Damage, and the ſaid Truſtees, or any five or more of them, ſhall pay to the Party or Parties ſo aggrieved or injured the Money ſo aſſeſſed: And in caſe the ſaid Truſtees, or any five or more of them, ſhall not (being thereunto required) make ſuch Payment within thirty Days after ſuch Requeſt made, the Perſon or Perſons aggrieved, or his, her, or their Agents, may appoint one or more Perſon or Perſons to collect and receive the Rates and Duties by this Act given, charged, and made payable, and thereout to pay the Damages which ſhall have been ſettled and aſſeſſed as aforeſaid; and the Money to be received and collected by ſuch Perſon or Perſons ſo appointed ſhall be, and is hereby declared to be, as ſo much Money received to the Uſe of the Perſon or Perſons who hath or have ſuffered ſuch Damage, in Order and Courſe ſucceſſively as ſuch Determination ſhall be in Priority of Time; and after ſuch Damage or Damages ſo ſettled and aſſeſſed, and the reaſonable Charges of ſuch Collection ſhall be paid and ſatisfied, the Power and Authority of the Perſon or Perſons ſo appointed Collector or Receiver, Collectors or Receivers, for the Purpoſes aforeſaid, ſhall ceaſe and determine.

Jury to aſſeſs the Value of the Damage. If Payment be not made to Perſons aggrieved within 30 Days, they may collect the Rates.

XIII. Provided always, That no Perſon or Perſons whomſoever ſhall be intitled to Satisfaction for any Damages, nor ſhall the ſaid Truſtees, or any of them, be obliged to take any Notice of any Application in relation thereto, unleſs the Complaint of ſuch Damages ſhall have been made within the Space of three Calendar Months next after ſuch Damages ſhall have been ſuſtained.

No Satisfaction to be allowed unleſs Complaint be made within 3 Months.

XIV. And be it further enacted, That the Right and Property of all and every the Pier, Quays, Wharfs, Docks, and all other Works to be erected, made, or done, in purſuance of this Act, and alſo the Property of the Ground whereon ſuch Works ſhall be erected, ſhall be veſted in the ſaid Truſtees and their Succeſſors; and they, or any five or more of them, are hereby authoriſed and impowered to bring Actions, or prefer Bills of Indictment, againſt any Perſon or Perſons who ſhall ſteal, take away, break down, or ſpoil, any Works or Materials uſed or to be uſed in the Work of completing and maintaining the ſaid Pier, or ſhall do any Act, Matter, or Thing, whereby any Damage may accrue to the ſaid Pier or Works; and the ſaid Truſtees, or any five or more of them, are hereby authoriſed and impowered, from Time to Time, to let out, for the beſt Rent that can be obtained, ſuch Wharfs, Docks, or Lands, the Property whereof is hereby veſted in them, for any Term not exceeding twenty-one Years, the Rent ariſing therefrom to be applied towards completing and maintaining the ſaid Pier and Works.

The Property of the Piers, Quays, and Wharfs, veſted in Truſtees.

'XV. And, to prevent any Exactions and unreaſonable Demands from the reſpective Tenants or Leſſees under the ſaid Truſtees,' be it enacted, That the ſaid Truſtees ſhall, in every Agreement they ſhall enter into for the leaſing or letting ſuch Wharfs, Docks, or other Works, as aforeſaid, expreſsly mention what Sums ſhall be demanded or taken by the reſpective Tenants or Leſſees for the Uſe of ſuch Wharfs, Docks, or other Works, of the Maſter or Owner of any Ship or Veſſel occupying the ſame; and if ſuch Tenant or Leſſee ſhall demand or take more than the Sum ſtipulated by ſuch Agreement, ſuch Tenant or Leſſee ſhall, for every ſuch Offence, forfeit treble the Sum demanded more than he ſhall be allowed to take by ſuch Agreement, to be recovered and levied in Manner herein-after mentioned; one Moiety of which Forfeiture ſhall be applied to the completing and maintaining the ſaid Pier and other Works, and the other Moiety to ſuch Perſon or Perſons as ſhall proſecute, ſue for, and recover the ſame.

Truſtees in all Leaſes to mention what Sums are to be taken by the Leſſee. Penalty on Leſſees demanding more than the Sums ſtipulated.

XVI. And be it further enacted, That from and after the twenty-fourth Day of *July*, one thouſand ſeven hundred and ſeventy-five, no Perſon or Perſons whatſoever ſhall throw or empty any Ballaſt, Earth, Duſt, Aſhes, Rubbiſh, or Stones, into the ſaid Pier, or take away any Ballaſt, Shingle, Stones, or other Things, the Removal or taking away of which may be prejudicial to the ſaid Pier, or to the Works erected or to be erected for the Security of the ſame, or do any Act, Matter, or Thing, to prejudice or annoy the ſame; and if any ſuch Prejudice or Annoyance ſhall be done, the Matter thereof ſhall be examined into by the ſaid Truſtees hereby appointed, or by virtue of this Act to be appointed from Time to Time, or any three or more of them, who are hereby impowered, for every ſuch Offence, to impoſe any Fine or Fines upon every or any Perſon or Perſons ſo offending, not exceeding the Sum of forty Shillings, which the ſaid Truſtees, or any three or more of them, by Warrant under their Hands and Seals, directed to ſuch Perſon or Perſons as the ſaid Truſtees, or any three or more of them, ſhall for that Purpoſe name or appoint, are hereby impowered to levy and raiſe, by Diſtreſs and Sale of the reſpective Goods and Chattels of every or any ſuch Offender or Offenders, rendering to him or them the Overplus, if any there be, and he, ſhe, or they, ſhall demand the ſame; and the ſaid Fine or Fines, when levied, ſhall be paid to ſuch Perſon or Perſons as the ſaid Truſtees, or any three or more of them, ſhall direct and appoint to receive the ſame, to be applied as herein-after directed.

No Perſon to throw Ballaſt, &c. into the Pier, or take away Stones, &c.

40s. Penalty on Perſons offending.

'XVII. And, for the more orderly Government of the ſaid Pier, and for the better preſerving the 'ſame, and the Pier or Piers, and other Works, now erected or hereafter to be erected there, from Preju-'dice or Damage,' be it enacted, That the ſaid Truſtees, or any five or more of them, ſhall have Power and Authority, and they are hereby authoriſed and impowered to nominate and appoint, by Writing under their Hands and Seals, a Perſon or Perſons, as they ſhall think proper, with ſuch annual Allowance or Salary out of the Rates and Duties by this Act granted and made payable as they ſhall think fit, not exceeding ten Pounds *per Annum*; and ſuch Perſon or Perſons, ſo appointed, ſhall, from Time to Time, order and require all and every or any Perſon or Perſons, having the Command or Rule of any Ship, Bark, Boat, or other Veſſel, entering into, lying, being, or abiding within the ſaid Pier, to lie, anchor, moor, and ballaſt the ſame, in ſuch proper Place or Places within the ſaid Pier as the ſaid Perſon or Perſons ſo appointed ſhall order, aſſign, or direct for that Purpoſe; provided that the Perſon or Perſons ſo appointed ſhall, to the beſt of his or their Skill and Knowledge, order or require ſuch Ship, Bark, Boat, or Veſſel, to lie, anchor, moor, or ballaſt, in a Place of Safety; and in caſe any Perſon or Perſons then having the Rule or Command of any Ship, Bark, Boat, or other Veſſel, ſhall neglect or refuſe ſo to do, he and they, and each of them, for ſuch Neglect or Refuſal, ſhall forfeit and pay any Sum not exceeding five Pounds; to be recovered and applied in Manner herein-after directed.

Truſtees may appoint Perſons to order the Anchorage, &c. of all Veſſels.

5l. Penalty on Commanders of Ships for Refuſal.

XVIII. And

Truſtees to appoint Receivers of the Rates to be paid on landing of Goods.

XVIII. And be it further enacted, that for the better effecting and Support of the Premiſes, there ſhall from and after the twenty-fourth Day of *July*, one thouſand ſeven hundred and ſeventy-five, be paid to the ſaid Truſtees, and their Succeſſors, or to ſuch Perſon or Perſons as they, or any five or more of them, ſhall from Time to Time appoint as their Deputy or Deputies, Receiver or Receivers, to collect and receive the ſame; and they the ſaid Truſtees, and their Succeſſors, and ſuch Perſon or Perſons as they, or any five or more of them, ſhall from Time to Time appoint as aforeſaid, are hereby authoriſed and impowered to demand, collect, receive, and take, of and from the Maſters and Owners, Maſter and Owner, or other Perſon or Perſons having the Rule or Command of every Ship, Bark, or other Veſſel, the ſeveral Rates and Duties following; that is to ſay,

The Duties.

XIX. For every Buſhel (each Buſhel to contain eighty-four Pounds Weight) of Foreign or *Britiſh* Salt imported, or brought Coaſtwiſe, for the Purpoſe of curing Pilchards, Herrings, or any other Fiſh for Exportation, and on which a Bounty is allowed, one Halfpenny *per* Buſhel; to be paid immediately on the landing the ſaid Salt on the Quay, Wharf, Beach, Strand, or any Part of the Town of *Mevagiſſey*:—For every Quarter of a Wey of Coals, Culm, and Cinders (according to the Admeaſurement of the Port of *Fowey*), landed at the Quay, Wharf, Beach, Strand, or any Part of the Town of *Megaviſſey*, Four-pence *per* Quarter:—For every Stop-ſean (with the Tuck-ſean, one Sean-boat, one Follower, and one Lurker thereto belonging) already ſat out from and belonging to the ſaid Town of *Mevagiſſey*, the Sum of one Pound and one Shilling yearly, payable at *Chriſtmas*:—For every new or additional Stop-ſean (with the Tuck-ſean, one Sean-boat, one Follower, and one Lurker thereto belonging), upon their firſt ſetting out from and belonging to the ſaid Town of *Mevagiſſey*, the Sum of four Pounds and four Shillings, and the further yearly Sum of one Pound and one Shilling, payable at *Chriſtmas*:—For every Stop-ſean brought into the ſaid Pier by Non-inhabitants, or partly Inhabitants, or partly Non-inhabitants, of the ſaid Town of *Mevagiſſey*, with one Tuck-ſean, one Sean-boat, one Follower, and one Lurker, ſuch Non-inhabitants curing the Fiſh taken in the ſaid Sean in the ſaid Town of *Mevagiſſey*, the Sum of four Pounds and four Shillings; to be paid immediately on the landing of any Part of the ſaid Fiſh within the ſaid Pier, Quay, Wharf, Beach, Strand, or any Part of the ſaid Town of *Mevagiſſey*; and the further yearly Sum of one Pound and one Shilling, payable at *Chriſtmas*:—For every Driving-boat, carrying a String of Nets for taking Pilchards, the ſaid Boat belonging to or having ſat out from the ſaid Town of *Mevagiſſey* the yearly Sum of one Pound and one Shilling, payable at *Chriſtmas*:—For every other Boat (except Sean-boats, Followers, or Lurkers) ſat out from or belonging to the ſaid Town of *Mevagiſſey*, the yearly Sum of two Shillings and Sixpence, payable at *Chriſtmas*:—For every new or other Boat (except ſuch Sean, Follower, or Lurker Boats, as aforeſaid) bought by or belonging to any of the Inhabitants of the ſaid Town of *Mevagiſſey*, the Sum of three Shillings and Fourpence on the firſt entering of ſuch Boats into the ſaid Pier, over and above the ſaid yearly Sum of two Shillings and Sixpence:—For every Perſon employed or acting as a Seaner on Board ſuch Boats, having a Stop-ſean and Tuck-ſean thereunto belonging, the yearly Sum of two Shillings and Sixpence, payable at *Chriſtmas*; which ſaid Sum of two Shillings and Sixpence the Maſter-ſeaner, Owner or Owners, of ſuch Seans and Boats, are hereby authoriſed to deduct and detain out of the firſt Wages of every ſuch Seaner:—For every Veſſel belonging to the ſaid Town of *Mevagiſſey*, the yearly Sum of Sixpence *per* Ton, payable at *Chriſtmas*, as an annual Compoſition for every ſuch Veſſel, ſo long as the Owner or Maſter thereof ſhall duly pay the ſame within ten Days after ſuch Compoſition ſhall become due, otherwiſe ſuch Veſſel ſhall be ſubject to the Payment of ſuch other Dues as are hereby laid on other Veſſels navigating within the ſaid Pier not belonging to the ſaid Town of *Mevagiſſey*:—For every Veſſel not wholly belonging to the ſaid Town of *Mevagiſſey*, but one Half or a larger Part of ſuch Veſſel being the Property of an Inhabitant or Inhabitants of the ſaid Town, the Sum of Sixpence *per* Ton on the firſt Entrance or coming in of ſuch Veſſel into the ſaid Pier, Quay, Wharf, Beach, Strand, or any Part of the ſaid Town of *Mevagiſſey*, and afterwards to pay after ſuch Rate, and in ſuch Manner, as other Veſſels belonging to the ſaid Town:—For the Keelage of every other *Britiſh* Boat, upon each Entry into the ſaid Pier, Quay, Wharf, Beach, or Strand, the Sum of one Shilling; and of every other *Britiſh* Sloop or Veſſel of twenty Tons Burthen and upwards, the Sum of one Shilling and Sixpence; and of every other *Britiſh* Sloop or Veſſel of thirty Tons Burthen, the Sum of two Shillings; and of every other *Britiſh* Sloop or Veſſel upwards of thirty Tons Burthen, the Sum of three Shillings; and of every other *Britiſh* Sloop or Veſſel of ſixty Tons Burthen and upwards, the Sum of four Shillings and Sixpence; and of every other *Britiſh* Sloop or Veſſel of one hundred Tons Burthen and upwards, the Sum of ſix Shillings; and of every other *Britiſh* Sloop or Veſſel of two hundred Tons Burthen and upwards, the Sum of eight Shillings; and for the ballaſting of or diſcharging of Ballaſt out of every *Britiſh* Sloop or Veſſel, the Sum of Sixpence *per* Ton; and which ſuch ballaſting or diſcharging of Ballaſt ſhall be performed at ſuch Place or Places only as the Quay-maſter, appointed by virtue of this Act, ſhall from Time to Time direct; and for every Foreign Ship or Veſſel not bound to the ſaid Town of *Mevagiſſey*, double the Rates and Duties herein-before laſt enumerated, laid, and directed to be taken; and for every Hogſhead of Pilchards cured within the ſaid Town, laid on Board any Ship, Boat, or Veſſel, in the ſaid Pier, Quay, Wharf, Beach, or Strand, any Sum not leſs than Threepence, and not exceeding Sixpence *per* Hogſhead, at the Diſcretion of the Truſtees appointed by this Act; and for every Hogſhead of Pilchard Oil, commonly called *Train Oil*, and for every Hogſhead of Dregs of Pilchard Oil, laid on Board any Ship, Boat, or Veſſel, in the ſaid Pier, Quay, Wharf, Beach, or Strand, the Sum of Sixpence *per* Hogſhead; the ſame to be paid by the Maſter or Owner of any Veſſel or Veſſels taking the ſaid Pilchards, Pilchard Oil, or Dregs, on Board:—For every Barrel of Tin, every large Maſt forty Feet in Length and upwards, every Hogſhead of Foreign Oil, Hogſhead of Wine or *Engliſh* Spirits, Ton of Hemp, Pack of Wick-yarn, Hundred Weight of Cane, Stone, and Plaſter, one Shilling, and ſo in Proportion for greater or leſſer Quantities; and for every Hundred of Deal Boards under twenty Feet, and ſo in Proportion for any other Deal Boards, Ninepence; and for every Roll of Tobacco not exceeding twenty Pounds, every

Fardal

Fardal of Ware, hundred Weight of Brimſtone, Bag of Nails, Firkin of Butter, hundred Weight of Lump or Loaf Sugar, Ton of Lime, Caſe or Crate of Glaſs, Frail of Figs or other Goods, Barrel, Box, or Bag of Starch, Allum, or Copperas, hundred Weight of Cheeſe, Barrel of Vinegar, Wey of *Britiſh* Salt, hundred Weight of Wool or Cotton, Ton of empty Caſk, Hogſhead of Apples or Pears, Bag of ſmall Nuts, every Dozen of Goats, Sheep, Kids, or any other Kind of Skins, Two-pence; and for every Block of Tin, Load of Oak, Deal Plank, or any Sort of Timber, every Sheep, every End of Hops, Hogſhead of Cyder or Perry, thouſand of Bricks, Maun of Hats or other Goods, Baſket or Box of Glaſſes or Bottles, and every hundred Weight of Tobacco, Four-pence; and for every Ton of Copper or other Ore, Cheſt or Box of Candles or Soap, every Barrel of Herrings cured within the ſaid Town, Dozen of ſmall Sparrs, Bag of Flour, hundred Weight of Blue, hundred of any Kind of Horns, Groſs of Bottles, hundred Weight of Gunpowder, hundred Weight of Feathers, hundred Weight of Dye Stuff, Dozen of Oars, or Crate of Earthen Ware, Three-pence; and for every hundred Weight of unrefined Sugar, hundred Weight of Molaſſes, Jug of any Oil, Turpentine, or Varniſh, ſingle Hides, Quarter of any Grain except Wheat, Ton of Lime Stones, hundred Weight of fine Copper, one hundred Weight of Tanners Rinds, or three *Wincheſter* Buſhels of Bark, every Caſe of Liquor, Coil of Rope under one hundred Weight, Barrel of Pipe-clay, Cheſt or Box of Pipes, Caſk of Molaſſes under ten Gallons, Side of Pork or Bacon, Quintal of dry Fiſh, Bag of Seeds, Pepper, Pimento, Ginger, Dozen of Lanterns, Ream of Writing Paper, Dozen Pounds of Flax, and every Pack of Charcoal, one Penny; and for every Hogſhead of Train Oil imported, Hogſhead of Ale or Beer, Ton of Oakum, one thouſand of Oranges or Lemons, Bullock or Horſe, Sixpence; and for every Ton of Iron, every Pocket of Hops, Ton of Rice, and Dicker of Leather, Eight-pence; and for every Ton of Tallow, and every Butt of Sack, one Shilling and Six-pence; and for every Box or Bag of Goods not exceeding twenty Pounds Weight, every Piece of Foreign Sail Cloth, Quarter of Wheat, Barrel of Pitch, Tar, or Roſin, thouſand of Walnuts or Cheſnuts, three Half-pence; and for every Hogſhead of Foreign Spirits two Shillings; and for every thouſand of Helling Stones, hundred Weight of Pig, Sheet, or Bar Lead, Ream of Brown or Whited-brown Paper, every Dozen of Stockings, and every Grinding Stone, a Half-penny; and for every Bundle of Hoops one Farthing; and for all other Goods and Merchandizes brought or carried Coaſtwiſe, not herein-before enumerated or included, One-eighth Part of the Freight of the ſaid Goods and Merchandize; and for all Goods and Merchandize not particularly rated, that ſhall be brought from or carried to Foreign Parts, one Penny in the Pound of the Value of ſuch Goods ſo imported or exported.

Quay Maſter to regulate the Laying-place of Veſſels in the Pier.

XX. And be it further enacted by the Authority aforeſaid, That the Quay Maſter for the Time being ſhall and may, and is hereby authoriſed and impowered, to regulate and appoint the Birth or Laying-place of any Ship, Boat, or other Veſſel; and when and as often as he ſhall judge neceſſary, to order and direct any Ship, Boat, or other Veſſel, to be removed from the Birth or Laying-place at which they ſhall reſpectively happen to be ſtationed or moored to any other Birth or Laying-place, as he ſhall think proper, for the better Accommodation of Veſſels coming into or going out of the ſaid Pier: And in Caſe the Maſter, or other Perſon having or taking the Command and Charge of any ſuch Ship, Boat, or other Veſſel, ſhall neglect or refuſe to remove ſuch Ship, Boat, or other Veſſel, to ſuch other Birth or Laying-place as ſhall be appointed by the ſaid Quay Maſter, ſuch Perſon or Perſons ſhall forfeit and pay any Sum not exceeding five Pounds; to be levied and recovered by Diſtreſs and Sale of his or their Goods and Chattels, rendering to him or them the Overplus, if any there be, and he or they ſhall demand the ſame: And for want of ſufficient Diſtreſs, the Perſon or Perſons ſo offending ſhall and may, upon Proof of the Offence before any one or more of his Majeſty's Juſtices of the Peace for the ſaid County, be committed to the Common Gaol of the ſaid County, there to remain for the Space of two Months without Bail or Mainprize, unleſs the ſaid Penalty, and all reaſonable Coſts and Charges attending ſuch Diſtreſs and Sale, as well as their Commitment, ſhall be ſooner paid and ſatisfied.

5l. Penalty on Ship-Maſter's Refuſal or Neglect.

Veſſels may be removed out of the Pier during the Pilchard Fiſhery.

40s. Penalty on Owners for Refuſal.

XXI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, or the ſaid Quay Maſter for the Time being, to order and direct all ſuch Boats and other Veſſels as they ſhall think proper to be removed out of the ſaid Pier during the Time of the Pilchard Fiſhery: And if any of the Owner or Owners of ſuch Boats or other Veſſels ſhall refuſe to remove the ſame when thereunto required, he and they ſhall reſpectively forfeit and pay the Sum of forty Shillings for every ſuch Offence; to be levied and recovered in ſuch Manner as the other Penalties and Forfeitures inflicted by this Act are directed to be levied and recovered; and from and after the Time that the ſaid Pilchard Fiſhery ſhall be finiſhed, all the Boats and other Veſſels employed therein ſhall be removed out of the ſaid Pier.

No Veſſels to be cleared till the Duties be paid.

'XXII. And, to the Intent the ſaid Rates and Duties may be truly anſwered and paid,' be it further enacted, That no Collector, Cuſtomer, Collector of his Majeſty's Cuſtoms, Comptroller, Receiver of Entries, or Ships Surveyor or Searcher, Waiter, or other Officer of the Cuſtoms whatſoever, belonging to the Port of *Fowey*, in the ſaid County of *Cornwall*, within which the Creek or Harbour of *Mevagiſſey* is comprehended, ſhall, at any Time after the ſaid twenty-fourth Day of *July*, one thouſand ſeven hundred and ſeventy-five, give or make out any Cocket or other Diſcharge, or take any Report outwards, for any Ship, Bark, Boat, or other Veſſel, or permit any Ship, Bark, Boat, or other Veſſel, to go out of the ſaid Pier, until the Maſter or Owner, or other Perſon or Perſons having the Rule or Command of ſuch Ship, Bark, Boat, or other Veſſel, ſhall produce a Certificate from the Collector or Collectors, to be appointed in purſuance of this Act, that the Rates and Duties by this Act granted are paid, or ſecured to be paid; which ſaid Certificate the ſaid Collector or Collectors is and are hereby required to give without Fee or Reward: And that any Collector, Cuſtomer, Collector of his Majeſty's Cuſtoms, Comptroller, Receivers of Entries, or Ships Surveyor or Searcher, Waiter, or other Officer of the Cuſtoms whatſoever, making Default in any of the Premiſes enjoined by this Act, ſhall forfeit and pay the Sum of twenty Pounds; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts

20l. Penalty on Collectors, &c. making Default.

of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed, nor more than one Imparlance; one Moiety of ſuch Forfeiture to be to the Uſe of the Perſon or Perſons who ſhall proſecute, ſue for, and recover the ſame, and the other Moiety thereof to be paid into the Hands of the ſaid Truſtees, or to ſuch Perſon or Perſons as they, or any five or more of them, ſhall direct, to be applied for the Purpoſes of this Act.

King's Veſſels exempted from Duty.

XXIII. Provided nevertheleſs, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge any of the Ships or Veſſels of War belonging to his preſent Majeſty, his Heirs or Succeſſors, with any the Duties granted by this Act, any Thing in this Act contained to the contrary thereof in any-wiſe notwithſtanding.

How Rates may be recovered from Perſons refuſing to pay.

'XXIV. And, to the Intent the ſaid Rates and Duties impoſed by this Act may be more effectually collected and levied,' be it further enacted, That in caſe any Owner or Maſter, or other Perſon having the Rule or Command of any Ship, Bark, Boat, or other Veſſel, Goods, Wares, or Merchandiſes, charged or chargeable with the Rates and Duties granted by this Act, ſhall refuſe to pay the ſame; then, and in ſuch Caſe, it ſhall and may be lawful for the ſaid Truſtees, and their Succeſſors, or ſuch Perſon or Perſons as they, or any five or more of them, ſhall appoint to be their Collector or Collectors as aforeſaid, or any or either of them from Time to Time, to go on Board ſuch Ship, Bark, Boat, or other Veſſel, to demand, collect, and receive the ſame, and for Non-payment thereof to take and diſtrain every ſuch Ship, Bark, Boat, or other Veſſel, and all her Tackle, Apparel, and Furniture thereto belonging, or any Part thereof, or all or any Part of the Goods, Wares, and Merchandiſe, chargeable with the ſaid Rates and Duties, or in reſpect whereof ſuch Rates and Duties ſhall be payable as aforeſaid, either on Board ſuch Ship, Bark, Boat, or other Veſſel, or on Land, and the ſame to detain, until he or they be ſatisfied and paid the reſpective Rates and Duties; and in caſe of any Neglect or Delay in Payment of the ſaid Rates and Duties for the Space of three Days after any Diſtreſs or Diſtreſſes ſo taken as aforeſaid, that then it ſhall and may be lawful to and for the ſaid Truſtees, and their Succeſſors, and ſuch Perſon or Perſons as they ſhall appoint as aforeſaid, their Collector or Collectors, Receiver or Receivers, to cauſe the ſame to be appraiſed by two or more ſworn Appraiſers, or other ſufficient Perſons, and afterwards to ſell the ſaid Diſtreſs or Diſtreſſes, and therewith to ſatisfy him or themſelves, as well for and concerning the reſpective Rates and Duties ſo neglected or delayed to be paid, and for which ſuch Diſtreſs or Diſtreſſes ſhall be ſo taken as aforeſaid, as alſo for his or their reaſonable Charges in taking, keeping, appraiſing, and ſelling ſuch Diſtreſs, rendering to the Maſter, or other Perſon having the Rule and Command of the Ship, Bark, Boat, or Veſſel, in, to, or from which ſuch Diſtreſs ſhall be ſo taken or belong, the Overplus, if any there ſhall be.

Perſons eluding Payment to continue chargeable.

XXV. And be it further enacted, That if any Maſter, Commander, or Owner, of any Ship, Bark, Boat, or other Veſſel, ſhall at any Time, after the Rates and Duties by this Act charged ſhall become payable, elude or avoid the Payment thereof by any Method whatſoever, ſuch Maſter, Commander, or Owner, of ſuch Ship, Bark, Boat, or other Veſſel, ſhall ſtand charged with and be liable to the Payment of the ſame; and the ſame ſhall be recovered from ſuch Maſter or Owner by the ſame Method by which Fines and Penalties impoſed by this Act are herein-after directed to be levied and recovered.

If Differences happen about Tonnage of Ships, Collectors may admeaſure them.

'XXVI. And, to the Intent that the Duties by this Act directed to be aſcertained by the Tonnage of any Ship, Bark, or other Veſſel, may be truly aſcertained and paid,' be it further enacted, That in caſe the Collector or Collectors of the ſaid Duties, or ſuch other Perſon or Perſons as the ſaid Truſtees, or any two or more of them, ſhall nominate and appoint for that Purpoſe, and the Maſter or other Perſon having the Charge or Command of any Ship or Veſſel charged with the ſaid Duty, cannot otherwiſe agree about and adjuſt the Tonnage of any ſuch Ship, Bark, or other Veſſel; that then, and ſo often, it ſhall and may be lawful for the ſaid Collector or Collectors, or ſuch other Perſon or Perſons as aforeſaid, from Time to Time, and at all Times convenient and ſeaſonable, to enter into ſuch Ship, Bark, or other Veſſel, and to admeaſure the ſame according to the Directions of this Act; and

Commanders obſtructing Collectors, to forfeit 5 l.

if any Commander or other Officer of any Ship, Bark, or other Veſſel, or any other Perſon whatſoever, ſhall obſtruct or hinder any Perſon or Perſons employed by the ſaid Truſtees to admeaſure any Ship, Bark, or other Veſſel, in purſuance of this Act, in order to aſcertain the Duty of Tonnage hereby charged, ſuch Commander or other Perſon ſhall, for every ſuch Offence, forfeit the Sum of five Pounds; to be levied, recovered, and diſpoſed of, in Manner herein-after mentioned.

In what Manner Ships, &c. are to be admeaſured.

XXVII. And be it further enacted and declared, That all Ships, Barks, and other Veſſels liable to and charged with the Payment of the Duty of Tonnage by this Act impoſed, ſhall, if neceſſary, for aſcertaining the ſame, be meaſured in Manner following (that is to ſay), by taking the Length of the Keel of every ſuch Ship, Bark, or other Veſſel, ſo much as ſhe treads on the Ground, and the Breadth within Board by the Midſhip-beam, from Plank to Plank, and Half that Breadth ſhall be accounted for the Depth of every Ship, Bark, or other Veſſel, and then the Length ſo taken being multiplied by the Breadth ſo taken, and the Product thereof by the ſaid accounted Depth, and the Whole divided by ninety-four, the Quotient ſhall give and be deemed the true Contents of the Tonnage, according to which Method and Rule all Ships, Barks, and other Veſſels, ſhall be meaſured, and the ſaid Duty of Tonnage thereby be computed and collected accordingly; any Cuſtom, Practice, or Uſage, to the contrary notwithſtanding.

Quay Maſter, &c. to make Oath as to the Performance of his Duty, if required.

XXVIII. And be it further enacted by the Authority aforeſaid, That the Quay Maſter, and other Officers and Servants to be appointed by virtue of this Act, ſhall, when thereunto required by any one of the ſaid Truſtees, ſwear, or being one of the People called *Quakers*, ſolemnly affirm, that he or they will duly perform and execute his or their reſpective Office or Offices; and all and every Perſon or Perſons who ſhall be employed to take the Tonnage of any Ship or other Veſſel that ſhall come into the ſaid Pier, ſhall, when required, in like Manner ſwear, or ſolemnly affirm, that he or they will duly take the Tonnage of every ſuch Ship or Veſſel; and which Oath or Affirmation any one or more of the ſaid Truſtees are hereby authoriſed to adminiſter.

'XXXIX. And,

'XXIX. And, to the End a ſufficient Sum of Money may ſpeedily be raiſed for the Purpoſes aforeſaid, and for the better ſecuring the Repayment of the ſame,' be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any five or more of them, and they are hereby impowered, ſubject and without Prejudice to the ſaid annual Sum of ten Pounds, by Indenture or Writing under their Hands and Seals, to convey, aſſign, and aſſure the Rates and Duties granted by this Act, or any Part thereof, as a Security for any Sum or Sums of Money by them to be borrowed, not exceeding the Sum of three thouſand Pounds, for the Ends and Purpoſes aforeſaid, to any Perſon or Perſons, Natives or Foreigners, or Bodies Politick or Corporate, that ſhall or will lend or advance the ſame, for ſecuring the Payment thereof, with Intereſt (after the Rate of five Pounds *per Centum per Annum*); which ſaid Sum ſhall be paid into the Hands of the Truſtees, or of the Treaſurer or Treaſurers by them appointed.

Truſtees may borrow Money, not exceeding 3000 l. and aſſign the Rates as a Security.

XXX. And be it further enacted, That all and every Perſon and Perſons, to whom any ſuch Aſſignment or Aſſignments of the aforeſaid Rates and Duties ſhall be made by the ſaid Truſtees, or any five or more of them, as a Security or Securities for any Sum or Sums of Money lent by him, her, or them, on the Credit of the ſaid Rates and Duties, and his, her, or their Aſſignee or Aſſignees, may, and are hereby impowered, from Time to Time, to transfer or aſſign over ſuch Security or Securities, and all the Monies that ſhall be due thereon, to any other Perſon or Perſons.

Aſſignments may be tranſferred.

XXXI. And be it further enacted, That all and every Sum and Sums of Money already advanced, and which ſhall be advanced by way of Loan, as aforeſaid, and the Intereſt payable for the ſame, ſhall be paid and payable from Time to Time out of the Monies ariſing by the ſaid Rates and Duties hereby granted, in the Priority and Manner herein-after mentioned.

Sums advanced, and Intereſt, chargeable on the Tolls and Duties.

XXXII. And be it further enacted, That a Memorandum or Entry of all ſuch Aſſignments or Securities as ſhall be made for Money already or hereafter to be advanced by way of Loan, at Intereſt as aforeſaid, ſhall be made in a Book, which is hereby required to be kept by ſuch Perſon or Perſons as the ſaid Truſtees, or any five or more of them, ſhall appoint for that Purpoſe, at the Charge of the ſaid Truſtees, in ſuch Place or Places as the ſaid Truſtees, or any five or more of them, ſhall appoint; which Entry or Memorandum ſhall be made *gratis*.

Entries of Aſſignments to be made.

XXXIII. Provided always, and it is hereby further enacted, That in caſe the Intereſt of any Sum or Sums of Money already advanced, or to be advanced, by way of Loan as aforeſaid, ſhall be in Arrear and unpaid for the Space of forty Days next after any of the Time or Times when the ſame is, are, or ſhall be made and become payable by Force and Virtue of this Act, the ſaid Rates and Duties ſhall from thenceforth veſt in the Perſon or Perſons to whom ſuch Intereſt ſhall be ſo in Arrear as aforeſaid, until the ſame ſhall be fully paid and ſatisfied, together with all Coſts and Charges occaſioned by the Non-payment of the ſame; and all and every ſuch Perſon and Perſons ſhall have the ſame Power, Right, and Privilege of collecting, receiving, and levying the ſaid Rates and Duties, payable by virtue of this Act, as the ſaid Truſtees, or the Collectors or Receivers appointed by them, could have had in caſe the ſaid Intereſt had been regularly and fully paid and ſatisfied.

How Arrears of Intereſt may be recovered.

XXXIV. And be it further enacted by the Authority aforeſaid, That after paying and keeping down the ſaid annual Sum of ten Pounds, herein-before provided for, the Money neceſſary to complete the ſaid Quay, Wharf, and other Works hereby authoriſed to be made, together with Intereſt for the ſame, after the Rate of five Pounds *per Centum per Annum*, ſhall, in the firſt Place, be paid off and diſcharged; and, in the ſecond Place, the Money already ſubſcribed and paid ſhall be diſcharged by Dividends from Time to Time, with Intereſt, as the Rates and Duties aforeſaid ſhall accrue and be paid: Provided, that in caſe any Accident ſhall happen to the ſaid Quay and Pier, the Money already ſubſcribed and paid, or ſuch Part thereof as ſhall then remain undiſcharged, ſhall ſo remain, and the Repayment thereof ſuſpended until ſuch Damages ſhall be repaired, and the Charges and Expences attending ſuch Repair ſhall be fully paid and ſatisfied.

How Money raiſed is to be paid off.

Proviſo.

XXXV. And be it further enacted, That when and ſo ſoon as the ſeveral Sums of Money already and hereafter to be advanced, with Intereſt, ſhall, in Manner aforeſaid, be diſcharged and ſatisfied, and the capital Sum of one thouſand Pounds ſhall have been raiſed, ſaved, and placed out in ſome of the publick Funds, under the Direction and by the Authority of the ſaid Truſtees, which they are hereby authoriſed to do, and, from Time to Time, to apply the Intereſt and Proceed thereof for keeping down the Payment of the ſaid annual Sum of ten Pounds, and to maintain, ſupport, and repair the ſaid Pier and Wharf; that then, and from thenceforth, the Rates and Duties payable in reſpect of *Britiſh* Veſſels and Merchandiſe ſhall ceaſe and determine: Provided, that in caſe any extraordinary Accident ſhall happen to the ſaid Pier and Wharf, by which the ſaid capital Sum of one thouſand Pounds ſhall be reduced, or the Intereſt thereof, and the other Rates and Duties hereby impoſed ſhall not be ſufficient to pay the ſaid annual Sum of ten Pounds, and defray the Expence of the Repair of ſuch Accident, then the Rates and Duties for and in reſpect of *Britiſh* Veſſels and Merchandiſes ſhall be revived, and be collected in ſuch and the ſame Manner and Proportions as are herein-before directed, ſo as that ſuch Rates and Duties ſhall not exceed the Rates and Duties herein-before granted, and ſhall be applied towards the repairing the ſaid Pier and Wharf, and in the replacing the ſaid Sum of one thouſand Pounds, or ſuch Part thereof, as ſhall have been expended for the Support of the ſaid Pier and Wharf.

After Money borrowed ſhall be repaid, and 1000 l. placed out at Intereſt, the Rates on Britiſh Ships ſhall ceaſe.

If any Accident happen, Rates may be revived.

'XXXVI. And, that the ſaid perpetual Fund of one thouſand Pounds may be at all Times kept up and maintained for the Purpoſes aforeſaid, notwithſtanding the Monies advanced, or to be advanced, as aforeſaid, ſhall be all fully paid and ſatisfied,' be it enacted, That the Rates and Duties hereby laid upon any foreign Ships or Veſſels ſhall continue to be collected and levied, and applied from Time to Time, as the ſame ſhall ariſe, in aid of the ſaid Fund of one thouſand Pounds herein-before directed to be raiſed, eſtabliſhed, and inveſted in the publick Funds for the Purpoſes aforeſaid.

Rates on Foreign Ships to be continued, for maintaining the Fund of 1000 l.

XXXVII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, ſhall, and they are hereby impowered to give Securities to any Perſon or Perſons

Truſtees to give Security for Money already advanced.

Proviſo.

ſons for paying the Money already ſubſcribed towards the erecting and completing the ſaid Pier; to be paid by Dividends, with Intereſt, in the Manner before mentioned: Provided, that ſuch Money ſhall not be paid until the Money to be borrowed by virtue of this Act, together with Intereſt for the ſame, after the Rate aforeſaid, ſhall be paid off and diſcharged; and ſuch Payment is to be ſubject to the other Contingency herein-before mentioned.

No Money to be borrowed after the firſt Meeting, unleſs ten Days Notice be given.

XXXVIII. Provided always, and it is hereby declared, That no Money ſhall be borrowed on the Credit of this Act by the ſaid Truſtees, after the firſt Meeting, unleſs Notice in Writing, under the Hands of the ſaid Truſtees, or any five or more of them, be, by Order of ſuch Truſtees, or any five or more of them, fixed in the Market-place of *Mevagiſſey*, at leaſt ten Days before the borrowing of ſuch Money.

Application of the Money to be borrowed.

XXXIX. And be it further enacted, That the Monies which ſhall be collected, received, levied, and borrowed, by virtue of this Act, ſhall be applied, in the firſt Place, in defraying the Expences incident to and incurred in the obtaining of this Act, and afterwards in defraying the neceſſary Expences of completing and maintaining ſuch Pier, and other Works as aforeſaid, and in executing the Purpoſes of this Act, and to no other Uſe or Purpoſe whatſoever.

Truſtees may appoint Collectors and other Officers,

XL. And be it further enacted, That the ſaid Truſtees, at their firſt Meeting, or any five or more of them then preſent, or at any ſucceeding Meeting, by Writing under their Hands and Seals, ſhall and may chooſe and appoint ſuch Perſon or Perſons to be Collector or Collectors of the ſaid Duties granted by this Act as they ſhall think fit; and alſo one or more fit Perſon or Perſons to be Surveyor or Surveyors of the ſaid Pier, and other Works, propoſed to be erected, for rendering the ſame commodious and uſeful for the Reception of Ships and Veſſels; and alſo a Treaſurer or General Receiver of the ſaid Duties, and ſuch other Officer and Officers as they ſhall think neceſſary to employ in the Execution of this Act; and ſuch Perſon or Perſons as is or are made liable to pay the ſaid Rates and Duties ſhall pay the ſame, after the Rates aforeſaid, to ſuch Perſon or Perſons as ſhall from Time to Time be appointed to collect the ſaid Rates and Duties; and the ſaid Truſtees ſhall allow to ſuch Collector or Collectors, Receiver or Receivers, Treaſurer or Treaſurers, Surveyor or Surveyors, or other Perſon or Perſons ſo by them appointed, ſuch Salaries or Rewards, as to the ſaid Truſtees, or any five or more of them, at a General Meeting aſſembled, ſhall appear reaſonable; and the ſaid Truſtees, or any five or more of them, ſhall have Power to remove or diſplace any ſuch Collector, Receiver, Treaſurer, Surveyor, or other Perſon or Perſons whatſoever by them appointed in purſuance of this Act, and in the Room and Stead of the Perſon or Perſons ſo diſplaced to nominate and appoint from Time to Time ſuch other Perſon or Perſons as they ſhall think proper.

and allow them Salaries;

and may diſplace ſuch Officers, and appoint others.

Officers to give Security.

XLI. And be it further enacted, That the ſaid Truſtees, or any five or more of them, ſhall, whenever it ſhall ſeem to them expedient, take of ſuch Collector or Collectors, Receiver or Receivers, Treaſurer or Treaſurers, and from ſuch other Perſon or Perſons ſo to be choſen and nominated from Time to Time as aforeſaid, a good and ſufficient Security, as well for anſwering and paying all and every Sum and Sums of Money which ſhall be by him or them reſpectively received, in ſuch Manner as the ſaid Truſtees, or any five or more of them, ſhall, under their Hands and Seals, from Time to Time, order, direct, and appoint, and not otherwiſe, and alſo for his and their giving and making reſpectively thereof true Accounts in Writing, from Time to Time, when and ſo often as he or they reſpectively ſhall be ordered and required by the ſaid Truſtees, or any five or more of them, ſo to do, of all Monies by him or them reſpectively received by virtue of this Act, and of all the reſpective Times of ſuch Receipts, and of all ſuch Monies by him or them reſpectively diſburſed, and the reſpective Times of ſuch Diſburſements, and to whom, and by what Order.

All Contracts with Artificers and Workmen to be entered in a Book.

XLII. And be it further enacted, That the ſaid Truſtees ſhall take care to have all the Receipts, Payments, Debts, Credits, and Contracts made with and by the Artificers and Workmen, employed or to be employed, in or about the completing the ſaid Pier, and the maintaining and preſerving the ſame, or any way relating thereto, and alſo an Account of all Monies received and borrowed by the ſaid Truſtees by virtue of this Act, and all other their Proceedings whatſoever, fairly entered and written in one or more Book or Books, to be kept for that Purpoſe; to which Book or Books all Perſons concerned and intereſted

Perſons concerned may have free Acceſs to ſuch Books, &c.

ſhall at any ſeaſonable Times have free Acceſs, and ſhall have the Peruſal and Inſpection thereof *gratis*, or Copies or Extracts thereof, paying after the Rate of Two-pence for every one hundred Words; and by or out of the Money ariſing from the Rates and Duties by this Act granted, or by or out of any other Sum or Sums of Money which ſhall come into the Hands of the ſaid Truſtees, or into the Hands of the Receiver or Receivers to be by them appointed, ſhall pay and ſatisfy, or cauſe to be paid and ſatisfied, unto the Artificers and Workmen, to be employed in and about the completing or maintaining the ſaid Pier and Premiſes, all Sums of Money which ſhall be juſtly due to them, or any of them, for the ſame: And when the ſaid Pier ſhall be completed and finiſhed, and all other neceſſary Works ſhall be done, for the commodious receiving and ſecuring Ships and Veſſels therein, then, every Year, at the General Quarter Seſſions of the Peace, to be holden for the ſaid County of *Cornwall* next after the Feaſt of *All Saints*, the ſaid Book or Books, to be kept by the ſaid Truſtees, or the Perſon or Perſons whom they, or any five or more of them, ſhall appoint as aforeſaid, ſhall be produced and ſhewn to the Juſtices of the Peace, at ſuch Quarter Seſſion, together with proper Vouchers for the Expences and Diſburſements, and the Expences and Charges of paſſing this Act; which ſaid Juſtices ſhall ſtate and balance the ſaid Account; and when it ſhall appear to ſuch Juſtices, and be certified by them then preſent, or the major Part of them, that the ſaid Truſtees are by the ſaid Duties fully reimburſed the principal Monies by them borrowed and laid out for the Purpoſes aforeſaid, together with all Intereſt and Charges attending the ſame, and that a ſufficient Sum of Money ſhall be raiſed for the future Support of the ſaid Pier, and for keeping the ſame in Repair, then, all and ſingular the ſaid reſpective Duties hereby granted, ſhall, in reſpect of all *Britiſh* Ships, Sloops, Boats, or Veſſels, Goods, Wares, and Merchandiſe, ceaſe and determine; and the Rates and Duties

After the Works are completed, the Books to be laid annually before the Juſtices, at the Quarter Seſſions, &c.

After Truſtees are reimburſed the Money borrowed, &c. the Duties in reſpect of Britiſh Ships, to ceaſe, &c.

Duties hereby granted in reſpect of Foreign Ships and Veſſels, ſhall only then continue, and be collected and paid as aforeſaid, for keeping the ſaid Pier and other Works in good and ſufficient Repair.

Writings not to be liable to Stamp-duty.

XLIII. Provided always, That no Warrant, Mortgage, Aſſignment, Transfer, or any other Writing whatſoever, in purſuance of or relating to the Execution of any of the Powers of this Act, ſhall be ſubject to any Stamp-duty whatſoever.

No Truſtee capable of holding any Place of Profit.

Truſtees to defray their own Expences.

XLIV. And be it further enacted, That no Perſon acting as a Truſtee for putting in Execution this Act, or any of the Truſts or Powers aforeſaid relating to the ſaid Pier of *Mevagiſſey*, ſhall be capable of having any Office or Place of Profit, ariſing or to ariſe by any of the Duties aforeſaid, during the Time of his holding ſuch Office or Place of Profit: And the ſaid Truſtees ſhall at all ſuch Meetings defray their own Charges and Expences, and ſhall give ſuch publick Notice of all their Meetings as ſhall from Time to Time be agreed upon by them, or any five or more of them.

Penalties and Forfeitures how to be recovered and applied.

XLV. And be it further enacted, That all Fines, Penalties, and Forfeitures, by this Act incurred, or authoriſed to be impoſed or levied (the Manner of levying and recovering whereof is not otherwiſe hereby particularly directed), ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hands and Seals of any two or more Juſtices of the Peace for the ſaid County of *Cornwall*, or for the Place or Places where ſuch Offence ſhall be committed (which Warrant or Warrants the ſaid Juſtices are hereby impowered and required to grant upon the Information of any one or more credible Witneſs or Witneſſes upon Oath, which Oath the ſaid Juſtices are hereby impowered and required to adminiſter, without Fee or Reward); and ſuch Fines, Penalties, and Forfeitures, when recovered (after rendering the Overplus, if any, to the Party or Parties whoſe Goods and Chattels ſhall be ſo diſtrained and ſold, the Charges of ſuch Diſtreſs and Sale being firſt deducted), ſhall go and be applied, and laid out, if not otherwiſe directed to be applied and diſpoſed of by this Act, for and towards the Execution of the Purpoſes of this Act; and for Want of ſufficient Diſtreſs, the ſaid Juſtices, or any two or more of them, are hereby impowered and required to commit the Perſon or Perſons ſo convicted to the common Gaol of the ſaid County or Place where ſuch Offence ſhall be committed, there to remain for the Space of two Months, or until Payment of the reſpective Forfeiture ſhall be made.

Perſons aggrieved may appeal to the Quarter Seſſions.

XLVI. And be it further enacted, That all Perſons who ſhall think themſelves aggrieved by the Order or Judgment of any Juſtice or Juſtices of the Peace, upon account of any Offence or Offences committed, or ſuppoſed to be committed, againſt this Act, may appeal to the Juſtices of the Peace for the County of *Cornwall*, at any General or Quarter Seſſion of the Peace to be held within the Space of ſix Calendar Months after ſuch Cauſe of Appeal ſhall happen, the Perſon or Perſons ſo appealing firſt giving Security to the Satisfaction of the ſaid Juſtice or Juſtices to proſecute ſuch Appeal with Effect, and to pay the Coſts which ſhall be aſcertained by the ſaid General or Quarter Seſſion, in caſe ſuch Orders or Judgments ſhall be affirmed; and the Juſtices at ſuch General or Quarter Seſſion are hereby authoriſed and required to hear and determine ſuch Appeal, and to make ſuch Order therein, and to award ſuch Coſts, as to them ſhall appear juſt, which Order ſhall be final and concluſive to all Parties; and ſhall not be removed or removeable by any Writ of *Certiorari*, or otherwiſe, into any of his Majeſty's Courts of Record at *Weſtminſter*, or elſewhere, and that no Order or Proceeding to be had or made by or before any Juſtice or Juſtices of the Peace relating to the Execution of this Act ſhall be quaſhed or vacated for want of Form only.

Diſtreſs not to be ſold till after five Days.

XLVII. Provided always, and be it further enacted, That no Part of the Goods and Chattels, to be at any Time diſtrained by virtue of this Act (other than ſuch Diſtreſs or Diſtreſſes as ſhall be made for Non-payment of the Rates and Duties by this Act granted), ſhall be ſold till the Expiration of five Days from the Day upon which ſuch Goods and Chattels ſhall be diſtrained; and that it ſhall and may be lawful to and for the Perſon or Perſons convicted, at any Time before the Expiration of the ſaid five Days, to redeem ſuch Goods and Chattels, by Payment of the Money for which the ſame ſhall have been ſo diſtrained, together with the Coſts and Charges of making ſuch Diſtreſs.

Limitation of Actions.

XLVIII. And be it further enacted, That if any Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this Act in relation to the Premiſes, that in every ſuch Caſe, ſuch Action or Suit ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid or brought in the County or Place where the Cauſe of Action ſhall ariſe, and not elſewhere, and the Defendant or Defendants in every ſuch Action or Suit ſo to be brought ſhall and may plead the General Iſſue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to have been ſo done, or that ſuch Action or Actions ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place, that then the Jury ſhall find a Verdict for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit after the Defendant or Defendants ſhall have appeared; or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

Publick Act.

XLIX. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be a publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

CAP.

CAP. LXIII.

An Act for repairing the Highways and Bridges in the Shire of *Argyll*.

Preamble.

'WHEREAS the Powers granted by Law in *Scotland*, relative to Highways and Bridges, and the Services, and Work, and Money, which are thereby authoriſed to be exacted and levied, have been found by Experience inſufficient to amend, and keep in Repair, the Roads and Bridges within the Shire of *Argyll*, and other and farther Powers are neceſſary in order effectually to carry the Intention of the ſaid Laws into Execution: For Remedy whereof,' may it pleaſe your Majeſty, that it may be enacted, and be it enacted, by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for the more eaſy and effectual Execution of the Powers hereby granted, the ſaid Shire ſhall be divided into ſeven Diſtricts; *videlicet*, *Argyll*, *Cowal*, *Kintyre*, *Lorne*, *Mull*, *Ardnamurchan*, and *Ilay*; and that the firſt of the ſaid Diſtricts, called *Argyll*, ſhall extend from the Water of *Fine* to the March between the Lands of *Inverneil* and *Stronechulline*, by *Locharel*, and the March betwixt *Achachoiſh* and *Barenlongart*, to *Lochcaoliſport*, from thence to the Kirk of *Kilmelford*, and by the Water of *Avick* to *Lochow*, from thence along the South Side of the ſaid Loch to the Water of *Tettle*, and from thence in a ſtraight Line to the Head of *Glenfine*, excepting always the Pariſh of *North Knapdale*, which is to be annexed to the Diſtrict of *Ilay*; that the ſecond Diſtrict, called *Cowal*, ſhall comprehend all the Lands from the South Side of *Cowal* to the Water of *Fine* on the North, and the Water of *Long* on the South-eaſt; that the third Diſtrict, called *Kintyre*, ſhall comprehend the whole Lands from the South End of *Kintyre* to the Marches of *Inverneil* and *Achachoiſh* above mentioned, including the Iſlands of *Gigha*, *Carra*, and *Sanna*; that the fourth Diſtrict, called *Lorne*, ſhall comprehend the Country from *Kilmelford* to *Lochow*, by *Lochavich*, and the Water of *Avich*, from thence by *Lochow* to the Water of *Tettle*, including the Country of *Glenorchy*, and from the Head of *Glenorchy* to the Head of *Lochleven*, and from thence to *Lineheallich*, by the Sound of *Corryvrekan*, to *Lochmelford*; that the fifth Diſtrict, called *Mull*, ſhall comprehend the Iſlands of *Mull*, *Tirie*, *Coll*, *Iſlandamuck*, *Roum*, and *Canna*; that the ſixth Diſtrict, called *Ardnamurchan*, ſhall comprehend *Ardnamurchan* and *Suinart*, *Morvern*, *Kingerloch*, and Pariſh of *Killmallzie*; and that the ſeventh Diſtrict, called *Ilay*, ſhall comprehend the Iſlands of *Ilay*, *Jura*, *Colonſay*, and *Oronſay*, and the Pariſh of *North Knapdale*.

Shire of Argyll to be divided into ſeven Diſtricts.

Qualification of Commiſſioners.

II. And be it enacted by the Authority aforeſaid, That the Commiſſioners of Supply and Juſtices of the Peace of the ſaid Shire of *Argyll*, and the Provoſt or other Chief Magiſtrate of the Burghs of *Inverary* and *Campbeltown*, ſhall be Truſtees for making and repairing the Highways, Roads, and Bridges, within the ſaid Shire, and for executing all other Powers by this Act given and granted.

Time and Place of Commiſſioners Meeting, &c.

III. And be it enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, ſhall, in order to carry this preſent Act into Execution, meet at *Inverary*, upon the twenty-fourth Day of *May*, one thouſand ſeven hundred and ſeventy-five, and thereafter yearly upon the ſame Day, and at the like Place, that the Commiſſioners of Supply for the ſaid Shire of *Argyll* ſhall be directed by the Land-tax Act of the Year then current to aſſemble, for the Purpoſes of aſſeſſing the Land Tax, and of chooſing a Convener, Collector, and Clerk; and that the ſaid Truſtees, ſo aſſembled at the aforeſaid General Meeting, ſhall have Power, and are hereby impowered to adjourn to the next or any after lawful Day, if they ſhall ſee Cauſe ſo to do, and to name a Preſes or Chairman of their Meeting, and a Clerk during Pleaſure, who ſhall attend the Meetings of the ſaid Truſtees, and ſhall enter their whole Proceedings regularly in a Book to be kept for that Purpoſe; and likewiſe ſhall, as often as required by any Perſon or Perſons having an Intereſt in the ſame, make and give out Copies or Extracts of the Orders or Proceedings of the Truſtees (at ſuch certain moderate Fee for the ſame as ſhall be fixed by the ſaid Truſtees in a General Meeting aſſembled); and that ſuch Copies or Extracts ſhall contain the Warrant for putting theſe Orders into Execution; and that the ſaid Truſtees, in their firſt General Meeting, or adjourned Meeting aforeſaid, and in all their ſubſequent annual General Meetings, or adjourned Meetings, aſſembled, ſhall have Power, and they are hereby impowered and required to nominate and appoint early and convenient Times and Places for the firſt Meeting, in each Year, of the Truſtees within the reſpective Diſtricts before mentioned; and that the Truſtees at ſuch Diſtrict Meetings aſſembled, ſhall have Power afterwards to adjourn as they ſhall ſee Cauſe.

Chairman and Clerk to be appointed.

Powers of Truſtees at Diſtrict Meetings.

IV. And be it enacted by the Authority aforeſaid, That the Truſtees of the ſaid different Diſtricts ſhall (under the Reſtrictions after mentioned) ſuperintend and have the Direction and Cognizance of the ſeveral Roads and Bridges within their reſpective Diſtricts, and ſhall have Power to appoint the Order in which the ſame ſhall be made or repaired, and to appropriate the Services and Monies to be exacted and raiſed by virtue of this Act for the Purpoſes thereby intended; and that the ſaid Truſtees, in ſuch Diſtrict Meetings aſſembled, ſhall be and are hereby impowered to appoint a Preſes or Convener, and, if neceſſary, a Depute Clerk, for each Diſtrict, and to adjourn from Time to Time; and that the Preſes or Convener of ſuch reſpective Diſtrict Meetings ſhall have Power, and he is hereby impowered and required, to call Meetings of the Truſtees for the ſaid Diſtrict as often as he ſhall be required ſo to do by any three Truſtees within ſuch Diſtrict (upon ten Days previous Notice to be given at the Church Doors within the Diſtrict); and that all Queſtions ariſing among the ſaid Truſtees, in ſuch Diſtrict Meetings as aforeſaid aſſembled, ſhall be carried and determined by a Majority, conſiſting of Truſtees poſſeſſed at leaſt of three-fourths of the valued Rent belonging to the Members of ſuch reſpective Meetings, and not according to the Number of Votes; and when any Queſtion or Matter ſhall not be ſo determined at a Diſtrict Meeting, that then ſuch Queſtion or Matter ſhall ſtand referred, and the ſame is hereby declared to be referred, to the Determination of the next General Meeting of the ſaid Shire; and that it ſhall be lawful for any one Truſtee to act at the aforeſaid Diſtrict Meetings, in caſe the other Truſtees do not attend.

Queſtions not determined at Diſtrict Meetings to be deferred till next General Meeting.

V. Provided

V. Provided nevertheleſs, and be it further enacted by the Authority aforeſaid, That it ſhall be lawful for, and in the Power of, any abſent Truſtee to act and vote by a Proxy, general or ſpecial, to be by him given to any other Truſtee attending and voting in Perſon at the ſaid Diſtrict Meetings reſpectively; but that it ſhall not be in the Power of any Truſtee to uſe more than one Proxy at one Time; and that all Meetings under the Authority of this Act ſhall begin to be held at Mid-day, and not earlier; and that each Member ſhall defray his own Expence; but without diſabling or reſtraining the ſaid Truſtees from making and giving a reaſonable Allowance to Collectors, Clerks, and Overſeers for their Trouble.

Truſtees may vote by Proxy at Diſtrict Meetings, &c.

VI. And be it alſo enacted by the Authority aforeſaid, That the ſaid Truſtees, in Diſtrict Meetings aſſembled, ſhall have Power, and are hereby impowered, to appoint Overſeers within their reſpective Diſtricts; and that the ſaid Overſeers may, by the Juſtices of the Peace of the Bounds, be made Conſtables, for the ſpecial Purpoſe of acting as Conſtables in the Buſineſs of the Highways and Roads, and for that Purpoſe only.

Truſtees may appoint Overſeers.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, ſhall take ſuch Security from their Treaſurer or Treaſurers, as to them, or any five or more of them, ſhall ſeem proper.

Treaſurer to give Security.

VIII. And be it further enacted by the Authority aforeſaid, That of the ſix Days Statute-work, now exigible by Law from Tenants, Subtenants, and Heritors in the natural Poſſeſſion of their own Grounds, and their Men Servants, within the ſaid Shire of *Argyll*, four Days Work ſhall be exchanged or commuted; and in Place thereof, there ſhall be levied, yearly, a Sum not exceeding one Shilling Sterling on each Pound Sterling of valued Rent within the ſaid Shire; which Sum of one Shilling in the Pound of valued Rent ſhall be levied by the Collector of the Land Tax, along with the Ceſs of the Shire, or by ſuch other Collector or Collectors, and at ſuch other Times, as the ſaid Truſtees, at their firſt General Meeting each Year, ſhall appoint, or by ſuch Perſon or Perſons to whom the ſame ſhall be aſſigned or transferred in Manner as herein-after mentioned; and that where Lands are liferented, the ſaid one Shilling in the Pound ſhall be paid by the Liferenter or Liferenters reſpectively.

Four Days Work of Tenants to be commuted; and in Place thereof, 1 s. in the Pound Sterling of valued Rent to be levied.

IX. Provided nevertheleſs, That where Lands are at preſent under Leaſe, the Tenant or Subtenant in the Occupation of ſuch Lands ſhall relieve the Heritor and Liferenter of two-thirds of the ſaid one Shilling in the Pound during the Currency of the Leaſe, unleſs in ſuch Caſes where it has been otherwiſe ſpecially provided for by Leaſes made ſince the nineteenth Day of *October*, one thouſand ſeven hundred and ſeventy-four; in which laſt-mentioned Caſe, the Leaſes ſhall be, and are hereby declared to be, the Rule for the bearing, paying, and levying of the ſaid one Shilling in the Pound.

Clauſe of Relief between Maſter and Tenant.

X. And be it alſo enacted, That the ſaid Collector or Collectors ſhall keep a diſtinct and ſeparate Account of the Money levied in each Diſtrict, and ſhall not allow any Heritor to run in Arrear, but ſhall punctually execute the Orders given by the General Meeting of Truſtees with reſpect to levying the ſaid additional Duty of one Shilling in the Pound, under the Penalty of being made perſonally liable and anſwerable for the Deficiency, in caſe he or they ſhall fail to do Diligence for Recovery thereof, in Manner as herein-after directed reſpecting the ſame.

Separate Account to be kept for each Diſtrict, and no Arrears to be allowed.

XI. And be it further enacted by the Authority aforeſaid, That each Tenant or Subtenant in Poſſeſſion ſhall be liable in two Days Service of himſelf, and Men Servants, yearly, or (in the Option of the Surveyor and any two of the Truſtees of the Diſtrict), in the Value of the ſaid two Days Service in Money, according to the uſual Rate or Price of Labour in each Diſtrict (which ſhall be fixed each Year by the General Meeting of Truſtees); and that all Cottagers, Houſeholders, Labourers, Tradeſmen, Miners, Colliers, Salters, Quarriers, Workmen at Furnaces, and all and every other Perſon or Perſons by the Laws now in being liable to the Statute-work on the Highways within the ſaid Shire (other than and except Tenants and Subtenants in Poſſeſſion, and Heritors in the natural Poſſeſſion of their own Lands, as after mentioned, and their Men Servants), ſhall perform the Statutework, conform to Law, on the ſaid Highways and Bridges, by themſelves, or other able-bodied Men to be employed by them, for ſix full Days in the Year, at any Time when they ſhall be required to attend by the Overſeer (Seed and Harveſt Time excepted) or, in the Option of the Surveyor and any two of the Truſtees, ſhall pay at the Rate of two Shillings each Perſon for the ſix Days; and that the ſaid Statute-work, or Converſions of the ſame into Money, exigible either from Tenants or from the other Perſon or Perſons before mentioned, ſhall only be laid out and employed in the making, maintaining, and repairing Roads and Bridges lying in the Pariſh within which the Perſon or Perſons liable therein do reſide; and that it ſhall be lawful to the ſaid Surveyors (with Conſent of any two Truſtees within the ſaid Pariſh), to free or exempt from any Part of the ſaid Work, or Payment of the Converſion thereof, all ſuch Perſons as ſhall appear to them to be in indigent Circumſtances, or unable to perform the ſame.

Tenants to perform two Days Work;

and Cottagers, &c. ſix Days, or pay 2 s. for each Perſon.

How Money in exchange for Work is to be applied.

Indigent Perſons may be exempted.

XII. And be it enacted by the Authority aforeſaid, That every Perſon liable in ſuch Statute-work as aforeſaid, who ſhall neglect to perform the ſame, or to make Payment of the converted Prices thereof, when required (within ten Days after ſuch Requiſition made to them, either perſonally, or at their Dwelling-houſes, or by Advertiſements at the Pariſh Churches on a *Sunday*), ſhall be liable in Manner following, *videlicet*, Each Tenant or Subtenant in Poſſeſſion, in ſix Days Service of himſelf and Servants, to be converted at the ordinary Price of Labour for the Time, and each Cottager or other Perſon above-mentioned in twelve Days Service to be converted at the ordinary Price of Labour; and that in caſe any Heritor or Liferenter ſhall neglect or refuſe to make Payment of the one Shilling in the Pound of valued Rent, to be levied from him or her, he or ſhe ſhall be liable in two Shillings in the Pound of valued Rent for that Year in which he or ſhe ſhall be ſo deficient; and that the whole of theſe Converſions in Money ſhall be levied by virtue of a Warrant under the Hand of any two or more Juſtices of the Peace or Commiſſioners of Supply of the ſaid Shire, proceeding upon Certificates under the Hands of the Collector or Overſeer, that ſuch Perſon has not paid, or has been abſent; and that ſuch Warrant ſhall contain Authority for arreſting the ſaid Perſon's Effects, and for poinding and diſtraining the ſame; and that the Officer

Penalty for Neglect of Statute-Work.

to whom the ſame ſhall be directed ſhall ſummarily ſeize and diſtrain the readieſt Goods or Effects of the ſaid Perſon, and ſhall, at the End of three Days after ſuch Diſtreſs, ſell the ſame by Publick Roup or Auction to the higheſt Offerer, at the next convenient Place to the Ground of the Lands upon which ſuch Diſtreſs was made, for Payment of the Sum for which ſuch Perſon or Perſons ſhall be reſpectively liable in and of the neceſſary Charges, rendering the Overplus to the Owner; and that no Suſpenſion, Appeal, Complaint, or Action, ſhall ſtop the Performance of the Statute Services, or Payment of the converted Prices thereof, or Duty of one Shilling in the Pound of valued Rent for that Year in which they ſhall have been appropriated; ſaving always, nevertheleſs, to the Parties, their Redreſs either from the Perſons by whom they ſhall have been aggrieved, or out of their ſeveral Duties, Services, and Converſions, for the Year next after the Determination of the Cauſe.

No Appeal, &c. to ſtop Labour.

Truſtees Powers in caſe of Non-application of the Money or Service.

XIII. Provided always, That if it ſhall appear that the Statute-work, or Converſions thereof, or any Part of the ſame, in any Pariſh, have not been applied, the Truſtees, at their next General Meeting, ſhall have Power, and are hereby impowered, to order the unapplied Statute-work, or Money of ſuch deficient Pariſh, to be applied in any of the adjoining Pariſhes; and in caſe the four-fifth Parts after mentioned of the one Shilling in the Pound, to be levied in each Diſtrict, ſhall be neglected for any Year to be levied and applied within any Diſtrict, that the ſame, or ſuch Part thereof as has not been collected and applied, ſhall be given by the next General Meeting of the Truſtees to any publick Road of the County without the ſaid Diſtrict.

What Share of one Shilling in Pound is to be applied within the Diſtrict where levied.

XIV. And be it enacted by the Authority aforeſaid, That a Share not leſs than four-fifths of the Amount of the ſaid one Shilling in the Pound of valued Rent ſhall be applied within the Diſtrict from which the ſame ſhall be levied, and that the remaining one-fifth ſhall be diſpoſed of in the following Manner, *videlicet*, One Half thereof ſhall be annually paid over to the Truſtees within the Diſtrict of *Kintyre*, to be by them applied in making and keeping in Repair the Road leading from the Bridge of *Tayindreunan*, through *Sleighgoill*, to *Aſhines*, and the remaining one Half of the ſaid one-fifth ſhall be at the Diſpoſal of the Truſtees in General Meetings aſſembled, to be applied within the Diſtrict, or otherwiſe, as they ſhall find to be moſt for the Intereſt of the ſaid Shire, the great Lines of Road being always to be preferred.

Great Roads always to have the Preference.

XV. Provided nevertheleſs, That in appropriating the four-fifth Parts of the one Shilling in the Pound hereby impoſed, appointed to be levied, the Truſtees ſhall always prefer the following chief or great Lines of Road in the ſeveral Diſtricts; *videlicet*, In the Diſtrict of *Kintyre*, the Poſt Road from *Inverary* to *Campbeltown*, by the Weſt Side of *Kintyre*; in the Diſtrict of *Cowal*, the Road leading from the Point of *Ardlamont*, by the Side of *Lochfine*, to the Military Road of *Ardkinlaſs*, and from the Ferry of *Ottar* to the Ferry of *Dunoon* equally; in the Diſtrict of *Lorne*, the Road leading from *Kilmelford*, by *Oban Beunaw* and the Ferry of *Shian*, to the Ferry of *Ballecheliſh*, ſubject to ſuch Variations as ſhall be thought proper by the firſt General Meeting of Truſtees, in ſo far as relates to the aforeſaid Line of Road in the *Lorne* Diſtrict only; in the Diſtrict of *Ilay*, the Road leading from *Lochgilphead* to *Keills*, and from *Lag* in *Jura* to *Feoline*, from *Portaſkeug* in *Ilay* to *Killarow*, and from *Killarow* to *Laggavuline*, by *Bowmore*; in the Diſtrict of *Mull*, the Road from *Achnacraig* to *Aroſs*, and from thence to *Callich* in *Mourniſh*, being the Ferry to *Tyrie* and *Coll*; in *Argyll*, from *Inverary* to the Bridge of *Stronduar*, and from *Lochgilphead*, by the Bridge of *Kilmichael* and *Kilmartine*, by the Head of *Loch Craigniſh*, to *Kilmelford*; and in *Ardnamurchan*, from the Barracks of *Strontean*, to the *Corran* of *Ardgour*.

Diſtrict Meetings to make Reports.

XVI. And be it alſo further enacted, That the reſpective Diſtrict Meetings ſhall annually, on the laſt *Tueſday* of *March*, make up an exact and regular Report, containing an Account of the whole Money received and expended on the Highways and Bridges; and alſo of the Services employed, the Work performed, and the Offences committed, for the preceding Year within the Pariſhes and Diſtrict under their Direction reſpectively; and that ſuch Report, ſigned by the Preſes and Clerk of the reſpective Diſtrict Meetings, ſhall be tranſmitted by the ſaid Clerk to the Clerk of the General Meeting, to be held at *Inverary*, at leaſt eight Days before the ſaid General Meeting; and ſhall by the Clerk of the General Meeting be entered in his Book, and laid before the Truſtees at their ſaid Meeting; and that in caſe of Failure to make out and tranſmit ſuch Report, the Preſes and Clerk of the Diſtrict Meeting ſo failing ſhall be liable in a Penalty or Fine of five Pounds Sterling for each Offence, to be levied by Diſtreſs in Manner as before mentioned.

Overſeers impowered to take Materials out of the neareſt Grounds.

XVII. And be it further enacted by the Authority aforeſaid, That the ſaid Overſeers (after having firſt obtained Warrant for ſo doing under the Hand of two or more Juſtices of the Peace) ſhall be and are hereby impowered to take out of any adjacent Lands, other than Gardens, Orchards, and planted Walks, Stones, Sand, Gravel, and other Materials for making and repairing the ſaid Roads, doing the leaſt Damage poſſible, and making to the Owner or Occupier of the Ground ſuch Satisfaction as to the ſaid Juſtices, or any two of them, ſhall ſeem reaſonable.

Proprietors to keep the Ditches properly ſcoured.

XVIII. And be it further enacted by the Authority aforeſaid, That where any Ditches have been or ſhall in Time coming be made to communicate with the Ditches along the Side of any of the Roads or Highways within the ſaid Shire, that then, and ſo often as the ſame ſhall happen, the Proprietors thereof ſhall be bound to keep the Ditches properly ſcoured; and in caſe of their failing ſo to do when required, that the Overſeers of the ſaid Roads may, and they are hereby authoriſed to order the ſaid Ditches to be cleaned and ſcoured at the Coſt and Expence of the Occupiers and Poſſeſſors of the Grounds through which theſe Ditches are made; and upon their refuſing Payment of the Expence thereby incurred, that it ſhall and may be lawful to and for the Juſtices of the Peace of the Bounds, or any two of them, to levy ſuch Expence by Diſtreſs and Sale as aforeſaid.

No Stones or Rubbiſh to be laid within two Yards of the Road.

XIX. And be it enacted by the Authority aforeſaid, That no Perſon ſhall lay, or cauſe to be laid, any Timber, Stone, Lime, Dung, Compoſt, Aſhes, or Rubbiſh whatſoever, on or within two Yards of the Side of the ſaid Roads (except Materials for building Houſes and incloſing Grounds); and that any Perſon or Perſons ſo offending ſhall forfeit the Materials ſo laid down, and alſo the Sum of two Pounds Sterling;

Sterling; to be recovered and levied in the ſame Manner as the converted Price of Labour, one Half thereof to be paid to the Informer, and the other Half to be applied for making and repairing the Roads within the Diſtrict; and in caſe it ſhall not appear who laid down the ſaid Stone, Rubbiſh, and other Materials and Things laſt mentioned, that the Poſſeſſors or Occupiers of the Grounds, in which the ſame ſhall be laid down for the Time, ſhall be deemed and held, jointly and ſeverally, to be the Layers down thereof.

Truſtees may borrow Money.

XX. And be it enacted by the Authority aforeſaid, That for the more ſpeedy Reparation of the ſaid Road, or of any particular Part thereof, it ſhall be in the Power of and lawful to and for the ſaid Truſtees in Diſtrict Meeting aſſembled, wherein Truſtees poſſeſſed of Three-fourths of the valued Rent of ſuch Diſtrict at leaſt happen to be preſent, by themſelves or Proxies, and not otherwiſe, upon the Credit of the ſaid one Shilling in the Pound valued Rent leviable out of any Diſtrict, or out of Part thereof, from Time to Time to borrow any Sum or Sums of Money, the legal Intereſt whereof ſhall not exceed one Half of the Amount of Four-fifths of the ſaid one Shilling in the Pound which ſhall be levied out of the ſaid Diſtrict, or Part thereof above mentioned, and to aſſign over the ſaid Four-fifths, or what Part thereof may be neceſſary, for extinguiſhing the ſeveral Sums of Money, Principal and Intereſt, that ſhall be borrowed; and that Copies of ſuch Aſſignment, or Abſtracts thereof, ſhall be entered in a Book, to be kept for that Purpoſe by the Truſtees, and which Aſſignment ſhall be transferrable by Indorſements on the Back thereof, or on a ſeparate Writing; and that the Money ſo borrowed ſhall be applied in the ſame Manner only as the Money levied in ſuch Diſtrict is hereby directed to be applied.

Securities may be aſſigned.

Heritors occupying their own Lands liable in Statute Service.

XXI. And be it further enacted by the Authority aforeſaid, That all Perſons in the natural Poſſeſſion of their own Lands, ſhall be obliged to aſſiſt, by themſelves, or able-bodied Men hired by them, and with their Men Servants, in making and repairing the Highways, in the ſame Manner as Tenants occupying Lands.

Truſtees may aſſeſs the Diſtrict in an additional Sum of 10s. Scots on the 100l. Scots valued Rent, &c.

'XXII. And whereas it has been found by Experience, that the Sum of ten Shillings *Scots*, being 'Ten-pence Sterling, upon the one hundred Pounds *Scots* of valued Rent, authoriſed to be levied by an 'Act of the Parliament of *Scotland*, made in the ſecond Parliament of King *Charles* the Second, and in-'tituled, *An Act for repairing Highways and Bridges*, has been inſufficient for keeping the Roads and 'Bridges in the ſaid Shire in Repair;' be it therefore enacted by the Authority aforeſaid, That it ſhall be lawful to and in the Power of the ſaid Truſtees, upon the Application of Heritors poſſeſſed of Three-fourths of the valued Rent of any Diſtrict, to aſſeſs the ſaid Diſtrict in a Sum not exceeding other Ten-pence Sterling upon every one hundred Pounds *Scots* of valued Rent; and that ſuch additional Aſſeſſment ſhall be certified to the Collector of Supply, or other Collector to be appointed by the Truſtees, under the Hand of the Preſes of the ſaid Meeting; and that the ſame ſhall be levied by the ſaid Collector in the Way and Manner, and under the Regulations, herein before appointed, reſpecting the one Shilling in the Pound by this preſent Act impowered and authoriſed to be levied, and ſhall be applied for building of Bridges, and making and repairing the Highways, within the ſaid Diſtrict; and that the old Aſſeſſment of the Ten-pence Sterling on the one hundred Pounds *Scots* ſhall be and the ſame is hereby reſerved to the Diſpoſal of the General Meetings as formerly.

Sudden Damage to Bridges, not exceeding 5l. may be repaired by the Order of one Juſtice of Peace.

XXIII. Provided always, and be it enacted by the Authority aforeſaid, That in caſe of any ſudden Damage being done to a Bridge or Bridges within the ſaid Shire, and which may require an immediate Support or Repair, that it ſhall be in the Power of any Juſtice of the Peace, and he is hereby impowered to give Orders for making ſuch Support or Repairs, but ſo as the Sum to be expended thereupon ſhall not exceed five Pounds Sterling; and that the Money ſo expended ſhall be provided for and paid by the next General Meeting, on an Application to them for that Purpoſe.

Sums expended before June 24, 1774, to be paid,

XXIV. And be it enacted by the Authority aforeſaid, That ſo far as the unapplied Funds of the ſaid Shire are not ſufficient to diſcharge the Sums expended before the twenty-fourth Day of *June*, which was in the Year one thouſand ſeven hundred and ſeventy-four, by Authority of General Meetings of the Commiſſioners of Supply, in making and repairing Bridges and Roads, that one Half thereof ſhall be paid out of the Fund allowed to be levied by the before-mentioned Act of the Parliament of *Scotland*, paſſed in the Reign of King *Charles* the Second, and the other Half out of the Four-fifths of the one Shilling in the Pound Sterling of valued Rent, to be levied (under the Authority of this preſent Act) out of the Diſtrict in which the Money hath been expended.

Expences of this Act how to be paid.

XXV. And be it enacted by the Authority aforeſaid, That the Sums to be raiſed and levied by virtue of this Act ſhall be applied by the ſaid Truſtees, in the firſt Place, to defray and pay the Charges of obtaining and paſſing this Act, and afterwards wholly and ſolely to the Uſes and Purpoſes before mentioned, and to no other Uſe or Purpoſe whatſoever.

Act to continue 25 Years.

XXVI. And be it enacted by the Authority aforeſaid, That the aforeſaid one Shilling in the Pound of valued Rent, and the Powers by this Act given and granted, ſhall take Place from and after the paſſing of this Act, and have Continuance during the Term of twenty-five Years, and from thence to the End of the then next Seſſion of Parliament.

Actions, &c. for Penalties to be commenced within 12 Months.

XXVII. And be it further enacted, by the Authority aforeſaid, That all Actions and Complaints for all and any of the Penalties and Forfeitures impoſed by this Act, and for any Wrong or Injury done or ſuffered in any Matter relative to or in conſequence of any of the Powers by this Act given and granted, ſhall be commenced within the Space of twelve Calendar Months after the Penalty or Forfeiture is incurred, or Wrong done, or Injury ſuffered, and not afterwards.

Perſons aggrieved may appeal to the Quarter Seſſions;

whoſe Judgment ſhall be final.

XXVIII. Provided always, That in caſe any Perſon or Perſons ſhall conſider themſelves aggrieved by the Sentence or Judgment of the ſaid Truſtees or Juſtices of the Peace, upon any of the Matters or Things referred to their Determination, it ſhall and may be lawful to the ſaid Perſon or Perſons to appeal for Redreſs to the next General Quarter Seſſion of the ſaid Shire, at which not fewer than five Juſtices ſhall be preſent, whoſe Judgment thereupon ſhall be final, and of which no Review or Appeal ſhall be competent.

Publick Act.

XXIX. And be it enacted by the Authority aforeſaid, That this Act ſhall be deemed and held to be a Publick Act; and ſhall be judicially taken Notice of by all Judges, Juſtices, and others, without ſpecially pleading the ſame.

CAP. LXIV.

An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Hundred of *Elloe*, in the County of *Lincoln*.

Preamble.

'WHEREAS in the ſeveral Pariſhes, Hamlets, and Places following, (that is to ſay) *Pinchbeck*, *Spalding*, *Weſton*, *Moulton*, *Whaploud*, *Whaploud Drove*, *Holbeach*, *Holbeach Drove*, *Fleet*, *Gedney*, *Gedney Hill*, *Sutton Saint Mary's*, *Lutton* (otherwiſe *Sutton Saint Nicholas*), *Sutton Saint James*, *Sutton Saint Edmunds*, *Tydd Saint Mary's*, *Cowbitt*, *Peakhill*, *Crowland*, and *Great* and *Little Porſand* (otherwiſe *Poſtland*), within the Hundred of *Elloe*, in the Parts of *Holland*, in the County of *Lincoln*, there are carried on ſeveral extenſive Branches of Buſineſs, Trade, and Commerce, as well in the inland Parts thereof as upon the River *Welland*, which runs through a principal Part of the ſame to the Sea, which employ many thouſand People, many of whom contract ſmall Debts, amounting in the Whole to a large Sum of Money yearly; and although well able to pay the ſame, they often refuſe ſo to do, preſuming on the Diſcouragement their Creditors lie under from the great Expences they are unavoidably put to in ſuing for ſuch Debts in the County Court, which is upwards of forty Miles diſtant from any of the ſaid Pariſhes, Hamlets, and Places: And whereas an eaſy and ſpeedy Method of recovering ſmall Debts will greatly tend to promote Induſtry, and to ſupport uſeful Credit, within the ſaid Hundred of *Elloe*;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Philip Aſhley*, *John Burrows*, the Reverend *James Benſon* Clerk, *William Chamberlain*, *Robert Dixon*, *Jacob Davey*, *Thomas Everſon*, *Richard Fawſſett*, *William Fiſher*, the Reverend *Richard Gibſon* Clerk, *March Hunnings*, *Daniel Harvey*, *William Harvey*, *Edward Halford*, *John Harvey*, *William Holmes*, *John Heard*, *David Hurn*, *John Key*, *Edward Northon*, *Jarvis Palmer*, *Samuel Palmer*, *John Ruſtat*, *John Rodgerſon*, *William Stukeley*, *Thomas Sands*, *Samuel Tyrer*, *John Taulks*, *Jonathan Watſon*, *David Wright*, *John Warin*, *Thomas Whelldal*, *Joſeph Watſon* junior, *Cecil Willis* D. D. *John Frotheringham* ſenior, *John Frotheringham* junior, *Iſaac Harvey*, *William Jackſon*, *Samuel Jackſon*, *Michael Keightly*, *John Pears*, *James Palmer*, *Samuel Richardſon*, *Thomas Savage*, *Edward Savage*, *William Turner*, *Thomas Wine*, *Robert Collins*, *Samuel Aiſtrup*, *Robert Perkins*, *Robert Goulding*, *John Watſon*, *William Tatam*, *John Gibbons* ſenior, *John Gibbons* junior, the Reverend *Chriſtopher Williamſon*, the Reverend *William Maugham*, *Robert Francis Clapham*, *John Hardy*, *Matthew Clark*, *John Bycraft*, *Hardy Meaſures*, *William Collins*, the Reverend *Richard Fox*, *Thomas Tibley*, *Thomas Melbourn*, *John Wilſon*, *William Wright*, the Reverend *John Northon* Clerk, *James Long*, *Simon Godfrey*, *Burgeſs*, *Thomas Dawſon*, *Thomas Gough*, *James Burton*, *William Whitley*, *Bellamy*, the Reverend *Hogartt* Clerk, *John Everſon*, *Thomas Jenkinſon*, *Henry Day*, the Reverend *William Greaves* Clerk, the Reverend *Morſe* Clerk, *Thomas Girling*, *Joſeph Barton*, *John Worrall*, *John Pike*, *Thomas Jenkin*, *John Walker*, the Reverend *Charles Townſend*, *Thomas Meaſure*, *John Townſend*, *John Skelton*, *Robert Tunnard*, *Edward South*, *William Healey*, *Gentell Chappell*, the Reverend *John Dinham*, the Reverend *George Maclellan*, *Stephen Sanderſon Ingram*, *Hurſt Fowler*, *Maurice Johnſon*, *Walter Johnſon*, *Fairfax Johnſon*, *John Frankland*, *Owen Scotney*, *Henry Bennett*, *Daniel Arnold*, *John Roſbe*, *Thomas Thorpe*, *Thomas Hogard*, *Edmund Jeſſop*, *John Ellington*, *John Ingram*, *Theophilus Buckworth*, *John Grundy*, *Samuel Elſdale* the younger, *Charles Green*, *Samuel Greaves*, *Jeremiah Smith*, *John Maſſey*, *John Maſſey* the younger, *Fullwood Sanderſon*, *Theophilus Buckworth*, *William Capps*, *John Hinſon*, *John Lamb*, *Thomas Marſhall*, *Henry Hawkes*, the Reverend *Highmoore*, *John Hutchin*, *William Bailey*, *William Bailey* the younger, *William Hawkes*, *Edward Blithe*, *Thomas Robert Gates*, *Thomas Jennings*, *George Burwell*, *Robert Lee*, *George Burwell* the younger, *William Pearſon*, *Richard Morgan*, *William Molſon*, *John Wilkinſon*, *Graham Wilkinſon*, *John Thiſtleton*, *William Henley Worrall*, *John Atkinſon*, *Matthew Ives*, *John Carter*, *William Tilley*, *Matthew Ives*, *Robert Holditch*, *William Rodgerſon*, *William Bellamy*, *Thomas Mawby*, *John Richardſon*, *Samuel Lee*, *John Rodgerſon*, *Thomas Sharpe*, *Richard Stretton*, *John March*, *Laurence Stanroyd*, *John Hinders*, *Charles Gardiner*, *Joſeph Hill*, *Robert Jaques*, *Robert Quincey*, *Robert Muſe*, *Iſaac Langton*, *William Parriſh*, *William Fiſher*, *Willoughby Taylor*, *Thomas Hogard* the younger, *Robert Randall*, *Thomas Ives*, *Charles Crawford*, *Edward Kingſton*, *Joſeph Bothway*, *John Beeken*, *Richard Aſhby*, *Richard Aſhby* junior, *Jacob Decamps*, *John Hodges*, *John Sly*, *Edmund Negus*, *Robert Maſon*, *John Whitſed*, *William Cooling*, *Nathaniel Betts*, and *George Bearchell*, ſhall be, and are hereby declared, conſtituted, and appointed Commiſſioners, to hear and determine all ſuch Cauſes and Matters of Debt as are herein after mentioned; and ſuch Commiſſioners, and their Succeſſors, are hereby conſtituted a Court of Juſtice, by the Name and Stile of *The Court of Requeſts for the Hundred of* Elloe, *in the County of* Lincoln: And they the ſaid Commiſſioners, or any three or more of them, ſhall, and are hereby authoriſed, impowered, and required, to meet, aſſemble, and hold the ſaid Court, in the ſaid Towns of *Spalding* and *Holbeach*, alternately and by Turns, once in every Week, (to wit) on every *Monday*, or oftener, if there ſhall be Occaſion, in a Court-houſe, or ſome convenient Place, to be provided by the major Part of the Commiſſioners who ſhall be aſſembled at ſome General Meeting to be held for that Purpoſe; which General Meeting of the ſaid Commiſſioners ſhall be for the firſt Week at *Spalding* aforeſaid, on the *Monday* Fortnight next after the paſſing of this Act; and for the ſecond Week at *Holbeach* aforeſaid, on the *Monday* three Weeks next after the paſſing of this Act; and for the third Week at *Spalding* again, on the ſame Day of the Week; and ſo on in Succeſſion and Rotation.

Commiſſioners Names.

Commiſſioners conſtituted a Court of Juſtice, &c.

II. Provided

II. Provided nevertheleſs, That in caſe three or more of the ſaid Commiſſioners, appointed or to be appointed by virtue of this Act, ſhall neglect or refuſe to aſſemble on any of the Days appointed for holding the ſaid Court, that then it ſhall and may be lawful to and for the Clerk or Clerks of the ſaid Court, or his or their Deputy or Deputies for the Time being, to adjourn the ſaid Court to ſome other convenient Day, within one Week from the Day on which the ſaid Court ought to have been held, or till the next General Court Day to be held by Rotation as aforeſaid. For want of a ſufficient Number to act, Clerk to adjourn the Court to another Day.

III. And be it enacted by the Authority aforeſaid, That the Commiſſioners ſo named and appointed, and their Succeſſors, to be choſen as herein after is mentioned, or any three or more of them, from Time to Time aſſembled as aforeſaid, ſhall have Power and Authority, by virtue of this Act, to hear and determine all ſuch Cauſes and Matters of Debt as ſhall be brought before them, in Manner as hereafter is mentioned, and to give ſuch Judgments, and to make ſuch interlocutory and final Orders and Decrees therein, and to award ſuch Execution thereupon, with Coſts, both againſt the Bodies and the Goods and Chattels of all and every the Perſon and Perſons againſt whom they ſhall give or make any ſuch Judgment, Order, or Decree, as to them ſhall ſeem juſt, and moſt agreeable to Equity and good Conſcience: And if the Commiſſioners ſo aſſembled ſhall happen to be equally divided upon any Queſtion that may come before them, the Commiſſioner preſent whoſe Name ſtands firſt on the Liſt of the Commiſſioners, directed to be kept in the Court-houſe or Place where they ſhall reſpectively meet, ſhall have the caſting Vote. Commiſſioners Powers.

IV. And be it further enacted by the Authority aforeſaid, That, from Time to Time, and as often as it ſhall be neceſſary, either by the Death of any of the ſaid Commiſſioners herein before particularly named, or of any of their Succeſſors, to be choſen in Manner herein after mentioned, or by his or their refuſing or neglecting for the Space of twelve Months to act herein, it ſhall and may be lawful to and for the Commiſſioners hereby appointed, and ſuch their Succeſſors, or any eleven or more of them, to meet and aſſemble together, at any Time after ſuch Death, Refuſal, or Neglect to act, and to elect and appoint one or more Commiſſioner or Commiſſioners in the Stead and Place of ſuch Commiſſioner or Commiſſioners dying or refuſing to act; and every ſuch Commiſſioner, ſo elected and appointed, ſhall be and is hereby enabled to act in the Execution of the Powers granted to the Commiſſioners hereby appointed, as fully and effectually, to all Intents and Purpoſes, as if he or they had been particularly named in this Act. In caſe of Death, &c. of Commiſſioners, others to be choſen.

V. And be it further enacted by the Authority aforeſaid, That *John Atkinſon* Gentleman ſhall be and is hereby conſtituted and appointed Clerk of the ſaid Court of Requeſts to be held at *Spalding*, and that *John Key* Gentleman ſhall be and is hereby conſtituted and appointed Clerk of the ſaid Court of Requeſts to be held at *Holbeach*, and that *Henry Everard* ſhall be and is hereby conſtituted and appointed Serjeant of the ſaid Court of Requeſts to be held at *Spalding*, and that *James Dalby* ſhall be and is hereby appointed Serjeant of the ſaid Court of Requeſts to be held at *Holbeach*; who ſhall continue Clerks and Serjeants of the ſaid Courts ſo long as they ſhall behave themſelves well in their reſpective Offices. Clerks and Serjeants appointed.

VI. Provided always, That no Commiſſioner, nor any Perſon or Perſons who ſhall keep any Victualling-houſe, Ale-houſe, or other Houſe of any publick Entertainment, or who ſhall ſell any Wine, Cyder, Beer, Ale, Spirituous or other Strong Liquors, by Retail, ſhall be capable of holding the Office of Clerk, or any other Place of Profit belonging to the ſaid Court. No Commiſſioner, Victualler, &c. to hold any Place of Profit.

VII. And be it further enacted by the Authority aforeſaid, That whenever it ſhall happen that the Place of Clerk or Serjeant of the ſaid Court ſhall become vacant, either by Death, Reſignation, or Miſbehaviour, the Commiſſioners for the Time being, or any eleven or more of them, ſhall meet at ſome convenient Place, as ſoon as conveniently may be after ſuch Vacancy ſhall happen, and a Majority of the ſaid Commiſſioners ſo met are hereby authoriſed and required to chooſe and appoint another fit Perſon to be Clerk or Serjeant of the ſaid Court during his good Behaviour. Commiſſioners to appoint other Clerks and Serjeants, in caſe of Death, &c.

VIII. And be it further enacted by the Authority aforeſaid, That the Clerks herein before named and choſen, and their Succeſſors, ſo from Time to Time to be choſen and appointed, or his or their lawful Deputy or Deputies, ſhall make and cauſe to be fixed up, in ſome convenient Part of each of the ſaid Court-houſes, fair and complete Liſts, in Writing, of the Commiſſioners herein named and appointed, or to be elected and appointed as aforeſaid; and ſhall alſo, and are hereby impowered and required to iſſue, or cauſe to be iſſued out, all Summonſes, Attachments, Warrants, Subpœnas, and Precepts, and to regiſter and enter, or cauſe to be regiſtered and entered, all Cauſes, Orders, Decrees, and Judgments, and other Acts and Proceedings of the ſaid Court, in proper Books to be provided by them, and kept for that Purpoſe: And that the Serjeant and Serjeants herein before named and choſen, or from Time to Time to be choſen and appointed as aforeſaid, ſhall, and are hereby impowered and required to ſerve and execute, or cauſe to be ſerved and executed, all ſuch Summonſes, Orders, Attachments, Warrants, Subpœnas, Executions, and Precepts, and to do and perform all ſuch Acts, Matters, and Things, as are herein directed and appointed to be done by them. Clerks to fix up Liſts of Commiſſioners in the Court-houſes,

to iſſue Summonſes, and regiſter Orders.

Serjeants to ſerve Summonſes, Attachments, &c.

IX. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, it ſhall and may be lawful to and for all and every Perſon and Perſons whatſoever, who now hath or have, or hereafter ſhall or may have, any Debt or Debts, not amounting to the Sum of forty Shillings, due or owing to him, her, or them, in his, her, or their own Right, or as Executor, Adminiſtrator, Guardian, or Truſtee, by or from any other Perſon or Perſons whatſoever inhabiting or reſiding within the Hundred aforeſaid, or any Part thereof, or trading and dealing or ſeeking a Livelihood therein, to apply to either of the Clerks of the ſaid Court, or his or their Deputy or Deputies for the Time being, who ſhall immediately make an Entry in his Book of the Cauſe, expreſſing the Names of the Parties, and the Sum demanded; and ſhall thereupon make out and deliver a Summons in Writing, under his Hand, directed to ſuch Debtor or Debtors, expreſſing the Sum demanded of him, her, or them, and the Name or Names of ſuch Party or Parties demanding the ſame, thereby requiring and commanding ſuch Debtor or Debtors to appear, at a certain Time and Place, before the Commiſſioners of the ſaid Court, to anſwer ſuch Demand; and the Serjeant of either of the ſaid Courts ſhall forthwith ſerve, or cauſe ſuch Summons Any Perſons may ſue for Debts under 40 s.

How Officers are to proceed.

to be ſerved, on ſuch Debtor or Debtors, either perſonally, or by leaving the ſame at the Dwelling-houſe or Place of Abode, Lodging, Shop, Shed, Stall, Stand, or other Place of Dealing or Working of ſuch Debtor or Debtors within the Hundred aforeſaid; and the ſaid Commiſſioners, or any three or more of them, ſhall, upon Proof made of the Service of ſuch Summons, have full Power and Authority, by virtue of this Act, to make due Inquiry concerning ſuch Demands, and to pronounce and give ſuch final Sentence or Judgment, and to make ſuch interlocutory or final Orders and Decrees therein, as to them ſhall ſeem moſt juſt and equitable.

Commiſſioners impowered to make Rules, &c. for regulating the Practice of the Court;

'X. And, for the better regulating the Proceedings of the ſaid Court, and rendering this Act effectual 'for the Purpoſes thereof,' be it enacted by the Authority aforeſaid, That the Commiſſioners for the Time being, or any five or more of them, being a Majority of the Commiſſioners aſſembled in Court as aforeſaid, ſhall have full Power and Authority, by virtue of this Act, from Time to Time, and as often as they ſhall ſee Occaſion, at any of the ſaid Courts, to make ſuch Rules or Orders, for the better regulating the Practice of the ſaid Court, as to them ſhall ſeem neceſſary and conducive to the Purpoſes of this Act, ſo as they ſhall be conſiſtent with Equity, and do not tend to leſſen, abridge, or alter the Fees herein-after allowed by this Act to be taken by the reſpective Clerks and Serjeants or Officers of the ſaid Courts for the Time being, or to the Exerciſe of any Juriſdiction inconſiſtent with the true Intent and Meaning of this Act, and do relate to the Proceſs, Practice, and Method of Proceeding of and in the ſaid Court only; according to which Rules and Orders, ſo from Time to Time to be made, the ſaid Commiſſioners, or any three or more of them, ſhall have full Power and Authority, by virtue of this Act, to proceed upon, and to hear and determine all Matters of Debt not amounting to the ſaid Sum of forty Shillings, which ſhall be brought before them by virtue of this Act, and to make and pronounce ſuch Judgments and Decrees concerning the ſame, and the Coſts of Suit, as to them ſhall ſeem agreeable to Equity and good Conſcience.

and to adminiſter Oaths.

'XI. And, for the better Diſcovery of the Truth, and for the more ſolemn Determination of all the 'Cauſes and Matters which ſhall be depending in the ſaid Court,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, and they are hereby impowered to adminiſter, or cauſe to be adminiſtered, an Oath to the Party or Parties, Plaintiff or Plaintiffs, Defendant or Defendants, and alſo to ſuch Witneſs or Witneſſes as ſhall be produced by either Party, and alſo to the Officers of the Court, and to any Perſon or Perſons whatſoever, whoſe Evidence ſhall to the ſaid Commiſſioners, or to the major Part of them aſſembled at the ſaid Court, appear neceſſary.

Commiſſioners, on Non-appearance of Defendant, may proceed to hear the Plaintiff, &c.

XII. And be it further enacted by the Authority aforeſaid, That if any Debtor or Debtors, who ſhall have been duly ſummoned as aforeſaid, ſhall, without ſome good Cauſe, to be allowed by the ſaid Court, refuſe or neglect to appear in the ſaid Court at the Time mentioned in the ſaid Summons, then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, upon Proof being made upon Oath of the Service of the ſaid Summons in Manner before directed, to proceed to hear the Cauſe on the Part of the Plaintiff or Plaintiffs only, and to make ſuch Order, Decree, or Judgment therein, and to award ſuch Coſts, as to them ſhall ſeem meet.

And on Non-appearance or Nonſuit of Plaintiff, may award Coſts.

XIII. And be it further enacted by the Authority aforeſaid, That if upon the Day of the Return of the Summons, or at any Continuation or Adjournment of the ſaid Court, the Plaintiff or Plaintiffs ſhall not appear, or appearing ſhall not make Proof of his, her, or their Debt or Demand to the Satisfaction of the ſaid Court, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to award to the Defendant or Defendants reaſonable Coſts, and to order and compel the Plaintiff or Plaintiffs to pay the ſame, by ſuch Ways and Means as are herein provided for the enforcing of the Payment of Debts and Coſts ordered and decreed to be paid by the ſaid Court.

Commiſſioners may award Execution againſt the Body or Goods of any Perſon liable to Payments;

who may be committed for 3 Months, or till Order, &c. is obeyed.

XIV. And be it further enacted by the Authority aforeſaid, That in any Caſe where the ſaid Commiſſioners, or any three or more of them, ſhall have made any Order or Decree for the Payment of Money, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to award Execution, either againſt the Body or Goods of the ſaid Party or Parties againſt whom ſuch Order or Decree ſhall be made; and thereupon it ſhall and may be lawful to and for the Clerk of either of the ſaid Courts, at the Requeſt of the Party or Parties proſecuting ſuch Order or Decree, to iſſue a Precept, under his Hand and Seal, to the Serjeant of either of the ſaid Courts, who, by virtue of any ſuch Precept iſſued upon the Execution awarded againſt the Body or Bodies of ſuch Party or Parties, ſhall and may, and is and are hereby impowered and required to take and apprehend, or cauſe to be taken and apprehended, ſuch Party or Parties, being within the Hundred aforeſaid, and to convey him, her, or them, to ſome Common Gaol, or Houſe of Correction, within the ſaid County of *Lincoln*, there to remain until he, ſhe, or they, ſhall perform and obey ſuch Order, Decree, or Judgment, ſo as no Perſon ſhall remain in Confinement upon any ſuch Execution for any longer Space of Time than three Months: And ſuch Serjeant, by virtue of any ſuch Precept iſſued upon the Execution awarded againſt the Goods of any ſuch Party, ſhall and may, and is and are hereby impowered to levy, by Diſtreſs and Sale of the Goods of ſuch Party, being within the Hundred aforeſaid, ſuch Sum and Sums of Money, and Coſts, as ſhall be ſo ordered and decreed: And if the Party againſt whoſe Body or Goods ſuch Execution ſhall be awarded, and ſuch Proceſs ſhall iſſue thereupon, ſhall, by abſconding, or by ſecreting or removing his, her, or their Goods, or by any other Means, prevent or evade the Service or Effect of any ſuch Execution, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, upon due Proof thereof made to them by the Oath or Oaths of ſuch Serjeant, or of one or more credible Witneſs or Witneſſes, at their Diſcretion, to award Execution, either againſt the Body or Goods of ſuch Party or Parties; and Proceſs ſhall iſſue thereupon, and be executed by the reſpective Serjeants in Manner aforeſaid, until the Party or Parties, at whoſe Suit ſuch Execution ſhall be iſſued, ſhall be fully paid and ſatisfied.

How Serjeant may proceed if the Party abſcond, &c.

When Debts are to be paid at ſeveral Times,

XV. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners, or any three or more of them, ſhall at any Time, upon the Requeſt, and for the Eaſe and Convenience of the Defendant

Defendant or Defendants, order and decree the Debt due to the Plaintiff or Plaintiffs to be paid at ſeveral Payments, then, upon the firſt Default or Failure of any of the ſaid Payments ſo ordered and decreed, the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, ſhall and may, at the Inſtance of the Plaintiff or Plaintiffs, and upon due Proof of the ſaid Default or Failure, award Execution for the whole Debt, or ſuch Part thereof as ſhall then remain unpaid, together with ſuch further Coſts as to them ſhall ſeem reaſonable; to be recovered by the ſame Proceſs, and in like Manner as is herein before provided for Recovery of the Debt and Coſts firſt decreed; the former Order or Decree to the contrary thereof notwithſtanding.

How the Court is to proceed on Failure.

XVI. And be it further enacted by the Authority aforeſaid, That in every Precept to be iſſued upon any Execution awarded againſt the Body or Goods of any Perſon or Perſons whatſoever, the Clerk who iſſues the ſame ſhall expreſs and ſet down in Writing the Sum or Sums of Money and Coſts ſo ordered and decreed to be paid: And if the Party or Parties againſt whom ſuch Execution ſhall be awarded, ſhall, before any actual Sale of his, her, or their Goods, or before he, ſhe, or they, is, are, or ſhall be taken and apprehended, or before the Expiration of the Term of his, her, or their Impriſonment, pay, or cauſe to be paid or tendered, unto the Clerk of the Court who ſhall iſſue ſuch Precept, ſuch Sum or Sums of Money and Coſts, together with one Shilling as a Reward for his Trouble in receiving and paying over ſuch Debts and Coſts to the Plaintiff or Plaintiffs, and entering Acknowledgment of Satisfaction in the Book or Regiſter of the ſaid Court for ſuch Debt and Coſts, and alſo the Sum of two Shillings and Sixpence for Gaol Fees, in caſe ſuch Party or Parties ſhall have been committed to Priſon; then, and in ſuch Caſe and Caſes, the Execution ſhall be ſuperſeded, and the Body or Bodies and Goods of ſuch Party or Parties ſhall be diſcharged and ſet at Liberty.

In every Precept iſſued upon any Execution, Clerk to indorſe the Debt and Coſts. Conditions on which Executions may be ſuperſeded.

XVII. And be it further enacted by the Authority aforeſaid, That if the Serjeant of either of the ſaid Courts, who ſhall be employed to ſerve or levy any Execution, ſhall, by wilful Connivance or Neglect, cauſe or ſuffer the Party againſt whom ſuch Execution ſhall be awarded to eſcape or abſcond, or the Goods of ſuch Party or Parties to be carried away or ſecreted, ſo as ſuch Execution ſhall not have its due Effect, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in Court, upon Complaint, and due Proof made upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, to order ſuch Serjeant to pay the Sum or Sums of Money for which the ſaid Execution was awarded to the Party complaining, and to enforce the Payment thereof by the ſame Method and Means as are herein before provided for the Payment of other Debts.

If Serjeants wilfully ſuffer an Eſcape, or Goods to be removed, they are to pay the Debt and Coſts.

XVIII. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, until he ſhall have taken an Oath to the following Effect; (that is to ſay,)

Commiſſioners to take the following Oath.

'I *A. B.* do ſwear, That I will faithfully, impartially, and honeſtly, according to the beſt of my Judgment, hear and determine all ſuch Matters and Cauſes as ſhall be brought before me, by virtue of an Act of Parliament *For the more eaſy and ſpeedy Recovery of Small Debts within the Hundred of* Elloe, *in the County of* Lincoln, without Favour or Affection, Prejudice or Malice, to either Party.

So help me GOD.'

The Oath.

Which Oath the Clerk of either of the ſaid Courts, or any of the Commiſſioners who ſhall have taken ſuch Oath, is and are hereby impowered and required to adminiſter in open Court; and the Clerk of either the ſaid Courts ſhall enter, or cauſe a Memorial thereof to be entered, in the Regiſter of the ſaid Court.

Memorial thereof to be regiſtered.

XIX. And be it further enacted by the Authority aforeſaid, That the ſeveral Fees herein after limited and expreſſed, and no other, ſhall be taken by the Clerks or Serjeants, or their Succeſſors, for their ſeveral and reſpective Services in the Execution of this Act; (that is to ſay,)

Clerks and Serjeants Fees.

To the CLERKS.

For entering every Cauſe, Sixpence:—For iſſuing every Summons, Sixpence:—For every Subpœna, Sixpence:—For calling every Plaintiff or Defendant before the Court, Three-pence:—For every Hearing or Trial, Sixpence:—For ſwearing every Witneſs, Plaintiff, or Defendant, Three-pence:—For every Order, Judgment, or Decree, Sixpence:—For a Nonſuit, Sixpence:—For every Search in the Books, Three-pence:—For paying Money into Court, Sixpence; if by Inſtalments, Sixpence in the Pound more:—For taking Money out of Court, and acknowledging of Satisfaction in the Clerk's Book, Sixpence:—For every Attachment, Sixpence:—For every Execution, Sixpence:—For every Warrant of Commitment for an Inſult or Miſbehaviour in the Court, or to the Commiſſioners Clerks, or Officers of the Court, one Shilling.

To the SERJEANTS.

For the Service of every Summons, Order, or Subpœna, if within either of the Towns of *Spalding* or *Holbeach*, and attending the Court with the Return thereof, Sixpence; if out of either of the ſaid Towns, Three-pence more for every Mile:—For calling every Plaintiff or Defendant before the Court, one Penny:—For executing every Attachment, Execution, or Warrant, againſt the Body or Goods, one Shilling; if out of Town, Three-pence more for every Mile:—For carrying every Plaintiff, Defendant, or Delinquent, to Priſon, Sixpence more for every Mile.

A Table of which Fees ſhall, from Time to Time, be hung up by the Clerk of each of the ſaid Courts in ſome conſpicuous Part or Parts of the ſaid Court-houſe or Court-houſes, Place or Places, where the ſaid Commiſſioners ſhall meet, ſo that all Perſons concerned may ſee and examine the ſame.

Table of Fees to be hung up in the Court houſes.

XX. And

Penalty on taking greater Fees.

XX. And be it further enacted by the Authority aforeſaid, That if any of the Clerks or Serjeants of the ſaid Court for the Time being ſhall take or demand any greater or other Fees or Reward than what are herein before mentioned, for his or their Service in the Execution of this Act, he and they ſhall, for every ſuch Offence, forfeit and pay ſuch Fine (not exceeding the Sum of forty Shillings, nor leſs than ten Shillings) as the ſaid Commiſſioners, or any ſeven or more of them, ſhall aſſeſs and impoſe; to be applied to the Uſe of the Poor of the Town or Pariſh where the Offence ſhall be committed.

Clerks and Serjeants may be diſplaced, on Miſbehaviour.

XXI. And be it further enacted by the Authority aforeſaid, That if any of the ſaid Clerks or Serjeants ſhall be guilty of any Miſbehaviour, either by Neglect or Breach of Duty, or in taking greater Fees than before mentioned, or otherwiſe, in the Execution of their reſpective Offices, that then, upon Complaint, and due Proof thereof made upon Oath in open Court, the ſaid Commiſſioners then ſitting are hereby directed and required to cauſe the whole Number of Commiſſioners to be ſummoned, by an Advertiſement to be inſerted in ſome publick News-paper, to meet at a convenient Time and Place; and the Commiſſioners then preſent, not being leſs than eleven in Number, ſhall and may examine and conſider the Merits of ſuch Complaint; and if it ſhall appear to ſuch Commiſſioners, or the major Part of them, that any of the Clerks or Serjeants have been guilty of ſuch Miſbehaviour or Breach of Duty, as aforeſaid, in his Office, it ſhall and may be lawful to and for the ſaid Commiſſioners, or the major Part of them then aſſembled, to diſmiſs or remove ſuch Clerk or Serjeant from his ſaid Office, and to nominate and appoint a fit and proper Perſon to execute the ſaid Office of Clerk or Serjeant, in the Room and Place of him ſo diſmiſſed and removed as aforeſaid.

No Commiſſioner, &c. to act where he is intereſted.

XXII. And be it further enacted by the Authority aforeſaid, That if any Commiſſioner of the ſaid Court for the Time being ſhall be Party to, or intereſted in, any Cauſe depending in the ſaid Court, ſuch Perſon ſhall not be capable of acting as Commiſſioner in the hearing and determining ſuch Cauſe, or making any Order, Decree, or Judgment therein; but, after being heard in the ſaid Cauſe, ſhall withdraw from the ſaid Court, until the ſame is finally determined: And if the Clerk or Serjeant of the ſaid Court for the Time being ſhall be a Party to or intereſted in any Cauſe depending in the ſaid Court, ſuch Clerk or Serjeant ſhall not exerciſe his ſaid Office in the ſaid Cauſe, or in any Thing relating thereto; but the ſaid Commiſſioners, or any three or more of them, aſſembled at ſuch Court, ſhall and may depute and appoint another Perſon to exerciſe the ſaid Office of Clerk or Serjeant reſpectively, in all Things relative to ſuch Cauſe.

Penalty on Perſons inſulting the Court, or obſtructing the Officers.

'XXIII. And, for the better enforcing the Orders and Decrees from Time to Time to be made by the 'ſaid Commiſſioners, and that the Commiſſioners, and the Clerks and Officers of the ſaid Court, may 'be inveſted with proper Power and Authority, and be free and exempt from Inſult and Abuſe,' be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall affront, inſult, or abuſe, all or any of the Commiſſioners, Clerks, or Officers, of the ſaid Court for the Time being, during their ſitting in the ſaid Court, or in going to or returning from the ſame, or ſhall interrupt the Proceedings of the ſaid Court, or at any Time ſhall affront, inſult or abuſe, hinder or obſtruct, or attempt or threaten to hinder or obſtruct, any of the Clerks or Serjeants in the lawful Execution of his or their reſpective Office or Offices, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them then ſitting, or if not then ſitting, at the next Court to be held in or near the Town where ſuch Inſult or Miſdemeanor ſhall be committed, to cauſe a Warrant to be iſſued by the Clerk of the ſaid Court, or his or their Deputy or Deputies, directing ſuch Serjeant to apprehend and take, or cauſe ſuch Perſon or Perſons ſo offending as aforeſaid to be apprehended and taken, before one or more of his Majeſty's Juſtice or Juſtices of the Peace for the Parts of *Holland*, in the County of *Lincoln*; and upon the Fact alleged being proved by the Oath of one or more credible Witneſs or Witneſſes, the ſaid Juſtice or Juſtices is and are hereby impowered and directed to puniſh ſuch Perſon or Perſons ſo offending as aforeſaid by Fine, not exceeding the Sum of forty Shillings, nor leſs than five Shillings, which ſhall be immediately paid into the Hands of the ſaid Juſtice or Juſtices before whom ſuch Offender or Offenders ſhall be convicted, and be paid and applied in like Manner as the Fines herein before mentioned are directed to be applied: And if the ſaid Offender or Offenders ſhall not pay the ſaid Fine in Manner aforeſaid, it ſhall and may be lawful to and for the ſaid Juſtice or Juſtices, by Warrant under his or their Hand and Seal or Hands and Seals, to cauſe the ſame to be levied by Diſtreſs and Sale of the Offender's Goods, or to commit ſuch Perſon or Perſons ſo offending as aforeſaid to ſome common Gaol or Houſe of Correction in the ſaid County of *Lincoln*, there to remain for any Space of Time not exceeding three Months, or until he, ſhe, or they, ſhall pay the ſaid Fine.

Copy of preceding Clauſe to be ſtuck up in the Court-houſes.

XXIV. Provided always, and be it further enacted by the Authority aforeſaid, That the reſpective Clerks of the ſaid Court ſhall fix, or cauſe to be fixed or ſtuck up, in ſome publick Part of each of the ſaid Court-houſes, or other Places where the ſaid Commiſſioners ſhall meet, a true Copy of the laſt preceding Clauſe of this Act, to the End that no Perſon or Perſons ſhall or may plead Ignorance thereof.

Gaolers, &c. to receive Perſons committed.

XXV. And be it further enacted by the Authority aforeſaid, That the reſpective Keepers for the Time being of the reſpective Common Gaols, or Houſes of Correction, within the ſaid County of *Lincoln*, ſhall and may, and they are hereby required and commanded to receive and take into their Cuſtody reſpectively, all and every Perſon and Perſons who ſhall be committed, or ordered to ſtand committed, by any three or more of the ſaid Commiſſioners preſent in Court, or by virtue of any Warrant, Attachment, Execution, or other Proceſs iſſuing out of the ſaid Court of Requeſts: And in caſe the Keepers of the ſaid Gaols or Houſes of Correction reſpectively, or either of them, ſhall neglect or refuſe to receive and take into his or their Cuſtody any Perſon or Perſons committed by virtue of this Act, or, before the Expiration of the Time for which any Perſon or Perſons ſhall be ſo committed to his or their Cuſtody, ſhall diſcharge ſuch Perſon or Perſons, or wilfully permit and ſuffer ſuch Perſon or Perſons to go at large, without a Warrant, Order, or Authority for that Purpoſe, in Writing, ſigned in Court by three or more of the ſaid Commiſſioners;

Penalty on Refuſal, or permitting an Eſcape.

ſioners; every Keeper offending in any of the Caſes aforeſaid, and being thereof convicted before one or more of his Majeſty's Juſtices of the Peace for the Parts of *Holland*, in the ſaid County, upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, or on his or their own Confeſſion, ſhall forfeit and pay, for every ſuch Offence, any Sum not exceeding five Pounds, nor leſs than forty Shillings, at the Diſcretion of ſuch Juſtice or Juſtices; and ſuch Sum ſhall be immediately paid by the Perſon or Perſons ſo offending into the Hands of the Juſtice or Juſtices before whom he or they ſhall be convicted, or in Default thereof, ſhall and may be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices; and which Sum, when paid or levied, ſhall be applied in like Manner as the Fines herein before mentioned are directed to be paid and applied.

No Action for Debt, recoverable by this Act, to be brought in any other Court.

XXVI. And be it further enacted by the Authority aforeſaid, That no Action or Suit for any Debt not amounting to the Sum of forty Shillings, and recoverable by virtue of this Act in the ſaid Court of Requeſts, ſhall be brought againſt any Perſon or Perſons reſiding or inhabiting within the Juriſdiction thereof in any of the King's Courts at *Weſtminſter*, or in the Court held for the ſaid County of *Lincoln*; and no Suit that ſhall be commenced in the ſaid Court of Requeſts, in purſuance of this Act, nor any Proceedings therein, ſhall or may be removed into any ſuperior Court; but the Judgments, Decrees, and Proceedings of the ſaid Court, ſhall be final and concluſive to all Intents and Purpoſes.

To what Debts this Act ſhall not extend.

XXVII. And be it further enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend to any Debt for Rent upon any Leaſe or Contract, where the Title of any Lands, Tenements, or Hereditaments, can or may come in queſtion, or in or upon any other real Contract; nor to any Debt that ſhall ariſe upon or by reaſon of any Cauſe concerning any Laſt Will or Teſtament, or Matrimony, or any Thing properly belonging to the Eccleſiaſtical Courts; nor to any Debt for Money won at or by means of any Horſe-race, Cock-match, Wager, or any kind of Gaming or Play; nor for any Forfeiture upon any penal Statute or Bye-law; nor to any Debt whereof there hath not been a Contract, Acknowledgment, Undertaking, or Promiſe, to pay within ſix Years before the taking out of the Summons for the ſame, although ſuch Debt ſhall not amount to forty Shillings.

Penalty on Perſons guilty of wilful Perjury.

XXVIII. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons making Oath, or giving Evidence, in any Cauſe or Matter whatſoever depending in the ſaid Court of Requeſts, ſhall commit wilful and corrupt Perjury, and be thereof duly convicted according to Law, ſuch Perſon or Perſons ſhall incur and ſuffer the like Pains and Penalties as any other Perſon or Perſons convicted of wilful and corrupt Perjury is or are liable to, or ſhall be ſubject to, by the Laws and Statutes of this Realm.

Penalty on not obeying a Subpœna.

XXIX. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon reſiding within the Hundred aforeſaid, who ſhall be duly ſerved with a Subpœna or Summons, to be iſſued out of the ſaid Court of Requeſts, to give Evidence on Behalf of any Plaintiff or Defendant, ſhall neglect or refuſe to appear purſuant to ſuch Subpœna or Summons, at the Time and Place therein mentioned, and due Proof ſhall be made of the Service of ſuch Subpœna or Summons, and no Cauſe of Abſence be ſhewn or aſſigned, to the Satisfaction of the Commiſſioners preſent at the Court to which ſuch Perſon ſhall be by ſuch Subpœna or Summons required to appear, and Oath ſhall be made before the ſaid Commiſſioners, by the Party at whoſe Inſtance and on whoſe Behalf ſuch Subpœna or Summons iſſued, that the Perſon ſerved therewith was a material Witneſs for ſuch Party, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, aſſembled in ſuch Court, to impoſe and lay a Fine, not exceeding fifty Shillings, nor leſs than five Shillings, to be levied (if not immediately paid on Demand) by Diſtreſs and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the ſaid Commiſſioners, or any three or more of them; which Fine, when paid or levied, ſhall be paid over to the Party at whoſe Inſtance ſuch Subpœna or Summons iſſued.

Limitation of Actions.

XXX. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons, for any Marter or Thing done, or to be done, in purſuance of this Act, ſuch Action or Suit ſhall be brought or commenced within three Calendar Months next after the Cauſe of Action ſhall ariſe, and not afterwards, and ſhall be laid in the County of *Lincoln*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereon: And if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue ſuch Action or Suit, or if upon a Verdict or Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedies for the ſame, as any Defendant or Defendants can or may have in other Caſes where Coſts are given by Law.

General Iſſue;

Treble Coſts;

Publick Act.

XXXI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. LXV.

An Act for draining and preſerving certain Fen Lands, Low Grounds, and Commons, in the ſeveral Pariſhes of *Ramſey*, *Bury*, *Wiſtow*, *Warboys*, *Somerſham*, *Colne*, and *Pidley with Fenton*, in the County of *Huntingdon*, and in the Pariſhes of *Chatteris* and *Doddington*, within the *Iſle of Ely*, in the County of *Cambridge*.

Preamble.

'WHEREAS there are in the County of *Huntingdon*, and in the *Iſle of Ely*, and County of *Cambridge*, certain Fen Lands and Low Grounds herein after particularly deſcribed, containing, by 'Eſtimation, five thouſand eight hundred Acres, or thereabouts, which, by reaſon of their low Situation,

and the Decay of their Banks, are overflowed with Water: And whereas there are alſo certain other Fen Lands and Low Grounds in the ſeveral Pariſhes of *Ramſey*, *Bury*, *Wiſtow*, *Warboys*, *Somerſham*, *Colne*, and *Pidley with Fenton*, in the ſaid County of *Huntingdon*, and *Chatteris* and *Doddington* in the ſaid *Iſle of Ely*, and County of *Cambridge*, herein after particularly deſcribed, containing, by Eſtimation, nine thouſand one hundred Acres, or thereabouts, and which, together with other Lands, are already compriſed in a certain Act, made in the twenty-ſecond Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of* Sutton, Mepal, Witcham, Chatteris, Doddington, *and a Place called* Byal Fen, *in the* Iſle of Ely, *and County of* Cambridge, *and alſo in the Pariſhes of* Somerſham *and* Pidley with Fenton, *in the County of* Huntingdon; and alſo in another Act, made in the thirtieth Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of* Ramſey, Bury, Wiſtow, Warboys, Farcett, Standground, *and* Water Newton, *in the County of* Huntingdon, *and of* Doddington *in the* Iſle of Ely, *and County of* Cambridge; and alſo in another Act, made in the thirty-firſt Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands, Low Grounds, and Commons, in the Pariſhes of* Chatteris *and* Doddington *in the* Iſle of Ely, *in the County of* Cambridge; and alſo in another Act, made in the thirty-ſecond Year of the Reign of his Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the Pariſhes of* Somerſham *and* Pidley with Fenton, *and the Pariſh of* Colne, *in the County of* Huntingdon: And whereas the ſaid Acts have been found inſufficient for effectually draining and preſerving the ſaid laſt-recited Fen Lands and Low Grounds: And whereas all the ſaid Fen Lands and Low Grounds are abutted and bounded as follows:

Lands deſcribed.

that is to ſay, Beginning at the South Bank of *the Forty Foot River*, and from thence along by the Side of the Outring Ditch of a Piece of Ground of the Heirs of *William Chandler*, which divides that and a muchwood Part called *A Thiſtle Green Lot*, and from thence to the Farm-yard of *William Fellowes* Eſquire, now in the Occupation of *Abraham Staffurth*; and from thence along the Skirts of the High Lands belonging to the ſaid Farm; and from thence along the Skirts of the High Lands of *Worlick Farm*; and from thence along by the Skirts of the High Lands of another Farm of the ſaid *William Fellowes*, in the Tenure or Occupation of *William Brown*; and from thence along by the Skirts of the High Lands of one other Farm of the ſaid *William Fellowes*, now in the Occupation of *Henry Brown*; and from thence along the Skirts of the High Lands adjoining to certain Fen Grounds called *The Hollow Head*; and from thence along the High Land Skirts of a Ground called *The Oak Tree Ground*, to the Skirts of the High Lands of *Peter Brighty* Gentleman, to the Outring Ditch that divides the Pariſhes of *Ramſey* and *Bury* to the Outring Dike of a *Bury Fen Lot* belonging to *Richard Batſon*, which divides that Lot from a Lot belonging to the Heirs of *John Poulter* Yeoman, to a certain Drove called *Long Drove*, and acroſs the ſaid Drove to the Outring Dike of a Lot of the Reverend Maſter *Hodſon*, which divides a Lot of the ſaid *John Poulter*'s Heirs and a Lot of *Ann Sibley* Widow, to the Outring Dike of the Heirs of *Jonathan Nicholls*, and along the ſaid Dike to the North End of a Piece of Land called *The Willow Row*, belonging to the Heirs of the ſaid *John Poulter*, and along the Eaſt and South Dike of the ſaid *Willow Row* to a Drove called *Jack's Corner Drove*, and along the ſaid Drove to a twenty Acre Piece of Sir *Robert Bernard* Baronet, and along the Diviſion Dike which divides a Lot of *William Goſling* junior and a Lot of the ſaid Sir *Robert Bernard* to a Diviſion Dike which in Part divides the ſaid twenty Acres and *Vicar's Cloſes*, and thence acroſs a Drain which in Part divides the ſaid *Vicar's Cloſes* and *Jack's Corner*, the Lands of the ſaid Sir *Robert Bernard*, to a Dike which divides the High Lands of the ſaid *Vicar's Cloſes* from the fenny Parts thereof, to a *Wiſtow Fen Lot*, called *Durrant's Lot*; from thence to a Drove called *Durrant's Drove* to *Wiſtow Fen Long Drove*; and from thence to *Wiſtow Stray Paſture Drove*, and along the ſame to *Wiſtow Stray Paſture*, and along the High Land Skirts thereof, to a Diviſion Dike which divides the Pariſh of *Warboys* and the ſaid *Wiſtow Stray Paſture* and the Land Skirts of *Warboys Stray Paſture*, next the fenny Parts thereof, to the Outring Dike of the ſaid Stray Paſture, which divides that and the Common called *Old Stray Paſture*; and from thence along the Skirts of the High Land of the ſaid *Common Stray Paſture*, to *Warboys Cow Common*, and along the High Land Skirts thereof to *Northen Ware*; and from thence ſtill along the High Land Skirts of the ſaid Common to *Chappel Head*; and from thence along the Skirts of the High Lands to a certain Hill near *Wilthorn Ware*; and from thence to the High Lands next *Fenton Load* near *Pagitt's Cloſes*, and acroſs the ſaid *Fenton Load*, and by and along the North-eaſt Side of *Pagitt's Cloſes* to *Fenton Green*, and acroſs *Fenton Green* to *Fenton Meadow*, and along the North-eaſt Side thereof to *Fenton Drove*, and acroſs the ſame to *Pidley Meadow*, and along the North Side thereof to *Pidley Drove*, and acroſs the ſaid Drove to a Ground late *Cope*'s, now in the Occupation of Widow *Barnes*; and from thence along the North and Eaſt Sides of the ſaid Ground to the Ground of *Edward Holder*, and along the Eaſt Side thereof to two Cloſes of *John Ibbotts*; from thence along the Eaſt and South Sides thereof to the Bottom of *Fern Hill* to *Somerſham Low Wood Corner*; and from thence along the ſaid Wood to *College Cloſes*; and from thence to the South Side of a certain Place called *Little Land Floods* to a certain Place called *Somerſham Meadow Dike*, and by and along *Somerſham Meadow Dike* to a certain Drove called *Rumball's Drove*, and acroſs the ſame to the Lands of *Thomas Day* Eſquire; and from thence to a certain Ditch called *Slyer's Ditch*; and from thence to a Place called *Parkhill Lot Side*; and from thence between the Lands of *John Leeds* and *James Maſon*, lying on the Weſt Side of *Long Drove*, and from thence to the Lands of *Thomas Want* and *John Thompſon* Eſquires; and from thence to the Lands of *Jane Leeds* Widow; and from thence by *Long Drove* to a certain Place called *Croſs Lakes*; from thence to *Croſs Drove*, and acroſs the ſame to certain High Lands of *Thomas Day* Eſquire, by the Skirts of the ſame, round the fenny Parts thereof, to the Low Lands of the ſaid *Thomas Day*; and from thence to the Lands of *Bartholomew Ibbott*; and from thence to a Lot of *John Rumball Leeds*, and acroſs the Drove to other Lands of the ſaid *John Rumball Leeds* and *James Maſon* to the Somerſham

'*Somersham* Turnpike Road, and acroſs the ſame to the Dike which divides the Land called *The Weſt Water* and the ſaid Road, and along the ſame Ditch to *Chatteris Ferry*, the Houſe of *William Grant*; and from thence by and along the High Land Skirts of *Key's Farm*; and from thence by the Skirts of the High Land in *Chatteris Acre Fen* to *Pincham's Holt*; and from thence along the High Land Skirts of *Chatteris Common* to *Hunneſham Ford*; from thence to the South-eaſt Corner of a Piece of Land in *Weſtmoor*, the Property of *Ann Moule*, late *Doyley's*; and from thence by and along the Outring Ditch that divides certain Lands in *Weſtmoor* aforeſaid and a certain Part of *Chatteris Common* called *Undorwilly*, to the Skirts of *Badney Hill*; and from thence acroſs the Turnpike Road, and along by the Skirts of the High Land in *Curf Common* to *Wimblington Leam* near *Slade Load*; and from thence along by the Skirts of the High Land of certain Parts of *Chatteris Common* called *Under Northey*; and from thence round the Skirts of the High Land in *Birch Fen* and *Campole*; and from thence by the Skirts of the High Land on the Weſt Side of *Langwood Hill*, and by the Skirts of a certain Piece of High Land of *Joſeph James* to *The forty Foot Bank*, and along the ſame Bank on the South Side of the ſaid River to *Carter's Bridge*; and from thence ſtill along the ſame Bank on the South Side of the *forty Foot River*, to *The forty Foot Bridge*, in the Pariſh of *Ramſey* aforeſaid: And whereas all the ſaid Fen Lands and Low Grounds, ſo deſcribed as aforeſaid, cannot be ſufficiently drained by the Means now uſed for draining the ſame;' may it therefore pleaſe your Majeſty, That it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid Acts, made in the twenty-ſecond, thirty-firſt, and thirty-ſecond Years of the Reign of his Majeſty King *George* the Second, as in any-wiſe relates to the ſeveral Fen Lands and Low Grounds herein-before deſcribed; and ſo much of the ſaid Act, made in the thirtieth Year of the Reign of his Majeſty King *George* the Second, as impowers the Commiſſioners acting under the ſaid Act, to heighten, ſtrengthen, and ſupport, a certain Bank commonly called *Northey Bank*, from the High Lands on *Bury Meadow* to *The Stillyard Houſe* at *Ramſey*, and alſo another Bank commonly called *The forty Foot Bank*, from *The forty Foot Bridge* to *Puttock Bridge*, ſhall be repealed; and that from and after the paſſing of this Act, the ſaid Fen Lands and Low Grounds and the ſaid Banks, ſhall be ſubject to the Controul, Authority, and Juriſdiction, of the Commiſſioners under this Act, in Manner herein-after mentioned, and not to the Controul, Authority, and Juriſdiction, of the Commiſſioners acting under and by the Authority of the ſaid recited Acts, any Thing in the ſaid Acts contained to the contrary notwithſtanding.

So much of former Acts as relates to the Lands under this Act repealed.

Fen Lands, &c. to be under the Controul of the Commiſſioners under this Act.

II. Provided nevertheleſs, That none of the ſaid Fen Lands and Low Grounds compriſed in the ſaid Acts, made in the twenty-ſecond and thirty-ſecond Years of the Reign of his Majeſty King *George* the Second, except the Diſtrict herein-after called *The Second Diſtrict for Draining*, and deſcribed as follows; that is to ſay, beginning at and from the North-eaſt Corner of *Weſtmoor* and *Beezling's* Diſtrict in *Chatteris* and *Doddington* aforeſaid, near *The Forty Foot River* or *Drain* and *Chatteris Common*; and from thence along by a Part of *Chatteris Common* called *Curf*; and from thence abutting upon and againſt Land called *Willy*, to the End of certain Land next adjoining to a Place called *Hive End Burrows*, now in the Poſſeſſion of *Ann Moule*; and from thence along by the Outring Ditch of certain other Lands, now in Poſſeſſion of the ſaid *Ann Moule*, *Kempton*, *Joſeph Brown*, *John Gardner*, Eſquire, and others, to the Diviſion Dike which parts the ſaid Lands and a certain Common called *Chatteris Mow Fen* otherwiſe *Acre Fen*; and from thence along by the Outring Ditch next the ſaid *Mow Fen* otherwiſe *Acre Fen* to a Piece of Land formerly called the *Weſt Water* otherwiſe *Old Weſt Water*, and along by the ſaid *Weſt Water* to certain Lands of *Henry Peyton* Eſquire; and from thence by and along the South-weſt Side of the ſaid Lands of the ſaid *Henry Peyton* to the North-weſt End of the ſaid Lands of the ſaid *Henry Peyton*, and acroſs the Ditch which divides the ſaid Lands and the Lands of *Matthew Wyldbore* Eſquire up to the Bank on the Lands of the ſaid *Matthew Wyldbore*, and then by and along by the North-eaſt Side of the ſaid Lands of the ſaid *Henry Peyton* to the South-weſt Corner of a certain Piece of Land of *William Skeeles*; and from thence along by the Ditch on the Eaſt Side of a certain Drove called *Beezling's Drove* to the aforeſaid Drain called *The Forty Foot River* or *Drain*; and from thence along by the ſaid River or Drain to the aforeſaid North-eaſt Corner of the ſaid *Weſtmoor* and *Beezling's Diſtrict*, near *Chatteris Common* aforeſaid, ſhall come under, or be ſubject to, the Controul, Authority, and Juriſdiction, of the Commiſſioners under this Act, except as herein-after is excepted, until the *Twenty Foot Drain* otherwiſe *Wimblington Leam* and *Fenton Load* ſhall be widened and deepened, and the Banks on each Side thereof completed, and a Pair of Doors erected at the hard Lands at *Slade Load* in *Chatteris*, and two Mills erected at the End of the ſaid *Twenty Foot Drain* otherwiſe *Wimblington Leam*, next to *Vermuyden's* otherwiſe *the Forty Foot River* or *Drain*, in the Manner herein-after directed.

Proviſo deſcribing the Lands to be under the Controul of Commiſſioners till Wimblington Leam, &c. be widened, &c.

III. Provided nevertheleſs, That the Commiſſioners acting for the Lower Diſtrict for embanking, together with the Commiſſioners of *the Three hundred Acre Farm*, herein-after mentioned, ſhall, from and immediately after the paſſing of this Act, have the ſame Power of charging and collecting upon and from the ſaid laſt-mentioned Lands the ſame Rates and Taxes for the Purpoſe of embanking, as are charged upon, and may be collected from, the other Lands within the ſaid Lower Diſtrict for the Purpoſe of embanking.

Proviſo.

IV. And be it further enacted, That all the ſeveral Fen Lands and Low Grounds, ſo deſcribed as aforeſaid, ſhall be, and are hereby made two ſeparate Diſtricts, with reſpect to making, repairing, and keeping in Repair, the ſeveral Banks in this Act mentioned; that is to ſay, That ſo much of the ſaid Fen Lands and Low Grounds as is contained in the following Boundary, beginning at the South Bank of *the Forty Foot River*; and from thence along by the Side of the Outring Ditch of a Piece of Ground of the Heirs of *William Chandler*, which divides that and a muchwood Part called *A Thiſtle Green Lot*; and from thence to the Farm-yard of *William Fellowes* Eſquire, now in the Occupation of *Abraham Staffurth*; and from thence along the Skirts of the High Lands belonging to the ſaid Farm; and from thence along the Skirts

Lands before deſcribed to be two Diſtricts for embanking.

Skirts of the High Lands of *Worlick Farm*; and from thence along by the Skirts of the High Lands of another Farm of the ſaid *William Fellowes*, in the Tenure or Occupation of *William Brown*; and from thence along by the Skirts of the High Land of one other Farm of the ſaid *William Fellowes*, now in the Occupation of *Henry Brown*; and from thence along the Skirts of the High Land adjoining to certain Fen Grounds called *The Hollow Head*; and from thence along by the Skirts of the High Lands of a Ground called *The Oak Tree Ground*, to the Skirts of the High Lands of *Peter Brighty* Gentleman, to the Outring Ditch which divides the Pariſh of *Ramſey* and *Bury* to the Outring Dike of a *Bury Fen Lot* belonging to *Richard Batſon*, which divides that from a Lot belonging to the Heirs of *John Poulter* Yeoman, to a certain Drove called *Long Drove*, and acroſs the ſaid Drove to the Outring Dike of a Lot of the Reverend Maſter *Hodſon*, which divides a Lot of the ſaid *John Poulter's* Heirs and a Lot of *Ann Sibley* Widow, to the Outring Dike of the Heirs of *Jonathan Nicholls*, and along the ſaid Dike to the North End of a Piece of Land called *The Willow Row*, belonging to the Heirs of the ſaid *John Poulter*, and along the Eaſt and South Side of the ſaid *Willow Row* to a Drove called *Jack's Corner Drove*, and along the ſaid Drove to a Twenty Acre Piece of Sir *Robert Bernard* Baronet, and along the Diviſion Dike which divides a Lot of *William Goſling* junior and a Lot of the ſaid Sir *Robert Bernard* to a Diviſion Dike which in Part divides the ſaid twenty Acres and *Vicar's Cloſes*; from thence acroſs a Drain which in Part divides the ſaid *Vicar's Cloſes* and *Jack's Corner*, the Land of the ſaid Sir *Robert Bernard*, to a Dike which divides the High Lands of the ſaid *Vicar's Cloſes* from the fenny Parts thereof to a *Wiſtow Fen Lot* called *Durrant's Lot*; and from thence to a Drove called *Durrant's Drove* to *Wiſtow Fen Long Drove*; and from thence to *Wiſtow Stray Paſture Drove*, and along the ſame to *Wiſtow Stray Paſture*, and along the High Land Skirts thereof to a Diviſion Dike which divides the Pariſh of *Warboys* and *Wiſtow Stray Paſture* and the Land Skirts of *Warboys Stray Paſture*, next the fenny Parts thereof, to the Outring Dike of the ſaid *Stray Paſture*, which divides that and the Common called *Old Stray Paſture*; and from thence along the Skirts of the High Land of the ſaid *Common Stray Paſture* to *Warboys Cow Common*, and along the High Land Skirts thereof to *Northen Ware*; and from thence ſtill along the High Land Skirts of the ſaid Common to *Chappel Head*; and from thence along the Skirts of the High Land to a certain Hill near *Wilthorn Ware*; and from thence by the High Lands to *Fenton Load* near *Pagitt's Cloſes*; and from thence back to the ſaid Hill near *Wilthorn Ware* along *Warboys Cow Common New Paſture* and the High Fen next *Fenton Load* to the *Three hundred Acre Farm*, and along the ſaid Farm next *Fenton Load* to the *Weſt Water*, and by and along the North-eaſt Side of the ſaid *Weſt Water* to the Corner of *Weſtmoor* and *Beezling's Diſtrict*, and by and along the Outring Ditch that divides the ſaid Diſtrict and certain Parts of *Chatteris Acre Fen* to another Part of *Chatteris Common* called *Hive End Burrows*; and from thence by and along the Outring Ditch that divides the ſaid Diſtrict and the ſaid *Hive End Burrows* to the Eaſt Corner of the ſaid Diſtrict; and from thence by and along the Outring Ditch that divides the ſaid Diſtrict from a certain other Part of *Chatteris Common* called *Under Willy*, to *The Forty Foot River*, and by and along the South Bank of the ſaid River to *Puttock's Bridge* and *The Forty Foot Bridge*, in the Pariſh of *Ramſay* aforeſaid, ſhall be and be called *The Upper Diſtrict* or *Diviſion*: And that ſo much of the ſaid Fen Lands and Low Grounds as is contained in the following Boundary, beginning at *Fenton Load*, by and along the North-eaſt Side of *Pagitt's Cloſes* to *Fenton Green*, and acroſs *Fenton Green* to *Fenton Meadow*, and along the North-eaſt Side thereof to *Fenton Drove*, and acroſs the ſame to *Pidlay Meadow*, and along the North Side thereof to *Pidley Drove*, and acroſs the ſaid Drove to a Ground late *Cope's*, now in the Occupation of Widow *Barnes*; and from thence along the North and Eaſt Sides of the ſaid Ground to the Ground of *Edward Holder*, and along the Eaſt Side thereof to two Cloſes of *John Ibbott's*; from thence along the Eaſt and South Sides thereof to the Bottom of *Fern Hill* to *Somerſham Low Wood Corner*; and from thence along the ſaid Wood to *College Cloſes*, by and along the High Land Skirts thereof to certain Pieces of Land called *Land Floods*, and by and along the South-eaſt Side of the ſame to *Somerſham Meadow Dike*, and by and along the ſaid Dike to the Low Lands of *Thomas Day* Eſquire, and by and along the High Land Skirts of the ſame to a certain Drove called *Rumball's Drove*, and acroſs the ſame to a certain Ditch called *Slyer Ditch*, and along the South-weſt Side thereof to *Parkhill Lot Side*, and along the Eaſt Side of the ſame to a Dike between the Lands of *John Leeds* and *James Maſon*, and along the ſaid Dike to *Long Drove*, and along the Weſt Side thereof to *Croſs Drove*, and acroſs the ſaid Drove to certain Lands called *Croſs Lakes*, and along the North Side thereof to certain Low Lands belonging to *Thomas Day* Eſquire, and by and along the High Land Skirts of the ſame to a Dike between two Lots of Land belonging to *Bartholomew Ibbot*, and along the ſaid Dike to *Long Drove* aforeſaid, and acroſs the ſame to a Ditch between the Lands of *John Thomſon* Eſquire on the South Side and the Lands of *John Rumball Leeds* and *James Maſon* on the North Side, and along the ſaid Ditch to the *Somerſham* Turnpike Road, and acroſs the ſame to the Dike which divides the Land called *The Weſt Water* and the ſaid Road, and along the ſame Ditch to *Chatteris Ferry*, and by and along the Ditch on the Eaſt Side of the ſaid Road to *Somerſham* Town, and back again by the ſaid Ditch to *Chatteris Ferry*, the Houſe of *William Grant*; and from thence by and along the High Land Skirts of *Key's Farm*, and from thence by the Skirts of the High Land in *Chatteris Acre Fen* to *Pincham's Holt*; and from thence along the High Land Skirts of *Chatteris Common* to *Hunniſham Ford*; from thence to the Eaſt Corner of a Piece of Land in *Weſtmoor*, the Property of *Ann Moule*, late *Doyley's*; and from thence along the Outring Ditch between *Weſtmoor* and *Beezling's Diſtrict* and a certain Part of *Chatteris Common* called *Hive End Burrows* and *the Acre Fen* to *the Weſt Water*, and by and along the *Weſt Water* to *Fenton Load*, and along *Fenton Load* next *the Three Hundred Acre Farm* to *Warboys High Fen*, and by and along the ſame to *New Paſture*, *the Cow Common*, and to *Pagitt's Cloſes*, and alſo from a certain Place on the South Bank of *the Forty Foot River*, adjoining the North-eaſt Corner of *Weſtmoor* and *Beezling's Diſtrict* to *Carter's Bridge*; and from thence by the Skirts of *Badney Hill* and *Curf Common* to *Wimbleton Leam* near *Slade Load*; and from thence along by the Skirts of the High Land of certain Parts of *Chatteris Common* called *Under Northy*; and from thence round the Skirts of the High Land in *Birch Fen* and *Campole*; and from thence

thence by the Skirts of the High Land on the Weſt Side of *Langwood Hill*, and by the Skirts of a certain Piece of High Land of *Joſeph James* to *the Forty Foot Bank*, and along the ſame Bank on the South Side of the ſaid River to *Carter's Bridge* aforeſaid, ſhall be and be called *The Lower Diſtrict*.

Lands divided into five Diſtricts for Drainage.

V. And be it further enacted, That all the ſaid ſeveral Fen Lands and Low Grounds, ſo deſcribed as aforeſaid, ſhall be and are hereby divided into five Diſtricts with reſpect to draining the ſame; that is to ſay, That all thoſe Fen Lands and Low Grounds, lying within the Pariſh of *Warboys* aforeſaid, beginning at and from *Puddock Drove Dike* or *Drain*, and from thence along the Ditch between the Lands of *John Fleming* Eſquire and Miſtreſs *Kerrich* to a certain Piece of Land called *The Weſt Water*, and along by the Side of the ſaid *Weſt Water* to a certain Drain commonly called *The Fourteen Feet Drain*, along between the Lands of Miſtreſs *Kerrich* and *Warboys High Fen* to the Lands of Sir *Robert Bernard*, and between the ſaid Farms and the High Fen to the Lands of *William Fellowes* Eſquire to the Lands of *Richard Scrimſhire* Eſquire, and late *Joſeph Sherwood* Eſquire, between *the Four Five Hundred Acre Farms* and *Warboys High Fen* to the Corner of *Broad Pool*, then along the South Side of the ſame Lands next *Broad Pool* and the *Turf Fen* to *Puddock Drove*, and up to the Bank in the ſaid Drove belonging to a certain Diſtrict in the Pariſh of *Ramſay*, called *Ramſay Firſt Diſtrict*; and from thence along by the Eaſt Side of *Puddock Drove* up to *the Forty Foot River* or *Drain*, and all the Lands and Grounds lying within ſuch Boundaries, containing, by Eſtimation, two thouſand Acres, or thereabouts, ſhall be and be called *The Firſt Diſtrict* or *Diviſion for Drainage:* And that all thoſe Fen Lands and Low Grounds, lying within the ſeveral Pariſhes of *Chatteris* and *Doddington* aforeſaid, being Part of the Fen Lands and Low Grounds compriſed or mentioned in a certain Act of Parliament, made and paſſed in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of* Sutton, Mepal, Witcham, Chatteris, Doddington, *and a Place called* Byal Fen, *in the* Iſle of Ely, *and County of* Cambridge, *and alſo in the Pariſhes of* Somerſham *and* Pidley with Fenton, *in the County of* Huntington; (that is to ſay,) Beginning at and from the North-eaſt Corner of *Weſtmoor* and *Beezling's Diſtrict*, in *Chatteris* and *Doddington* aforeſaid, near *the Forty Foot River* or *Drain* and *Chatteris Common*; and from thence along by a Part of *Chatteris Common* called *Curf*; and from thence abutting upon and againſt Land called *Willy* to the End of certain Land next adjoining to a Place called *Hive End Burrows*, now in Poſſeſſion of *Ann Moule*; and from thence along by the Outring Ditch of certain other Lands, now in Poſſeſſion of the ſaid *Ann Moule*, *Kempton*, *Joſeph Brown*, *John Gardner* Eſquire, and others, to the Diviſion Dike which parts the ſaid Lands and a certain Common called *Chatteris Mow Fen* otherwiſe *Acre Fen*; and from thence along by the Outring Ditch next the ſaid *Mow Fen* otherwiſe *Acre Fen* to a Piece of Land formerly called *The Weſt Water* otherwiſe *The Old Weſt Water*, and along by the ſaid *Weſt Water* to certain Lands of *Henry Peyton* Eſquire; and from thence by and along the South-weſt Side of the ſaid Lands of the ſaid *Henry Peyton* to the North-weſt End of the ſaid Lands of the ſaid *Henry Peyton*, and acroſs the Ditch which divides the ſaid Lands and the Lands of *Matthew Wyldbore* Eſquire, up to the Bank on the Land of the ſaid *Matthew Wyldbore*, and then by and along the North-eaſt Side of the ſaid Lands of the ſaid *Henry Peyton* to the South-weſt Corner of a certain Piece of Land of *William Skeeles*; and from thence along by the Ditch on the Eaſt Side of a certain Drove called *Beezling's Drove* to the aforeſaid Drain called *The Forty Foot River* or *Drain*; and from thence along by the ſaid River or Drain to the aforeſaid North-eaſt Corner of the ſaid *Weſtmoor* and *Beezling's Diſtrict* near *Chatteris Common* aforeſaid, and all the Lands and Grounds lying within ſuch Boundaries, containing, by Eſtimation, one thouſand and fifty Acres, or thereabouts, and which ſaid Lands and Grounds are herein-after made the ſecond Diſtrict of the Lands and Grounds intended by this Act to be drained and preſerved, (except only and always excluding and reſerving thereout three Acres of Land, now in the Poſſeſſion of *John Gardner* Eſquire, lying next a certain Common called *Under Willy*, and within the Boundaries of the ſaid ſecond Diſtrict, and four Acres of Land now in the Poſſeſſion of *Ann Moule*, lying next the ſaid Common, and within the Boundaries aforeſaid, and which ſaid two Pieces of Land were exempted and excluded from and out of the ſaid ſecond Diſtrict, in and by the before-mentioned Act of Parliament, and are not hereby intended to be compriſed therein, or made Part thereof, or to be ſubject or liable to be taxed, rated, or aſſeſſed thereto, by virtue of this preſent Act, or otherwiſe), ſhall be and be called *The Second Diſtrict* or *Diviſion for Drainage:* And that all thoſe Fen Lands, Low Grounds, and Commons, lying within the Pariſh of *Warboys* aforeſaid, beginning at and from the End of the Drain called *The Fourteen Feet Drain*, next to the Lands of Miſtreſs *Kerrich*, and along the ſaid Drain next to *the Weſt Water* to *the Three Hundred Acre Farm*, and by and along the Diviſion Dike between the ſaid *three hundred Acre Farm* and *Warboys High Fen* to the Bank herein-after directed to be made on the North-weſt Side of *Fenton Load*, and by and along the North-weſt Side of *Fenton Load* to *New Paſture*; and from thence by and along the ſaid North-weſt Side of *Fenton Load* aforeſaid to *Pagitt's Cloſes*, and from thence to the Hill on the North Side of *Wilthorne Ware*, and from the ſaid Hill to *Fenton Load* aforeſaid, and from *Fenton Load* to *Chappel Head*, and from *Chappel Head* along the High Land Skirts of *the Cow Common* to *Northen Ware*; and from thence along the High Land Skirts to *Puddock Drove*; and from the ſaid Drove along the High Land Skirts to *Warboys Stray Paſture*; and from thence along the Ditch between the ſaid *Stray Paſture* and *Warboys Common Stray Paſture* to the Lands of *Ellington Wright*, and along the Ditch between the ſaid Lands and *Common Stray Paſture* acroſs *Puddock Drove*, and along between *Puddock Drove* and *Warboys Turf Fen* to the Lands of *Richard Scrimſhire* and late *Joſeph Sherwood* Eſquire; and from thence along the Drain between the ſaid Lands and *Warboys Turf Fen* to *Broad Pool*; and from thence along the ſame Drain between the ſaid Lands and *Broad Pool* to *Warboys High Fen*; and from thence along the Drain between the Lands of the ſaid *Richard Scrimſhire* and late *Joſeph Sherwood* and the ſaid High Fen to the Lands of *William Fellowes* Eſquire, and along the ſame Drain to the Lands of Sir *Robert Bernard*; and from thence along the ſame Drain to Lands of Miſtreſs *Kerrich*; and from thence along the ſame Drain to the Drain called *The fourteen Feet Drain*, next to the *Weſt Water*; and from thence along the Ditch on

Firſt Diſtrict for draining.

Second Diſtrict for draining.

Third Diſtrict for draining.

the South-weſt Side of the ſaid *Weſt Water* to the Bank on the South Side of *the Forty Foot River*; and from thence acroſs the ſaid *Weſt Water*, and along the Ditch on the South-weſt Side of the ſaid *Weſt Water* to *Warboys High Fen*; and all the Fen Lands, Low Grounds, and Commons, lying within ſuch Boundaries, containing, by Eſtimation, two thouſand and two hundred Acres, or thereabouts, ſhall be and be called *The Third Diſtrict* or *Diviſion for Drainage:* And alſo all thoſe Fen Lands and Low Grounds within the ſeveral Pariſhes of *Somerſham*, *Colne*, and *Pidley with Fenton* aforeſaid, being other Part of the ſeveral Fen Lands and Low Grounds compriſed in the before-mentioned Act of Parliament, made and paſſed in the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of* Sutton, Mepal, Witcham, Chatteris, Doddington, *and a Place called* Byal Fen, *in the* Iſle of Ely, *and County of* Cambridge, *and alſo in the Pariſhes of* Somerſham *and* Pidley with Fenton, *in the County of* Huntingdon; and alſo in a certain other Act of Parliament, made and paſſed in the Thirty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the Pariſhes of* Somerſham *and* Pidley with Fenton, *and the Pariſh of* Colne, *in the County of* Huntingdon, beginning at and from a certain Place called *Fenton Willow*; and from thence by and along the South-weſt Side of Land called *The Weſt Water*, to *Chatteris Ferry*; and from thence by and along the Dike which divides the ſaid Land called *The Weſt Water* and *Somerſham* Turnpike Road to a Place called *Copen's Corner*; and from thence back again and acroſs the ſaid Turnpike Road to a Ditch between the Lands of *John Thomſon* Eſquire on the South Side and the Lands of *James Maſon* and *John Rumball Leeds* on the North Side, and along the ſaid Ditch to *Long Drove*, and acroſs the ſaid Drove to a Dike between two Lots of Land belonging to *Bartholomew Ibbott*, and along the ſaid Dike to the Low Lands of *Thomas Day* Eſquire, round the High Land Skirts of the ſame to *Croſs Drove*, at the upper End of certain Lands called *Croſs Lakes*, and along the South Side of the ſaid Drove to *Long Drove* aforeſaid, and along the Weſt Side thereof to a Dike between the Lands of *James Maſon* and *John Leeds*, and along the ſame to *Parkhill Lot Side*, and from thence to a certain Ditch called *Slyer Ditch*, and by and along the South-weſt Side thereof to a Drove called *Rumball's Drove*, and acroſs the ſaid Drove to the Low Lands of *Thomas Day* Eſquire, and round by the High Land Skirts of the ſame to *Somerſham Meadow Dike*, and by and along the ſaid Dike to certain Lands called *Land Floods*, and by and along the South-eaſt Side thereof to *College Cloſes*, and along the High Land Skirts of the ſame to a Place known by the Name of *Somerſham Low Wood Corner*; and from thence along *Somerſham Low Wood*; and from thence along by the Bottom of *Fernhill* to two Cloſes or Grounds of *John Ibbott*, and along by the South and Eaſt Sides thereof to the Ground of *Edward Holder*, and along the Eaſt Side of the ſame to a Ground late *Cope's*, now in the Occupation of the Widow *Barnes*, and along the Eaſt and North Sides of the ſaid Ground to *Pidley Meadow*, and acroſs the Drove at the End of the ſaid Meadow; and from thence by and along the North Side of *Pidley Meadow* to the End thereof, and acroſs a certain Drove called *Fenton Drove* to *Fenton Meadow*, and by and along the Eaſt and North-eaſt Side of *Fenton Meadow* to *Fenton Green*, and acroſs *Fenton Green* to *Pagitt's Cloſes*, and by and along the North-eaſt Side of the ſaid Cloſes to *Fenton Gull*; and from thence along the South-eaſt Side of *Fenton Gull* to *Fenton Load*, and by and along the South-eaſt Side of *Fenton Load* to *Fenton Willow*, and all the Fen Lands and Low Grounds lying within ſuch Boundaries, containing, by Eſtimation, two thouſand ſeven hundred Acres, or thereabouts, ſhall be and be called *The Fourth Diſtrict* or *Diviſion for Drainage:* And that all thoſe Fen Lands, Low Grounds, and Commons, within the Pariſh of *Chatteris* aforeſaid, being Part of the Fen Lands and Low Grounds compriſed or mentioned in a certain Act of Parliament, made in the Thirty-firſt Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands, Low Grounds, and Commons, in the Pariſhes of* Chatteris, *and* Doddington *in the* Iſle of Ely, *in the County of* Cambridge; (that is to ſay,) Beginning at and from a certain Place in *Chatteris* aforeſaid called *Slade Gate* otherwiſe *Curf Gate*; and from thence by or along the aforeſaid Drain called *The twenty Feet Drain* up to a certain Common in *Chatteris* aforeſaid called *Curf Common*; and from thence by or along the High Land Skirts of the ſaid Common to a certain Bridge called *Carter's Bridge*, and from the ſaid Bridge by and along the South-weſt Side of *the Forty Foot River* or *Drain* to the Hard Lands at *Horſeway*; and from thence by and along the Skirts of the Hard Lands on the Weſt Side of *Langwood Hill*; and from thence by and along the Skirts of the Hard Lands round *Campole Birch Fen* and *Northey*; and from thence along the Hard Lands up to *Slade* or *Curf Gate* aforeſaid, and alſo from the Skirts of the High Land near *Hunneſham Ford* in *Chatteris* aforeſaid, by and along the Skirts of the High Land to *Pincham's Holt*; and from thence by and along the Skirts of the High Land to *Key's Corner*; and from thence by and along the Skirts of the High Lands in *Key's Farm* to the Turnpike Road near the Ferry Farm-houſe in *Chatteris*, now in the Occupation of *William Grant*; and from thence by and along the Turnpike Road to *Chatteris Ferry* Toll-gate; and from thence by and along the North-eaſt Side of the *Weſt Water*, to the South-weſt Corner of the aforeſaid Second Diſtrict called *Weſtmoor* and *Beezling's*; and from thence by and along the Outring or Diviſion Ditch which parts the ſaid Second Diſtrict and *Chatteris Acre Fen* to a certain Place called *Hive End Burrows*; and from thence by the Outring or Diviſion Ditch which Parts the ſaid Lands called *Hive End Burrows* and the ſaid Second Diſtrict to the Hard Lands near a certain Place called *The Wamb*; and from thence by and along the Skirts of the High Lands to *Hunneſham Ford* aforeſaid, and all the Lands and Low Grounds lying within ſuch Boundaries, containing, by Eſtimation, two thouſand four hundred Acres, or thereabouts, ſhall be and be called *The Fifth Diſtrict* or *Diviſion for Drainage*.

Fourth Diſtrict for draining.

Fifth Diſtrict for draining.

VI. And it is hereby further enacted by the Authority aforeſaid, That the ſeveral Perſons herein-after mentioned ſhall be and are hereby conſtituted and appointed Commiſſioners for executing and effecting the Powers, Authorities, and Purpoſes, of this preſent Act within the ſaid Upper Diſtrict, ſo far as the ſame relates to the embanking and keeping in Repair the ſeveral outward Banks, beginning at *Bury Bridge*, along the Bank called *Northey Bank*, to *the Stillyard Houſe* in *Ramſey*, and from a certain Bridge in *Ramſey* aforeſaid

Commiſſioners for the general Embankment.

ſaid called *The Forty Foot Bridge*, along the South Bank of *The Forty Foot River* to *Puttock's Bridge*, and ſtill along the ſaid *Forty Foot Bank* to the North-eaſt Corner of *Weſtmoor* and *Beezling's Diſtrict*, in the Pariſh of *Doddington*; (that is to ſay), the Lord or Lords, Lady or Ladies, of the ſeveral Manors of *Ramſey*, *Bury*, *Wiſtow*, *Warboys*, *Chatteris-Ramſey*, *Doddington*, *Little Ravely*, *Broughton*, *Old Hurſt*, *Woodhurſt*, *Saint Ives*, and *Houghton with Witton*, *John Leman* Eſquire, and his Heirs, and in their Abſence, his, her, or their ſeveral and reſpective Agents, the Rectors and Vicars of *Warboys* and *Doddington*, *Little Ravely*, *Broughton*, *Old Hurſt*, *Woodhurſt*, *Saint Ives*, and *Houghton with Witton*, for the Time being; and each and every Owner for the Time being of two Houſes, having Right of Common in *Warboys High Fen*, or of ten Acres of Several Land lying within the Limits of the ſaid Upper Diſtrict, and ſubject to be taxed by virtue of this Act towards the Embankment of the ſame, as aforeſaid: And that the ſeveral Perſons herein-after mentioned, nominated and appointed, and their Succeſſors, to be elected as herein-after directed, ſhall be and are hereby conſtituted and appointed Commiſſioners for executing and effecting the Powers, Authorities, and Purpoſes, of this preſent Act within the ſaid Lower Diſtrict, ſo far as the ſame relates to the embanking and keeping in Repair the ſeveral outward or boundary Banks, from the North-eaſt Corner of *Weſtmoor* and *Beezling's Diſtrict* aforeſaid, along the South Bank of the ſaid *Forty Foot River* to *Carter's Bridge*; and from thence to *Horſeway*, and the Banks on each Side of *Wimblington Leam* to *Slade Load*, and the Banks on each Side the Drain commonly called *The twenty Foot*, from *Slade Load* aforeſaid to *Fenton Willow*, and the Bank from thence along the South-eaſt Side of *Fenton Load* to *Pagitt's Cloſes*, and from the Farm-houſe of *William Grant*, called *Chatteris Ferry-houſe*, by and along the Eaſt Side of the Turnpike Road to *Somerſham* Town; (that is to ſay,) the Lord or Lords, Lady or Ladies, of the ſeveral Manors of *Chatteris-Ramſey*, *Somerſham*, and *Colne*, and *Dingley Aſkham* Eſquire, *John Cole* Eſquire, *John Cole* junior, Eſquire, *John Thomſon* Eſquire, *William Pagitt* Eſquire, *Chriſtopher Milborne* Eſquire, *Charles Leeds*, *William Margetts*, the Agent of *Elizabeth South* Spinſter, *James Hutchinſon*, *John Newnham* Eſquire, *John Leman* Eſquire, *John Waddington* Eſquire, *John Gardner* Eſquire, *Daniel Fryer*, *John Bateman*, *Richard Camps*, *William Purrant*, *Thomas Smith*, the Agent of Miſtreſs *Ann Moule* Spinſter, *Robert Grimditch*, *Edward Ruſton*, *John Warth* junior, *Thomas Skeeles*, and *Samuel Wells*; and in his, their, or any of their Abſence, his, their, or any of their ſeveral and reſpective Agents.

Number of Commiſſioners for the Lower Diſtrict.

VII. Provided alſo, That there be not at any one Time more or leſs than thirty Commiſſioners for the ſaid Lower Diſtrict, including ſuch Lords and Ladies of Manors, or their ſeveral and reſpective Agents as aforeſaid, fourteen of whom ſhall be Lords or Ladies of the Manor of *Chatteris-Ramſey* as aforeſaid, or their ſeveral and reſpective Agents, or Owners of one or more commonable Meſſuages or Tofts, having Right of Common in *Chatteris Common*; fourteen ſhall be Lords or Ladies of the ſeveral Manors of *Somerſham* and *Colne*, or their ſeveral and reſpective Agents or Owners of ſix Acres of Several Land lying or compriſed in the aforeſaid Fourth Diſtrict for draining; and the remaining two ſhall be Owners of or Agents for the ſaid Farm called *The three Hundred Acre Farm*.

Commiſſioners dying, new ones to be choſen.

VIII. And it is hereby further enacted, That from Time to Time, and as often as any Commiſſioner, hereby nominated for the ſaid Lower Diſtrict as aforeſaid, ſhall die, or become diſqualified, it ſhall and may be lawful for the ſurviving or remaining Commiſſioners acting by virtue of the like Qualification as the Commiſſioner who ſhall ſo die or become diſqualified, did act, or the major Part of them aſſembled at a Meeting for that Purpoſe, to elect one other Commiſſioner in the Stead of the Commiſſioner dying, or becoming diſqualified, from Time to Time, as often as Occaſion ſhall require; and every Commiſſioner ſo elected ſhall, from Time to Time, have the ſame Authority for executing this Act as the Commiſſioner in whoſe Stead he ſhall be elected was inveſted with.

Perpetual Commiſſioners.

IX. Provided always, and be it enacted by the Authority aforeſaid, That the Lord or Lords, Lady or Ladies, of the ſaid Manors of *Chatteris-Ramſey*, *Somerſham*, and *Colne*, for the Time being, and, in their Abſence, their reſpective Agents, ſhall be at all Times hereafter Commiſſioners for the executing and effecting the Powers, Authorities, and Purpoſes, of this preſent Act, within the ſaid Lower Diſtrict; ſo far as the ſame relates to the embanking and keeeping in Repair the ſaid ſeveral outward or boundary Banks of the ſame.

Qualification of Commiſſioners.

X. Provided alſo, and be it enacted by the Authority aforeſaid, That no Perſon hereby appointed, or hereafter to be elected, except only ſuch Lords or Ladies of ſuch Manors, or their Agents, as aforeſaid, ſhall be enabled to act as a Commiſſioner for the ſaid Lower Diſtrict, unleſs ſuch Perſon ſo appointed or to be elected a Commiſſioner ſhall be poſſeſſed of one commonable Meſſuage, having Right of Common within the ſaid Lower Diſtrict, or of ſix Acres of Several Land lying or compriſed within the ſaid Diſtrict.

Real Owner of two commonable Houſes, or ten Acres of Several Land in Upper Diſtrict, may appoint a Commiſſioner for every Houſe, and 15 Acres, over and above which he poſſeſſes.

XI. Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon who is the real Owner of more than two commonable Houſes, having Right of Common in *Warboys High Fen*, or ten Acres of Several Land lying within the ſaid Upper Diſtrict for embanking, and paying Taxes thereto, and every ſuch reſpective Owner in the ſaid Upper Diſtrict, is hereby authoriſed and impowered to appoint, by Writing, under his or her Hand and Seal, from Time to Time, and for ſuch Time as he or ſhe ſhall think proper, one Commiſſioner for every ſuch commonable Houſe, or every fifteen Acres of Several Land, which he, ſhe, or they, ſhall be poſſeſſed of, over and above the ſaid two commonable Houſes, or ten Acres of ſuch Several taxable Lands, lying within the Limits of the ſaid Upper Diſtrict, ſuch Deputy or Deputies for the ſaid Upper Diſtrict to be the real Owner or Owners of one Houſe, having Right of Common in *Warboys High Fen*, or four Acres of taxable Several Lands within the ſaid Upper Diſtrict, over and above the Commiſſioners herein-before appointed for putting this Act, and all the Powers and Authorities herein contained, into Execution, with reſpect to the embanking and keeping in Repair the ſaid ſeveral outward or boundary Banks of the ſaid Upper Diſtrict.

Commiſſioners for draining.

'XII. And, in order that a ſufficient Number of Commiſſioners may be appointed for carrying this 'Act into Execution for the ſaid five Diſtricts or Diviſions, with reſpect to the draining the ſame,' be it enacted by the Authority aforeſaid, That each and every Owner for the Time being reſpectively of forty Acres

Commiſſioners for firſt Diſtrict;

Acres of Land, in his or their own Right, ſubject to be taxed by virtue of this Act, and lying within the ſaid firſt Diſtrict or Diviſion, ſhall be, is and are hereby appointed Commiſſioners for the ſaid firſt Diſtrict or Diviſion, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with reſpect to draining the ſaid firſt Diſtrict; and that each and every Owner for the Time being reſpectively of thirty Acres of Land in his or their own Right, ſubject to be taxed by virtue of this Act, and lying reſpectively within the ſaid ſecond Diſtrict or Diviſion, ſhall be, is and are hereby appointed Commiſſioners for the ſaid ſecond Diſtrict or Diviſion, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with reſpect to the draining of the ſaid ſecond Diſtrict; and that the Lords and Ladies of the Manors, and alſo the Rectors and Vicars of *Warboys*, *Little Ravely*, *Broughton*, *Oldhurſt*, *Woodhurſt*, *Saint Ives*, and *Houghton with Witton* for the Time being, *John Leman* Eſquire, and his Heirs, and each and every Owner for the Time being reſpectively of two Houſes having Right of Common within the ſaid third Diſtrict, ſhall be, is and are hereby appointed Commiſſioners for the ſaid third Diſtrict or Diviſion, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with reſpect to the draining of the ſaid third Diſtrict; and that in Conſideration of the Rights of the *Warboys* Commiſſioners upon the three Commons, called *New Paſture*, *The Cow Common*, and *The Stray Paſture*, the ſaid *Warboys* Commiſſioners, and each of them, ſhall have, and are hereby declared to have two Votes, or a double Vote, at all Meetings held by virtue of this Act for the Purpoſe of Drainage within the ſaid third Diſtrict; and that the Lords and Ladies for the Time being, of the ſeveral Manors of *Somerſham* and *Colne*, and their ſeveral and reſpective Agents, and each and every Owner for the Time being reſpectively of forty Acres of Land in his or their own Right, ſubject to be taxed by virtue of this Act, and lying reſpectively within the ſaid fourth Diſtrict, ſhall be, is and are hereby appointed Commiſſioners for the ſaid fourth Diſtrict or Diviſion, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with reſpect to the draining of the ſaid fourth Diſtrict; and that the Lords and Ladies for the Time being of the Manors of *Chatteris-Ramſey*, *Bartletts*, *Tindals*, and *Liſles*, the Maſter of *Corpus Chriſti College* in *Cambridge*, the Vicar of *Chatteris* for the Time being, and their reſpective Agents, and each and every Owner for the Time being reſpectively of two Meſſuages or Toftſ, having Right of Common in *Chatteris* Commons, or of twenty Acres of Several Land, in their own Right, ſubject to be taxed by virtue of this Act, and lying reſpectively within the ſaid fifth Diſtrict or Diviſion, ſhall be and are hereby appointed Commiſſioners for the ſaid fifth Diſtrict or Diviſion, for putting this Act, and all the Powers and Authorities herein-after contained, into Execution, with reſpect to the draining of the ſaid fifth Diſtrict.

Commiſſioners for Second Diſtrict.

—Third Diſtrict;

—Fourth Diſtrict;

—Fifth Diſtrict.

XIII. Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon who is the real Owner of forty Acres of taxable Land lying within the ſaid firſt Diſtrict, and every ſuch reſpective Owner is hereby authoriſed and impowered to appoint, by Writing under his or her Hand and Seal, from Time to Time, and for ſuch Time or Times as he or ſhe ſhall think proper, one Commiſſioner for every fifty Acres which he or ſhe ſhall be poſſeſſed of, over and above the aforeſaid forty Acres of taxable Lands, lying within the ſaid firſt Diſtrict, over and above the Commiſſioners herein-before appointed for the putting this Act, and all the Powers and Authorities herein contained, into Execution, with reſpect to draining the ſame; and ſuch reſpective Commiſſioners, ſo nominated and appointed as aforeſaid, ſhall be Commiſſioners to all Intents and Purpoſes for carrying this Act into Execution, ſo far as the ſame relates to the draining of the ſaid firſt Diſtrict: And that it ſhall and may be lawful for any Perſon who is the real Owner of thirty Acres of taxable Land, lying within the ſaid ſecond Diſtrict, and every ſuch reſpective Owner is hereby authoriſed and impowered to appoint, by Writing under his Hand and Seal, from Time to Time, and for ſuch Time or Times as he or ſhe ſhall think proper, one Commiſſioner for every fifty Acres which he or ſhe ſhall be poſſeſſed of over and above the aforeſaid thirty Acres of taxable Land, lying within the ſaid ſecond Diſtrict, over and above the Commiſſioners herein-before appointed for the putting this Act, and all the Powers and Authorities herein contained, into Execution, with reſpect to draining the ſame; ſuch reſpective Deputies to be the real Owners or Occupiers of ten Acres of taxable Land lying in the ſaid ſecond Diſtrict; and ſuch reſpective Deputies, ſo nominated and appointed as aforeſaid, ſhall be Commiſſioners to all Intents and Purpoſes, for putting this Act, and all the Powers and Authorities therein contained, into Execution, ſo far as the ſame relates to the Drainage of the ſaid ſecond Diſtrict: And that it ſhall and may be lawful for the Lords and Ladies of the Manors of *Warboys*, *Little Ravely*, *Broughton*, *Old Hurſt*, *Woodhurſt*, *Saint Ives*, and *Houghton with Witton*, for the Time being, *John Leman* Eſquire, and his Heirs, or their reſpective Agents, and any Perſon who is the real Owner for the Time being of two Houſes, having Right of Common within the ſaid third Diſtrict, and each and every of them, is hereby authoriſed and impowered to appoint, by Writing under his or her Hand and Seal, from Time to Time, and for all ſuch Time or Times as he or ſhe ſhall think proper, one Commiſſioner for every Houſe, having Right of Common in the ſaid third Diſtrict, which he or ſhe ſhall be poſſeſſed of, over and above the aforeſaid firſt-mentioned two Houſes having Right of Common in the ſaid third Diſtrict; which Deputy ſhall be the real Owner of one commonable Houſe in *Warboys*, or ſome of the Towns having Right of Common upon *Warboys High Fen*, over and above the Commiſſioners herein-before appointed for putting this Act, and all the Powers and Authorities herein contained, into Execution, with reſpect to the draining of the ſaid Diſtrict; and ſuch reſpective Deputies, ſo nominated and appointed as aforeſaid, ſhall be Commiſſioners to all Intents and Purpoſes for carrying this Act into Execution, ſo far as the ſame relates to the Drainage of the ſaid third Diſtrict: And that it ſhall and may be lawful for any Perſon or Perſons, who is or are the Owner or Owners of forty Acres of taxable Land lying within the ſaid fourth Diſtrict, and every ſuch reſpective Owner and Owners is and are hereby authoriſed and impowered to appoint, by Writing under his, her, or their Hand and Seal, or Hands and Seals, from Time to Time, and for ſuch Time or Times as he, ſhe, or they, ſhall think proper, one Commiſſioner for every fifty Acres which he, ſhe, or they, ſhall be poſſeſſed of, over and above the aforeſaid forty Acres of taxable Land lying within the ſaid fourth Diſtrict, over and above the Commiſſioners herein-

Every Owner of 40 Acres of taxable Land in the firſt Diſtrict may appoint a Commiſſioner for every 50 Acres over and above which he poſſeſſes.

Every Owner of 30 Acres within the ſecond Diſtrict may appoint a Commiſſioner for every 50 Acres over and above which he poſſeſſes.

each Deputy to be Owner, &c. of ten Acres in ſecond Diſtrict.

Lords and Ladies of Manors of Warboys, Little Ravely, &c. in the third Diſtrict, may appoint Commiſſioners, &c.

Every Owner of 40 Acres in the fourth Diſtrict may appoint a Commiſſioner for every 50 Acres over and above which he poſſeſſes;

herein-before appointed for putting this Act, and all the Powers and Authorities herein contained, into Execution, with reſpect to draining the ſame; ſuch reſpective Deputies to be the real Owners or Occupiers of ten Acres of taxable Land lying in the ſaid fourth Diſtrict, or being the reſpective Agents of the Lords or Ladies of the Manors of *Colne* and *Somerſham*, or of *Chriſtopher Milborne* Eſquire, *Rebecca Milborne* Widow, the Honourable Miſtreſs *Jane Hyde*, and *James Hutchinſon*; and ſuch Deputies ſo nominated and appointed as aforeſaid, ſhall be Commiſſioners to all Intents and Purpoſes for putting this Act into Execution, ſo far as the ſame relates to the Drainage of the ſaid fourth Diſtrict: And that it ſhall and may be lawful for any Perſon who is the real Owner of two Meſſuages or Toſts, having Right of Common in *Chatteris Commons*, or the real Owner of twenty Acres of Several taxable Land lying within the ſaid fifth Diſtrict; and every ſuch reſpective Owner is hereby authoriſed and impowered, by Writing under his or her Hand and Seal, from Time to Time, and for all ſuch Times as he or ſhe ſhall think proper, to appoint one Commiſſioner for every two commonable Meſſuages or Toſts over and above the Number of two, and for every twenty Acres of Land which he or ſhe ſhall be poſſeſſed of, over and above ſuch twenty Acres as aforeſaid, over and above the Commiſſioners herein-before appointed for putting this Act, and all the Powers and Authorities herein contained, into Execution; every ſuch Deputy to be the real Owner of one commonable Meſſuage or Toft, having Right of Common in *Chatteris Common* aforeſaid; and which Deputies, ſo nominated and appointed as aforeſaid, ſhall be Commiſſioners, to all Intents and Purpoſes, for carrying this Act into Execution, ſo far as the ſame relates to the Drainage of the ſaid fifth Diſtrict: The Names of the Deputies for the aforeſaid firſt, ſecond, third, fourth, and fifth Diſtricts to be inrolled with the Clerks for the ſaid Diſtricts reſpectively, one Month at leaſt before they ſhall be impowered to act in the Execution of this Act, except ſuch Deputy as ſhall be appointed previous to the firſt Meeting after the paſſing this Act; which Deputies, ſo to be appointed as aforeſaid, may act at ſuch firſt Meeting, on producing their Appointment.

every ſuch Deputy to be Owner of 10 Acres.

Every Owner of two Meſſuages, or 20 Acres, to appoint a Commiſſioner for every two Meſſuages and 20 Acres over and above which he poſſeſſes; every Deputy to be Owner of one Meſſuage, &c. Names of the Deputies for the five Diſtricts to be inrolled one Month before they act.

XIV. And be it further enacted by the Authority aforeſaid, That the Commiſſioners hereby nominated or appointed for embanking the ſaid Upper and Lower Diſtricts reſpectively, or their Succeſſors, or any five or more of them, ſhall meet once in every Year, in Manner following; to wit, for the Upper Diſtrict alternately at *Ramſey*, *Warboys*, and *Chatteris* aforeſaid; and for the Lower Diſtrict alternately at *Chatteris* and *Somerſham* aforeſaid: The firſt Meeting of the ſaid Commiſſioners for the ſaid Upper Diſtrict to be held at the *George Inn* in *Ramſey* aforeſaid, on the third *Thurſday* next after the paſſing of this Act; and for the ſaid Lower Diſtrict at *Chatteris* aforeſaid, on the fourth *Thurſday* after the paſſing of this Act: And that every other yearly Meeting ſhall be held for the ſaid Upper Diſtrict on the firſt *Tueſday* after the fifth Day of *April* in every Year, and for the ſaid Lower Diſtrict on the firſt *Thurſday* after the fifth Day of *April* in every Year: And the ſaid Commiſſioners may from Time to Time adjourn themſelves, and meet again purſuant to ſuch Adjournments, as often as they ſhall think proper; and then and there from Time to Time, ſhall aſſeſs, rate, tax, and charge, all and ſingular the Lands and Grounds ſituate and being within the ſaid Upper and Lower Diſtricts, and ſubject or liable to be taxed or rated thereto by virtue of this Act, by and with equal and proportionable yearly Rates, Taxes, or Sums of Money at the Diſcretion of the ſaid Commiſſioners, or the major Part of them that ſhall be preſent at any ſuch yearly General Meetings, as aforeſaid; ſo that ſuch Rate, Tax, or Sum of Money, do not exceed in any one Year the Sum of one Shilling for every Acre of Land or Ground within the ſaid Upper Diſtrict, and ſubject and liable to be taxed or rated thereto by virtue of this Act, and ſo in Proportion for every greater or leſs Quantity; and for every Acre of Land or Ground in the ſaid Lower Diſtrict, and ſubject or liable to be taxed or rated thereto, any Sum not exceeding three Shillings in any one Year, and ſo in Proportion for any greater or leſs Quantity than an Acre; and ſo that no Part of the ſaid Lands and Grounds in the ſaid reſpective Diſtricts be at any Time charged, by virtue of this Act, with any greater or leſs Rate or Tax than the reſt of the ſaid Lands within ſuch reſpective Diſtrict are or ſhall be charged with: Which ſaid Rates, Taxes, and Sums of Money, to be taxed and aſſeſſed as aforeſaid, ſhall be paid by the reſpective Owner or Owners, Occupier or Occupiers, of the ſaid Low Lands and Fen Grounds, at the Place of Abode of ſuch Perſon or Perſons as the ſaid Commiſſioners, or the major Part of them who ſhall be preſent at any ſuch General Meeting, ſhall order, direct, or appoint to collect and receive the ſame: The firſt Payment thereof for the ſaid Upper and Lower Diſtricts reſpectively to be made within two Months next after the paſſing of this Act, and every other yearly Payment to be made by two equal Half-yearly Payments; that is to ſay, for the ſaid Upper Diſtrict, on the firſt *Tueſday* in *May* and the laſt *Tueſday* in *September*; and for the ſaid Lower Diſtrict, on the firſt *Thurſday* in *May* and the laſt *Thurſday* in *September* in each and every Year; and which ſaid Rates, Taxes, and Sums of Money, ſo to be taxed and aſſeſſed as aforeſaid in each reſpective Diſtrict, ſhall be applied and diſpoſed of by the ſaid Commiſſioners for the ſaid reſpective Diſtricts, for and towards the repairing, amending, ſupporting, and keeping in good and ſufficient Repair, the ſaid ſeveral outward or boundary Banks, lying or being within ſuch Upper and Lower Diſtricts reſpectively (except only ſuch Parts thereof as are herein-after directed to be done at the joint Expence of the Proprietors of Lands within the ſaid Lower Diſtrict, and the ſaid Farm called *The Three Hundred Acre Farm*), and for no other Uſe, Intent, or Purpoſe whatſoever.

Time and Place of Meetings of Commiſſioners.

Power of Adjournment, &c.

Commiſſioners to rate and aſſeſs Upper and Lower Diſtricts,

not to exceed 1 s. per Acre in Upper Diſtrict.

nor 3 s. per Acre in Lower Diſtrict.

Taxes to be paid at Places Commiſſioners ſhall appoint, &c.

XV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the ſaid Upper and Lower Diſtricts for embanking reſpectively, or any five or more of them, and they are hereby reſpectively authoriſed and required, in the firſt Year after the paſſing of this Act, to aſſeſs, rate, tax, and charge all and ſingular the Lands and Grounds lying within the ſaid Upper and Lower Diſtricts reſpectively, and ſubject or liable to be rated or taxed by virtue of this Act, by and with an equal Rate, Tax, or Sum of one Shilling and Sixpence *per* Acre (over and above all other Taxes herein-before or herein-after directed to be raiſed, levied, or aſſeſſed, upon or within the ſaid Upper and Lower Diſtricts reſpectively), for every Acre of Land or Ground being within the ſaid reſpective Diſtricts, or ſubject or liable to be taxed or rated thereto by virtue of this Act, and ſo in Proportion for every greater

Charges of this Act how to be paid.

greater or leſs Quantity; and which ſaid Rates, Taxes, or Sums of Money ſo to be raiſed, levied and aſſeſſed, as aforeſaid, in the ſaid Upper and Lower Diſtricts reſpectively, ſhall be applied and diſpoſed of by the ſaid Commiſſioners, for and towards the defraying their reſpective equal Shares and Proportions of the Expences of obtaining this Act, (that is to ſay) by an equal Acre-ſhot Expence, to be paid according and in Proportion to the Number of Acres contained in each reſpective Diſtrict; and in caſe there ſhall be any Overplus then remaining, the ſame ſhall be applied and diſpoſed of by the Commiſſioners for each reſpective Diſtrict, in ſuch Manner, and for ſuch Purpoſes, as the Taxes or Aſſeſſments, directed to be raiſed upon or within the ſaid Upper and Lower Diſtricts reſpectively, ſhall be applied and diſpoſed of, and to and for none other Uſe, Intent, or Purpoſe whatſoever.

Power to lay 6 d. an Acre more for Payment of the Charges of the Act, if neceſſary.

XVI. Provided always, and be it further enacted, That in caſe the ſaid Rate, Tax, or Sum of one Shilling and Sixpence *per* Acre, by this Act applicable towards the Payment of the Charges and Expences of obtaining this Act, ſhall not be ſufficient for that Purpoſe, it ſhall and may be lawful to and for the ſaid Commiſſioners for the ſaid Upper and Lower Diſtricts for embanking, or any five or more of them, and they are hereby authoriſed and impowered to aſſeſs, rate, tax, and charge all the ſaid Lands and Grounds with a further equal Rate, Tax, or Sum, not exceeding Sixpence *per* Acre, for every Acre of the ſaid Lands or Grounds to be applied and diſpoſed of as the ſaid Rate, Tax, or Sum of one Shilling and Sixpence *per* Acre is before directed to be applied.

Time and Place of Meetings of Commiſſioners for draining.

XVII. And be it further enacted by the Authority aforeſaid, That the Commiſſioners hereby nominated and appointed for the Drainage of the ſaid five Diſtricts or Diviſions reſpectively, or their Succeſſors, or any five or more of them, ſhall meet once in every Year, in Manner following; to wit, For the firſt Diſtrict alternately at *Ramſey* and *Warboys* aforeſaid; for the ſecond Diſtrict at *Chatteris* aforeſaid; for the third Diſtrict at *Warboys*; for the fourth Diſtrict at *Somerſham* aforeſaid; and for the fifth Diſtrict at *Chatteris* aforeſaid: The firſt Meeting of the ſaid Commiſſioners for the ſaid firſt Diſtrict to be held at *Ramſey* aforeſaid, on the *Saturday* after the third *Thurſday* after the paſſing of this Act; and for the ſecond Diſtrict at *Chatteris* aforeſaid, on the *Monday* after the third *Thurſday* after the paſſing of this Act; and for the third Diſtrict at *Warboys* aforeſaid, on the *Tueſday* after the third *Thurſday* after the paſſing of this Act; and for the fourth Diſtrict at *Somerſham* aforeſaid, on the *Wedneſday* after the third *Thurſday* after the paſſing of this Act; and for the fifth Diſtrict at *Chatteris* aforeſaid, on the *Friday* after the fourth *Thurſday* after the paſſing of this Act: And every yearly Meeting for the ſaid firſt Diſtrict ſhall be held on the twenty-firſt Day of *March*, and for the ſaid ſecond Diſtrict on the twenty-ſecond Day of *March*, and for the ſaid third Diſtrict on the twenty-third Day of *March*, and for the ſaid fourth Diſtrict on the twenty-fourth Day of *March*, and for the ſaid fifth Diſtrict on the twenty-fifth Day of *March*, in each Year, except any of the ſaid Days ſhall happen on a *Sunday*, in which Caſe, the ſaid yearly Meetings ſhall be held on the Days following ſucceſſively, in each and every Year, or at ſuch other Time or Times as the ſaid reſpective Commiſſioners, or any three or more of them, in the ſaid firſt Diſtrict, or any five or more of them, in any of the other ſaid four Diſtricts, ſhall ſee Cauſe or think convenient, purſuant to Notice in Writing for that Purpoſe, ſigned by any two or more of the Commiſſioners for each reſpective Diſtrict, and to be affixed upon the Outſide of the Church or Chapel Doors of ſuch reſpective Pariſhes wherein the ſaid reſpective Diſtricts ſhall lie, ten Days at leaſt before any ſuch Meeting (except thoſe appointed to be held for the ſaid General yearly Meetings); and may, from Time to Time, adjourn themſelves, and meet again purſuant to ſuch Adjournments, or by Notice given, as often as they ſhall think proper.

Commiſſioners impowered to aſſeſs the Diſtricts in certain Sums above the Sums directed to be levied on the Upper and Lower Diſtricts.

XVIII. And it is hereby further enacted by the Authority aforeſaid, That over and above the ſaid ſeveral Rates and Taxes, herein-before authoriſed and directed to be levied and raiſed in the ſaid Upper and Lower Diſtricts reſpectively, for the general embanking of the ſame reſpectively, and ſuch other general Works as are herein-before directed, and for defraying the Expences of obtaining this Act, it ſhall and may be lawful to and for the Commiſſioners of the ſaid firſt Diſtrict, or any three or more of them, and alſo for the Commiſſioners of the ſecond, third, fourth, and fifth Diſtricts reſpectively, or any five or more of them, who ſhall be preſent at ſuch reſpective firſt Meeting after the paſſing of this Act, or any other yearly General Meeting as aforeſaid for each reſpective Diſtrict, then and there, from Time to Time, to aſſeſs, rate, tax, and charge, all and ſingular the Lands and Grounds lying within the ſaid firſt, ſecond, third, fourth, and fifth Diſtricts or Diviſions reſpectively, and ſubject or liable to be taxed or rated by virtue of this Act, by and with a proportionable yearly Rate, Tax, or Sum of Money, at the Diſcretion of the ſeveral and reſpective Commiſſioners for the Time being of and for the ſaid firſt, ſecond, third, fourth, and fifth Diſtricts or Diviſions reſpectively, or the major Part of them who ſhall be preſent at any ſuch firſt Meeting, or ſuch yearly General Meeting as aforeſaid, ſo that ſuch Rate, Tax, or Sum of Money, do not exceed, in any one Year, for every Acre of Land or Ground in the ſaid firſt Diſtrict or Diviſion (except in the firſt Year after the paſſing this Act), the Sum of two Shillings, and ſo in Proportion for any greater or leſs Quantity; and for every Acre of Land or Ground in the ſaid ſecond Diſtrict or Diviſion in any one Year (except in the firſt Year after the paſſing of this Act), the Sum of three Shillings, and ſo in Proportion for every greater or leſs Quantity than an Acre; and for every Acre of Land or Ground in the ſaid third Diſtrict or Diviſion the Sum of three Shillings, and ſo in Proportion for every greater or leſs Quantity than an Acre; and for every Acre of Land or Ground in the ſaid fourth Diſtrict or Diviſion in any one Year, the Sum of three Shillings, and ſo in Proportion for every greater or leſs Quantity than an Acre; and for every Acre of Land or Ground in the ſaid fifth Diſtrict or Diviſion in any one Year, the Sum of three Shillings, and ſo in Proportion for every greater or leſs Quantity than an Acre: Which ſaid ſeveral yearly Rates or Taxes, ſo to be ſeverally and reſpectively taxed and aſſeſſed by the ſeveral and reſpective Commiſſioners of ſuch ſeveral Diſtricts or Diviſions reſpectively, as aforeſaid, ſhall be paid by the Owners and Occupiers of the Lands or Grounds compriſed in the ſaid Diſtricts or Diviſions reſpectively, and hereby made ſubject or liable to be rated or taxed thereto, to ſuch Perſon or Perſons, at ſuch Time or Times, and Place or Places, and in ſuch Manner and Proportion, as the reſpective Commiſſioners

Commiſſioners for the Time being of the ſaid reſpective Diſtricts, or the major Part of them that ſhall be preſent at any ſuch Meeting as aforeſaid, ſhall, from Time to Time, ſeverally order, direct, and appoint the ſame; and ſhall, together with ſuch Sums of Money as are herein-after directed to be borrowed by the Commiſſioners of any of the ſaid reſpective Diſtricts on the Credit of any of the ſaid Rates or Taxes, be applied and diſpoſed of by the ſaid Commiſſioners of the ſaid ſeveral Diſtricts or Diviſions, in and about the particular Works, Banks, Drains, Mills, Engines, Headings, Dams, and other Matters and Things neceſſary for draining each of the ſaid ſeveral Diſtricts or Diviſions reſpectively, and not by this Act directed to be done by the Commiſſioners of the ſaid Upper and Lower Diſtricts for embanking, and to or for none other Uſe, Intent, or Purpoſe whatſoever: Provided, that the Rates and Taxes of each of the ſaid Diſtricts, and the Money which ſhall be borrowed on the Credit of any of them, be applied by the ſaid reſpective Commiſſioners for each Diſtrict ſeparately, and not jointly.

Commiſſioners of Ramſey firſt Diſtrict impowered to lay further Rates, for repairing of Mills, and for Payment of Debts.

'XIX. And whereas, through the Inſufficiency of the Rates and Taxes directed to be raiſed under or 'by virtue of the ſaid recited Act of Parliament, made in the thirtieth Year of the Reign of his late Ma'jeſty King *George* the Second, for effectually draining and preſerving the Lands and Grounds, therein 'called, known, or diſtinguiſhed by the Name of *The Firſt Diſtrict*, ſeveral Debts have been incurred, 'and ſeveral large Sums of Money are now due and owing to divers Perſons, over and above the Sums of 'Money in or by the ſaid Act of Parliament authoriſed and directed to be borrowed upon the Credit of 'the ſaid Rates and Taxes, and which ſaid Debts, ſo incurred as aforeſaid, cannot be paid off and diſ'charged without the further Aid and Aſſiſtance of Parliament;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid ſeveral Perſons who act, or ſhall hereafter act, as Commiſſioners for the ſaid Diſtrict, under or by virtue of the ſaid Act of Parliament, made in the thirtieth Year of the Reign of his late Majeſty King *George* the Second, or the major Part of them who ſhall be aſſembled at a Meeting for that Purpoſe (of which Meeting ſuch Notice ſhall be given as is directed by the ſaid Act to be given of other Meetings for the like Purpoſes), and they are hereby authoriſed and impowered, in the firſt Year after the paſſing of this preſent Act, to aſſeſs, rate, tax, and charge all and every the reſpective Owner and Owners, Occupier and Occupiers, of all and ſingular the Lands and Grounds ſituate and being within the ſaid Diſtrict, and ſubject or liable to be taxed or rated thereto under or by virtue of the ſaid Act of Parliament, by and with an equal and proportionable Acre-rate, Tax, or Sum of two Shillings *per* Acre, and in the ſecond Year one Shilling *per* Acre, and in the third Year one Shilling *per* Acre (over and above all other Taxes directed to be raiſed, levied, or aſſeſſed, upon or within the ſaid Diſtrict), for every Acre of Land or Ground lying within the ſaid Diſtrict, and ſubject or liable to be taxed or rated thereto by virtue of the ſaid Act, and ſo in Proportion for every greater or leſs Quantity; and which ſaid Rates, Taxes, or Sums of Money, ſo to be taxed and aſſeſſed as aforeſaid in the ſaid Diſtrict, ſhall be applied and diſpoſed of by the ſaid Commiſſioners for and towards the completing and improving the Mill at *Aſh Drain*, and alſo for erecting another Mill at the ſaid *Aſh Drain*, if neceſſary, and alſo the cleaning, widening, and deepening the ſaid *Aſh*, *Bury*, and *Wiſtow Fen Drains*, ſo as effectually to drain the Lands in *Bury* and *Wiſtow* which are taxable by the ſaid Act, and alſo for repairing the other four Mills within the ſaid Diſtrict, ſo as effectually to drain all the Lands compriſed therein, and then for and towards the Payment of all ſuch Debts and Sums of Money as ſhall be then due or owing by them (except ſuch Debts or Sums of Money as ſhall be due or owing upon or by virtue of any Mortgage or Security of the Taxes and Aſſeſſments of the ſaid Diſtrict) to any Perſon or Perſons whatſoever, for, or by reaſon or means, or on account of any Materials found, or Work done, in or for the ſaid Diſtrict, or any other Matter or Thing relating thereto; and which ſaid Rates or Taxes of two Shillings, one Shilling, and one Shilling *per* Acre, ſhall be raiſed, levied and paid, in the ſame Manner as ſuch other Rates and Taxes are, under or by virtue of the ſaid Act, directed to be raiſed, levied, and paid, and ſhall be ſubject to the ſame Penalties and Powers for recovering the ſame, in caſe of Non-payment, or any Default of Payment thereof.

Commiſſioners of firſt Diſtrict impowered to lay a Tax of 10s. per Acre, and Commiſſioners of ſecond Diſtrict a Tax of 20s. per Acre, in the firſt Year.

'XX. And for the more effectual draining and preſerving of the ſeveral Fen Lands and Low Grounds 'lying within the Limits of the firſt and ſecond Diſtricts, intended to be drained by virtue of this Act,' it is hereby enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the ſaid firſt Diſtrict, or any three or more of them, and alſo for the Commiſſioners of the ſaid ſecond Diſtrict, or any five or more of them, who ſhall be preſent at the firſt Meeting after the paſſing of this Act, and they are hereby reſpectively authoriſed and impowered, in the firſt Year after the paſſing of this Act, and for ſuch firſt Year only, to aſſeſs, rate, tax, and charge all and every the reſpective Owner and Owners, Occupier and Occupiers (being private Property), of all and ſingular the Lands and Grounds lying within the ſaid firſt and ſecond Diſtricts reſpectively, and ſubject or liable to be taxed or rated by virtue of this Act, by and with an equal proportionable Rate, Tax, or Sum of Money, in each reſpective Diſtrict (that is to ſay), the Sum of ten Shillings *per* Acre for every Acre of Land or Ground lying within the ſaid firſt Diſtrict, and ſo in Proportion for any greater or leſs Quantity; and for every Acre of Land or Ground lying within the ſaid ſecond Diſtrict, the Sum of twenty Shillings *per* Acre, and ſo in Proportion for every greater or leſs Quantity; and which ſaid Rates, Taxes, and Aſſeſſments, ſo to be raiſed, levied, and aſſeſſed, in the ſaid firſt and ſecond Diſtricts reſpectively, in the ſaid firſt Year as aforeſaid, to be computed from the Day of the paſſing of this Act, ſhall be applied and diſpoſed of by the ſaid Commiſſioners for the ſaid reſpective Diſtricts in and about the particular Banks, Drains, Mills, Engines, Headings, Dams, and other Works and Things neceſſary for draining each of the ſaid two Diſtricts reſpectively, and not by this Act directed to be done by the Commiſſioners of the ſaid Upper and Lower Diſtricts for embanking; and alſo in the ſaid ſecond Diſtrict, for and towards the Payment and Diſcharge of all ſuch Debts or Sums of Money, as have been at any Time heretofore incurred, or are now due or owing by or from the ſaid ſecond Diſtrict reſpectively.

Tenants for Life, Guardians, Truſtees, &c. may charge their Lands for paying the Taxes;

XXI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Tenant or Tenants for Life or Lives, Guardians, Huſbands, Truſtees, Committees, or Attornies, of any Infants, Lunaticks, Idiots, Femes-covert, Perſons beyond the Seas, or otherwiſe incapable of acting for themſelves, or for any Number of Years determinable upon Life or Lives, or other Contingencies, or for Truſtees of any Charities, or any other Purpoſe whatſoever, by Writing under their Hands and Seals, from Time to Time, to charge ſuch of their ſaid Lands and Grounds, which are ſubject and liable to be taxed by this Act with the Sum of twenty Shillings *per* Acre for the firſt Year after the paſſing of this Act, with any Sum not exceeding the ſaid Sum of twenty Shillings *per* Acre; and for ſecuring the Payment of the ſaid Sum or Sums of Money, with Intereſt for the ſame, to ſurrender, grant, mortgage, leaſe, or demiſe the Lands and Grounds ſo to be charged, unto ſuch Perſon or Perſons who ſhall advance and lend the ſame reſpectively, ſo as every ſuch Surrender, Grant, or Demiſe, be made with a Proviſo or Condition to ceaſe and be void, or with an expreſs Truſt to be ſurrendered or aſſigned, when ſuch Sum or Sums of Money thereby ſecured, with the Intereſt thereof, ſhall be fully ſatisfied and paid; and ſo as every ſuch Surrender, Grant, or Demiſe, ſo to be made by any Tenant in Fee, for Life or Lives, or in Tail, or for Years determinable upon Contingencies, contains a Proviſo, that the Perſons intitled in Remainder or Reverſion ſhall not, nor ſhall any Perſon be liable, on his, her, or their becoming ſeiſed or poſſeſſed of any ſuch Lands or Grounds, to pay any further or larger Arrears of Intereſt than for one Half Year preceding the Time when the Title of ſuch Poſſeſſion ſhall accrue and commence; and that every ſuch Surrender, Grant, Mortgage, Leaſe, or Demiſe, made in purſuance of this Act, ſhall be good, valid, and effectual in the Law for the Purpoſes thereby intended, notwithſtanding the Want of a legal Title, or any Settlement, Will, Truſt, Uſe, Remainder, Limitation, or other Incumbrances, of, upon, affecting, or concerning the ſame Grounds, Lands, and Premiſes, or any Part or Parts thereof then in being, or capable of taking Effect, to the contrary.

and may mortgage or leaſe ſuch Lands as a Security, &c.

Commiſſioners impowered to borrow Money upon the Credit of the Rates.

'XXII. And, for the more eaſy and effectual carrying the Works in the ſaid five Diſtricts into Exe-'cution, and for draining and preſerving the ſame,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners of the ſaid five Diſtricts reſpectively, and they are hereby authoriſed and impowered to borrow, take up, or receive, any Sum or Sums of Money that they ſhall think proper, upon the Credit of the ſaid Taxes, Rates, or Aſſeſſments within the ſame, and, by Writing, without Stamps, under their Hands and Seals, to mortgage, charge, aſſign, and convey or incumber the ſaid Taxes, Rates, or Aſſeſſments, ſo to be rated, aſſeſſed, and levied, upon or within the ſaid five Diſtricts reſpectively, with and for the Payment of the Sums ſo borrowed, with ſuch Intereſt, at ſuch Times, and with ſuch Proviſos and Conditions for Redemption, as ſhall be agreed upon; and that ſuch Moneys ſhall be ſeparately and diſtinctly borrowed by the Commiſſioners for each reſpective Diſtrict, for the Uſe and Purpoſe of carrying on, ſupporting, and maintaining the Works of the ſaid five Diſtricts reſpectively, and effectually draining and preſerving the ſame reſpectively, and to or for none other Uſe, Intent, or Purpoſe whatſoever.

The Sums to be borrowed in each Diſtrict.

XXIII. Provided always, and be it enacted by the Authority aforeſaid, That no more than the reſpective Sums following ſhall be borrowed or owing at any one Time upon the Credit or Security of the Taxes or Aſſeſſments in the ſaid reſpective Diſtricts; (that is to ſay) In the firſt Diſtrict, two thouſand Pounds; in the ſecond Diſtrict, one thouſand five hundred Pounds; in the third Diſtrict, two thouſand Pounds; in the fourth Diſtrict, four thouſand Pounds; and in the fifth Diſtrict, two thouſand Pounds: And that the Taxes or Aſſeſſments in each reſpective Diſtrict (except ſuch Taxes or Aſſeſſments as herein-before directed be raiſed and levied in the ſaid firſt and ſecond Diſtricts in the firſt Year after the paſſing of this Act) ſhall not, during the Time any Principal or Intereſt Monies ſhall be due on the Securities thereof, be leſs than the reſpective full Sums herein-before authoriſed and impowered to be yearly rated, charged, and aſſeſſed, in or upon ſuch Diſtricts reſpectively.

Aſſignments to be numbered, but none to be made for any leſs Sum than 50l. in each Diſtrict.

XXIV. And be it further enacted, That all Mortgages or Aſſignments of the ſaid Rates or Taxes, to be made by the ſaid Commiſſioners in each reſpective Diſtrict as aforeſaid, ſhall be numbered, beginning with Number I. and ſo proceeding in numerical Order; and that no Aſſignment of the Rates or Taxes in each of the ſaid Diſtricts ſhall be made for any leſſer Sum than fifty Pounds in each reſpective Diſtrict.

Securities may be aſſigned.

XXV. And it is hereby further enacted, That the ſaid Mortgages and Securities ſhall and may be aſſignable and transferrable by Indorſement on the original Grant or Security, or otherwiſe, without Stamp, to any Perſon or Perſons whatſoever; and the Perſon or Perſons to whom ſuch Transfer or Aſſignment ſhall be made ſhall, from and after the Time that the ſame is entered in a Book, to be kept for that Purpoſe by the Clerks or Treaſurer to the Commiſſioners for each reſpective Diſtrict, be well and ſufficiently intitled to ſuch Mortgage Monies and Intereſt, and all the Monies then due, or thereafter to grow due thereon; which Entries are hereby required to be made on Requeſt, and producing ſuch Aſſignment, and paying one Shilling to the Clerk or Treaſurer to the ſaid Commiſſioners for every ſuch Entry; and ſuch Aſſignee or Aſſignees, and every other Aſſignee or Aſſignees, ſhall and may, in like Manner, by Indorſement, or otherwiſe, aſſign and make over ſuch Mortgage or Mortgages and Securities, ſo aſſigned as aforeſaid, and ſo *toties quoties*, as Occaſion ſhall require, every ſuch Aſſignment or Transfer being entered into ſuch Book as aforeſaid.

Rates chargeable with the Payment of the Principal Money and Intereſt.

XXVI. Provided always, and be it enacted, That the Rates or Taxes to be raiſed by virtue of this Act on the ſaid Lands and Grounds in the ſaid five Diſtricts reſpectively (except what ſhall be raiſed in the firſt and ſecond Diſtrict in the firſt Year after the paſſing of this Act, and alſo ſuch Lands as may be incloſed by virtue of this Act, on Default of Payment of any of the ſaid Rates or Taxes, and alſo except the Rate or Tax that ſhall be raiſed within the Lower Diſtrict for embanking, and within the *Three Hundred Acre Farm* within the firſt Year after the paſſing of this Act for the Purpoſe of embanking), ſhall be chargeable with the Payment of the Principal Monies ſo to be borrowed by the ſaid Commiſſioners as aforeſaid,

aforeſaid, and with the Intereſt of ſuch Monies, from Time to Time, and ſhall veſt in the Creditors, upon Default of Payment of ſuch Principal Money and Intereſt, until the ſame, and every Part thereof, ſhall be fully ſatisfied and paid, together with the Coſts and Charges occaſioned by the Non-payment thereof; and the ſaid Creditors, their Executors, Adminiſtrators, or Aſſigns reſpectively, ſhall have the ſame Powers, Rights, and Privileges of receiving and recovering the ſaid Rates or Taxes, or the Rents and Profits of the ſaid incloſed Lands, for or in reſpect of ſuch Principal Monies and Intereſt, in caſe of Default in Payment thereof, as the ſaid Commiſſioners reſpectively, and their reſpective Collectors and Receivers, could have had, in caſe ſuch Principal Monies and Intereſt had been regularly and fully paid and ſatisfied.

On Default of Payment, Rates ſhall veſt in the Creditors till paid.

XXVII. Provided always, That no Sum or Sums of Money whatſoever ſhall be borrowed and taken up at Intereſt upon the ſaid Rates or Taxes, charged upon the Lands and Grounds in the ſaid five Diſtricts reſpectively by virtue of this Act with the Payment thereof, by the ſaid Commiſſioners, at any ſuch Meeting as aforeſaid, unleſs three Commiſſioners at leaſt, acting in their own Right, or their Agents to be appointed for that Purpoſe, and not as Deputies for the ſaid firſt Diſtrict, and five ſuch Commiſſioners for the ſaid ſecond, third, fourth, and fifth Diſtricts reſpectively, ſhall be then and there preſent, and conſenting and agreeing thereto.

No Money to be borrowed at any Meeting, unleſs the proper Number of Commiſſioners for each Diſtrict ſhall be preſent.

XXVIII. Provided always, and be it enacted by the Authority aforeſaid, That in lieu of the Mortgage or Security of the Taxes, ariſing or to be raiſed and levied under or by virtue of the aforeſaid Act of Parliament, made in the twenty-ſecond and thirty-ſecond Years of the Reign of his late Majeſty King *George* the Second, heretofore made or given to *John Gardner* Eſquire, for ſecuring the Payment of one hundred and fifty Pounds, and Intereſt, the ſaid Commiſſioners for the ſaid ſecond Diſtrict, under or by virtue of this Act, or any five or more of them, ſhall, and they are hereby authoriſed and required immediately after the paſſing of this Act, by Writing, without Stamps, under their Hands and Seals, or under the Hands and Seals of any five or more of them, to mortgage, charge, aſſign, convey, and incumber the ſaid Taxes or Rates of three Shillings *per* Acre, ſo as aforeſaid to be raiſed upon or within the ſaid ſecond Diſtrict, under or by virtue of this Act, for and with the Repayment of the ſaid Sum of one hundred and fifty Pounds, and all Intereſt then due, or thereafter to grow or become due thereon; and which ſaid Taxes, Rates, and Aſſeſſments ſhall be, and are hereby declared to be, a Security for, and charged and chargeable with the due Payment of the ſaid one hundred and fifty Pounds, and Intereſt, as aforeſaid, until ſuch Aſſignment or Transfer ſhall be made; and which ſaid Sum of one hundred and fifty Pounds ſhall be conſidered and taken as Part of the aforeſaid Sum of one thouſand five hundred Pounds, herein-before authoriſed and directed to be borrowed on the Security of the ſaid Rates and Taxes; and the ſaid *John Gardner*, his Executors, Adminiſtrators, and Aſſigns, for or in reſpect thereof, is and are hereby authoriſed and impowered to demand and recover the ſame, and ſhall, by virtue of this Act, be intitled to the Payment thereof, prior to any Sum or Sums of Money which may at any Time hereafter be due or owing to any other Perſon or Perſons whatſoever, upon or by virtue of any Mortgages or Security of the ſaid Taxes, Rates, and Aſſeſſments, in the ſaid ſecond Diſtrict; and that from and after the paſſing of this Act, the ſaid Taxes, Rates, and Aſſeſſments, ſhall not be liable to or be chargeable with any other Sums then due to any other Perſon by virtue of the ſaid recited Acts, except to and with the ſaid Sum of one hundred and fifty Pounds due to the ſaid *John Gardner*.

Debts due to John Gardner Eſquire, to have Priority of Payment.

XXIX. And be it further enacted by the Authority aforeſaid, That in lieu of the ſeveral Mortgages or Securities of the Taxes ariſing or to be raiſed and levied within the ſaid fifth Diſtrict, under or by virtue of the aforeſaid Act, made in the thirty-firſt Year of the Reign of his late Majeſty King *George* the Second, heretofore made or given to *John Waddington* Eſquire, for ſecuring the Payment of two hundred Pounds and Intereſt, and to *John Gardner* Eſquire, for ſecuring the Payment of one hundred Pounds and Intereſt, the ſaid Commiſſioners for the ſaid fifth Diſtrict, under or by virtue of this Act, or any five or more of them, ſhall, and they are hereby authoriſed and required, immediately after the paſſing of this Act, by Writings, without Stamps, under their Hands and Seals, and reſpectively ſigned and ſealed by any five or more of them, to mortgage, charge, aſſign, convey, and incumber the ſaid Tax or Rate of three Shillings *per* Acre, ſo as aforeſaid to be raiſed upon or within the ſaid fifth Diſtrict, under or by virtue of this Act, for and with the Repayment of the ſaid two ſeveral Sums of two hundred Pounds and one hundred Pounds, and all Intereſt then due, or thereafter to grow or become due thereon; and which ſaid Taxes, Rates, and Aſſeſſments ſhall be, and are hereby declared to be, a Security or Securities for, and charged and chargeable with, the due Payment of the ſaid two Sums of two hundred Pounds and one hundred Pounds, and Intereſt, until ſuch reſpective Aſſignments or Transfers ſhall be made as aforeſaid; and which ſaid two Sums of two hundred Pounds and one hundred Pounds ſhall be conſidered and taken as Part of the aforeſaid Sum of two thouſand Pounds herein-before authoriſed and directed to be borrowed on the Security of the ſaid Rates and Taxes; and the ſaid *John Gardner* and *John Waddington* reſpectively, and their reſpective Executors, Adminiſtrators, and Aſſigns, for or in reſpect thereof, are hereby authoriſed and impowered to demand and recover the ſame, and ſhall, by virtue of this Act, be reſpectively intitled to the Payment thereof, prior to any other Sum or Sums of Money which may at any Time hereafter be due or owing to any other Perſon or Perſons whatſoever, upon or by virtue of any Mortgages or Security of the ſaid Taxes, Rates, and Aſſeſſments, within the ſaid fifth Diſtrict.

Money due to John Waddington and John Gardner, Eſqrs. to be paid firſt out of Rates within the fifth Diſtrict.

'XXX. And whereas the Commiſſioners acting by and in purſuance of the ſaid two recited Acts, 'made in the twenty-ſecond and the thirty-ſecond Years of the Reign of King *George* the Second, have 'borrowed ſeveral Sums of Money on the Credit of the Rates and Taxes by the ſaid Acts granted, which 'ſtill remain due and unpaid, and have alſo contracted ſeveral Debts in the Execution of the Powers to 'them by the ſaid Acts granted: And whereas the Lands and Grounds herein-before deſcribed, being 'Part of the Lands compriſed within the ſaid Acts, will, by virtue of this Act, be taken from the Con-'troul and Juriſdiction of the Commiſſioners under the ſaid Acts: And whereas it is but reaſonable that

Part of the Debts under Sutton and Mepal Acts, chargeable upon the Lands taken from the Controul of the Commiſſioners under the ſaid Acts.

'the Lands and Grounds, ſo taken from the Controul and Juriſdiction of the Commiſſioners under the 'ſaid Acts, and now veſted in the Commiſſioners under this Act, ſhould bear their equal Part and Pro- 'portion of the Sums borrowed, and the Debts incurred under the ſaid two Acts;' be it further enacted, That all the ſaid Lands and Grounds, ſo taken out of the Controul and Juriſdiction of the Commiſſioners under the ſaid two Acts (other than and except certain Lands and Grounds taken out of the ſaid two Acts for the Debts of which to *John Gardner* Eſquire Proviſion has been herein before made), ſhall, in the firſt place, be liable and ſubject to the Sums of Money borrowed, and Debts incurred, by virtue of and under the ſaid Acts, in Proportion following; that is to ſay, That ſuch Part or Proportion of the ſaid Sums of Money borrowed, and Debts incurred, under the ſaid two Acts, ſhall be chargeable and charged upon the Lands and Grounds ſo taken from the Controul and Juriſdiction of the Commiſſioners under the ſaid two Acts, and now veſted in the Commiſſioners under this Act (except as before excepted), as ſuch Lands and Grounds ſo taken from the Controul and Juriſdiction of the Commiſſioners under the ſaid two Acts ſhall bear Proportion, by equal Acre-ſhot, to the Lands and Grounds ſtill remaining under the Controul and Juriſdiction of the Commiſſioners under the ſaid two recited Acts: And that from the Time that the ſaid Lands and Grounds ſhall become ſubject to the Controul and Juriſdiction of the Commiſſioners under this Act, the ſame ſhall, in the firſt place, be liable to, and chargeable with, ſuch Proportion of the Money borrowed, and Debts incurred, as before mentioned, and the Perſon or Perſons from whom ſuch Money ſhall have been ſo borrowed ſhall have the ſame Priority of Payment; and ſuch Transfer or Aſſignment made to him or them of the Proportion to the Money ſo borrowed from him or them, and to be charged on ſuch Lands and Grounds taken out of the Controul and Juriſdiction of the Commiſſioners under the ſaid two Acts, as is herein before mentioned with regard to a Debt due to *John Gardner* Eſquire.

Commiſſioners may incloſe Part of Warboys Commons.

XXXI. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Commiſſioners of the ſaid third Diſtrict for draining, or any five or more of them, and they are hereby required, as ſoon as conveniently may be after the paſſing of this Act, to incloſe, or cauſe to be incloſed, ſuch Quantity or Number of Acres, Part of the Common called *High Fen*, not exceeding in the Whole, at any Time, three hundred Acres, as will, in the Judgment of them the ſaid Commiſſioners, or any five or more of them, produce, by letting, a Sum ſufficient to pay the proportional Part or Share of the Charges and Expences of paſſing and executing this Act; which ſhall be charged upon ſuch Part of the ſaid Commons called *High Fen*, which contains one thouſand one hundred Acres, or thereabouts, and of the Common called *Broad Pool*, which contains three hundred and fifty Acres, or thereabouts, and of the Common called *Turf Fen*, which contains three hundred Acres, or thereabouts, and ſuch a Quantity or Number of Acres out of any of the ſaid Commons called *New Paſture*, containing one hundred and fifty Acres, or thereabouts, and of the Common called *The Cow Common*, containing five hundred Acres, or thereabouts, and of the Common called *The Stray Paſture*, which contains eighty Acres, or thereabouts, not exceeding in the Whole ſixty Acres, as will, in the Judgment of them the ſaid Commiſſioners, or any five or more of them, produce, by letting, a Sum ſufficient to pay the proportional Part or Share of the Charges and Expences of paſſing and executing this Act, which ſhall be charged upon the ſaid Commons reſpectively called by the Names of *New Paſture*, *Cow Common*, and *Stray Paſture*; and the ſaid Commiſſioners, or any five or more of them, are hereby authoriſed and required, from Time to Time, ſo long as it ſhall be neceſſary for the Purpoſes aforeſaid, to grant a Leaſe or Leaſes of the Lands to be incloſed unto any Perſon or Perſons, at and for the beſt Rent that can be got for the ſame, under the uſual Covenants, and for any Term not exceeding twenty-one Years at any one Time; and that the Money ariſing from letting ſuch reſpective Incloſures ſhall, from Time to Time, be applied by the ſaid Commiſſioners, or any five or more of them, in the firſt place, in paying and diſcharging the Rates and Taxes which ſhall be by this Act laid or charged upon the ſaid Commons reſpectively, and then in defraying the Expence of incloſing the ſame, and likewiſe the proportional Share of the ſaid reſpective Commons of all other Charges and Expences which they are by this Act made liable to; but in caſe it ſhall at any Time happen, that the Money to ariſe by letting the ſaid reſpective Incloſures ſhall not be ſufficient to pay the Rates and Taxes laid thereupon reſpectively, then the unincloſed Parts of the ſaid reſpective Commons ſhall be liable to pay the Remainder of ſuch reſpective Rates or Taxes, in the ſame Manner as would have been in caſe ſuch Incloſures and Lettings reſpectively had not been made or had: And in caſe any Tenant or Tenants of any Part or Parts of ſuch Incloſures ſhall at any Time neglect or refuſe to pay their ſeveral and reſpective Rents, reſerved in and by their Leaſe or Leaſes, at the reſpective Times mentioned therein for Payment thereof, it ſhall be lawful for the ſaid Commiſſioners, or any five or more of them, and they are hereby impowered to recover ſuch Rent and Arrears thereof by Diſtreſs and Sale, in ſuch and the ſame Manner as other Landlords are by Law impowered to do; and in caſe any ſuch Tenant or Tenants, at the Expiration of their reſpective Leaſe or Leaſes, ſhall refuſe to give up Poſſeſſion of their Land to the ſaid Commiſſioners, then, and in ſuch Caſe, the ſaid Commiſſioners, or any five or more of them, are hereby impowered to take, uſe, and purſue, the ſame Methods for recovering ſuch Poſſeſſion, by Ejectment or otherwiſe, as any other Landlord is intitled to by the Laws of this Realm.

How the Money ariſing from letting ſuch Incloſures is to be applied.

If the Money ariſing from letting of the Incloſures is inſufficient to pay the Rates, the unincloſed Parts liable to the Remainder.

If Tenants refuſe to pay their Rents at the Times mentioned in their Leaſes, Commiſſioners may recover by Diſtreſs.

If Commiſſioners of third Diſtrict neglect to incloſe the Commons, for 3 Months, their Powers, &c. to be veſted in the Commiſſioners of the Upper Diſtrict.

XXXII. Provided always, That in caſe the ſaid Commiſſioners for draining the ſaid third Diſtrict ſhall neglect or refuſe, for the Space of three Months after the paſſing of this Act, to incloſe and let the ſaid ſeveral Proportions of the ſaid Commons, or any of them, and to apply the Money ariſing therefrom in Manner and for the Purpoſes above mentioned, that then the ſeveral Powers, Authorities, and Directions, by this Act veſted in the ſaid laſt-mentioned Commiſſioners with reſpect to ſuch of the ſaid Incloſures ſo neglected to be incloſed and let, ſhall be, and are hereby declared to be, veſted in and given to the Commiſſioners of the ſaid upper Diſtrict for embanking, or any nine or more of them.

Proviſo.

XXXIII. Provided always, That the Lands and Grounds ſo to be incloſed from the ſaid Commons ſhall be at as great a Diſtance from the Town of *Warboys* as conveniently may be.

XXXIV. Provided

Grounds ſo incloſed not to pay Tithes, &c.

XXXIV. Provided alſo, That the Lands and Grounds ſo to be incloſed ſhall not, during ſuch Incloſure, be ſubject to the Payment of any Tithes, Taxes, Parochial or other Rates.

Rates upon Crollode Common by whom to be borne.

XXXV. And be it further enacted, That the Rates or Taxes to be charged by virtue of this Act, for the Purpoſe of embanking only upon a certain Meadow or Common within the ſaid Lower Diſtrict called *Crollode Meadow* or *Common*, ſhall be borne and defrayed, one Moiety thereof by the Land Owners intitled at certain Times of the Year to the ſaid Meadow or Common in Severalty, and the other Moiety thereof by the Perſons intitled to Right of Common upon the ſame at other certain Times of the Year.

Part of Somerſham Common to be incloſed.

XXXVI. And be it further enacted, That the ſaid Moiety of the ſaid Rates or Taxes, ſo to be paid by the ſaid Land Owners intitled at certain Times of the Year to the ſaid Meadow or Common in Severalty, ſhall be paid and payable by them in the ſame Manner, and under the ſame Powers, as the Rates or Taxes chargeable upon any other Owners of private Property are paid and payable; and that for defraying the other Moiety of the ſaid Rates or Taxes, ſo to be paid by the Perſons intitled to Right of Common upon the ſaid Meadow or Common at other certain Times of the Year, the Commiſſioners for the Lower Diſtrict for embanking, or any five or more of them, ſhall and may incloſe ſuch Part of the Common called *Somerſham Common* otherwiſe *Somerſham Banks*, between *Somerſham* Turnpike and *Copen's Corner*, as ſhall be ſufficient for defraying the Moiety of the ſaid Rates or Taxes, and ſhall and may let the ſame, in the ſame Manner, and under the ſame Powers, as any other Commons may be incloſed or leaſed by virtue of this Act.

How the Taxes laid on Chatteris Common may be recovered.

XXXVII. And be it further enacted, That the Commiſſioners of the ſaid Lower Diſtrict for embanking, and of the ſaid fifth Diſtrict for draining, or any five or more of them reſpectively, ſhall and may, and they are hereby authoriſed and required to ſettle and aſcertain what Quantity of Land in the Common, called *Chatteris Common*, charged with any Rate or Tax by virtue of this Act, may be ſuppoſed to belong to each and every Owner of Meſſuages, Tofts, Toftſteads, or Cottages, having Right of Common upon the ſaid Common, and ſhall charge the Owner or Owners of ſuch Meſſuages, Tofts, Toftſteads, or Cottages, with an equal Part of the Rates or Taxes by this Act charged on the ſaid Common, in proportion to the Number of Meſſuages, Tofts, Toftſteads, or Cottages, belonging to ſuch Owner or Owners; and in caſe ſuch Owner or Owners ſhall refuſe or neglect to pay his or their Proportion of the ſaid Rates or Taxes, ſo charged upon him or them on account of his or their Right of Common on the ſaid Common ſo charged with any Rate or Tax by this Act, then, and in that Caſe, the ſaid reſpective Commiſſioners, or any five or more of them, ſhall and may levy the ſaid Rates or Taxes, ſo charged on ſuch Owner or Owners, by Diſtreſs and Sale of the Goods and Chattels of the Owner or Owners, Occupier or Occupiers, of ſuch Meſſuages, Tofts, Toftſteads, or Cottages, in ſuch and the ſame Manner as the ſaid Commiſſioners are impowered to levy any Rates or Taxes by this Act charged on Lands and Grounds being Several Property.

Collectors may diſtrain for Payment of Taxes.

XXXVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons rated, taxed, or aſſeſſed, as aforeſaid, with the Payment of any Rates, Taxes, or Aſſeſſments aforeſaid, ſhall at any Time refuſe or neglect to pay the Rate, Tax, or Aſſeſſment, charged upon him, her, or them reſpectively, for or on account of their ſeveral Lands and Grounds lying or being in any of the ſaid Diſtricts or Diviſions herein before mentioned, or by virtue of this Act ſubject to the Payments of ſuch Rates, Taxes, or Aſſeſſments, upon ſuch Days, and at ſuch Times, as herein before appointed, or at ſuch other Days and Times as ſhall be appointed by the ſaid Commiſſioners, or any five or more of them, within their reſpective Diſtricts or Diviſions, for ſuch Payment, publick Notice of ſuch Days of Payment being firſt affixed twenty-one Days before ſuch Days of Payment upon the ſeveral Church or Chapel Doors of the ſeveral Pariſhes wherein ſuch Diſtricts ſhall reſpectively lie or be; which Notice ſo to be given and affixed upon ſuch Church or Chapel Doors as aforeſaid ſhall be deemed and taken as publick Notice as if Demand had been actually made by the ſaid Receiver or Collector of the Perſon or Perſons by whom ſuch Rate or Tax is to be paid as aforeſaid; it ſhall and may be lawful for the Collector or Receiver of ſuch Rate or Tax to be appointed by the ſaid Commiſſioners, or any other Perſon or Perſons by virtue of any Warrant or Precept under the Hands and Seals of three or more of the Commiſſioners by this Act reſpectively appointed for ſuch Diſtrict or Diviſion where ſuch Neglect or Refuſal ſhall happen as aforeſaid, which Warrant or Precept ſuch Commiſſioners, or any three or more of them reſpectively, are hereby required and impowered from Time to Time to make, as Occaſion ſhall require, to enter into and upon the ſaid Fen Lands, Low Grounds, and Several Lands, within the ſaid ſeveral Diſtricts or Diviſions ſo reſpectively rated, taxed, and aſſeſſed, as aforeſaid, in Poſſeſſion of ſuch Perſon or Perſons as ſhall ſo make Default in Payment as aforeſaid, and all Meſſuages, Tenements, or Buildings, thereupon ſtanding, or belonging thereunto, with their and every of their Appurtenances, and to levy the ſeveral Sum or Sums of Money by him, her, or them, payable for ſuch Rates or Taxes, and the Arrears thereof, by Diſtreſs and Sale of the Goods and Chattels which ſhall be found on the Premiſes ſo charged with any ſuch Rate or Tax, or the Arrears thereof, as aforeſaid: And in caſe no ſufficient Diſtreſs can be found on the Premiſes in the Upper and Lower Diſtricts for embanking, or in the ſecond, fourth, and fifth Diſtricts for draining, it ſhall and may be lawful for the ſaid Collector or Collectors, Receiver and Receivers, or other Perſon or Perſons, by virtue of ſuch Warrant or Precept as aforeſaid, to levy the ſaid Taxes, and all Arrears for the ſame, by Diſtreſs of the Goods and Chattels of the Perſon or Perſons ſo making Default in Payment as aforeſaid, which ſhall be found in any other Place within the Kingdom of *Great Britain*, and the Goods and Chattels ſo diſtrained to impound on the Premiſes, or to take, lead, drive, carry away, impound, and keep, in any other Place, for the Space of five Days, at the Coſts and Charges of the Owner or Owners thereof, leaving at ſuch Meſſuages, Tenements, Grounds, and Premiſes, Notice in Writing of the Cauſe of ſuch Diſtreſs, and the Place where ſuch Goods and Chattels ſhall be ſo impounded: And if the Owner or Owners of the Goods and Chattels ſo diſtrained ſhall not pay the Sum or Sums of Money rated, taxed, or aſſeſſed, and the Arrears thereof, as aforeſaid, together with all Coſts and Charges attending ſuch Diſtreſs,

If ſufficient Diſtreſs cannot be found on the Lands, the Property of Perſons making Default may be diſtrained in any other Place;

and if the Money rated be not paid within five Days, the Goods may be ſold,

Diſtreſs, or ſhall not replevy the ſaid Goods and Chattels ſo diſtrained, with ſufficient Security to be given to the Sheriff of the County where ſuch Diſtreſs ſhall be taken, or Chief Bailiff of the *Iſle of Ely* (if within the ſaid Iſle), according to the Laws now in being for Diſtreſs in caſe of Non-payment of Rent, within five Days next after ſuch Diſtreſs made, and Notice thereof given as aforeſaid, the Perſon or Perſons ſo diſtraining may, with the Sheriff or Under Sheriff of the County, Chief Bailiff of the *Iſle of Ely*, Conſtable or Headborough of the Pariſh or Place where ſuch Diſtreſs ſhall be made (who is and are hereby required to aſſiſt therein), cauſe the Goods and Chattels ſo diſtrained to be appraiſed by two or more indifferent Perſons, to be ſworn by ſuch Sheriff, Under Sheriff, Chief Bailiff, Conſtable, or Headborough (who is and are hereby impowered to adminiſter ſuch Oath), to appraiſe the ſame, according to the beſt of their Judgment; and, after ſuch Appraiſement, it ſhall and may be lawful for ſuch Collector or Collectors, Receiver or Receivers, or other Perſon or Perſons ſo making ſuch Diſtreſs, to ſell the Goods and Chattels ſo diſtrained for the beſt Price that can be got for the ſame, for and towards Satisfaction for the Monies for which ſuch Diſtreſs ſhall be ſo taken, and the Charges of taking, keeping, appraiſing, and ſelling, the Goods and Chattels ſo diſtrained, leaving the Overplus (if any be) in the Hands of ſuch Sheriff, Under Sheriff, Chief Bailiff, Conſtable, or Headborough, for the Uſe of the Owner or Owners thereof: And

Tenants to pay Taxes, and deduct the ſame out of their Rent.

the Tenant and Tenants of all and ſingular the ſaid Fen Lands and Low Grounds, which ſhall be rated and aſſeſſed by virtue of this Act, is and are hereby required and authoriſed to pay ſuch Taxes or Aſſeſſments, and deduct the ſame out of his, her, or their Rent; and every Tenant paying ſuch Tax or Aſſeſſment ſhall be acquitted and diſcharged for ſo much Money as ſuch Aſſeſſment ſhall amount to, as if the ſame had been actually paid to the Perſon or Perſons intitled to the Rent of ſuch Fen Lands and Low Grounds (except where there is a Leaſe for three or more Years to come from the Commencement of this Act); in which Caſe, the Proportion of the Tax or Aſſeſſment which the Tenant ought to bear and pay, in conſideration of the Benefit he or ſhe receives by ſuch Leaſe, ſhall be adjudged and awarded by the ſaid Commiſſioners, or any three or more of them, in the ſaid firſt Diſtrict, or by the ſaid Commiſſioners, or any five or more of them, of the ſaid four other Diſtricts, at a Meeting to be held for ſuch reſpective Diſtricts by virtue of this Act.

Perſons refuſing to pay the Rates for one Month after due, to forfeit Two-pence in the Shilling for what is in Arrear.

XXXIX. And be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall refuſe or neglect to pay, or cauſe to be paid, to the Collector or Collectors for the Time being, to be appointed in purſuance of this Act, the Sum or Sums of Money which he, ſhe, or they, ſhall be reſpectively charged with, for the Space of one Calendar Month after a perſonal Demand made, or Notice in Writing left at the uſual Place of Abode of ſuch Perſon or Perſons by ſuch Collector or Collectors, every ſuch Perſon ſhall forfeit and pay the Sum of Two-pence for every Shilling which ſhall be ſo in Arrear and unpaid; to be levied by Diſtreſs and Sale of his, her, and their Goods and Chattels, in ſuch Manner as the aforeſaid Rates and Taxes are herein directed to be levied; and the Monies ſo forfeited and levied ſhall be applied towards the Works of ſuch Diſtrict where the ſame ſhall be forfeited.

Commiſſioners impowered to collect Arrears of Taxes under former Acts of Parliament.

XL. And be it further enacted by the Authority aforeſaid, That in caſe there ſhall, at the Time when any of the Lands and Grounds compriſed in the ſaid recited Acts ſhall by virtue of this Act become veſted in the Commiſſioners under this Act, be any Arrears of Rates or Taxes due from any Perſon or Perſons whatſoever, upon any of the Lands or Grounds lying or compriſed in any of the aforeſaid five Diſtricts or Diviſions, on account of any Rate, Tax, or Aſſeſſment, at any Time heretofore made or laid upon any of the ſaid Lands or Grounds under or by virtue of any former Act of Parliament, ſuch Perſon or Perſons ſhall, and they are hereby required to pay the ſame to ſuch Perſon or Perſons, at ſuch Time or Times, Place or Places, and in ſuch Manner and Proportion, as the Commiſſioners acting by virtue of and under any of the ſaid recited Acts for ſuch reſpective Diſtrict in which ſuch Arrears ſhall be due, or the major Part of them, aſſembled at a Meeting for that Purpoſe, ſhall ſeverally order, direct, and appoint; and the ſaid Commiſſioners acting by virtue of and under the ſaid recited Acts are hereby reſpectively required to collect the ſaid Arrears accordingly; and in caſe of Non-payment, or any Default of Payment of the ſame, at ſuch Times, at ſuch Places, and to ſuch Perſon or Perſons, as aforeſaid, publick Notice of ſuch Day or Days of Payment, twenty-one Days before ſuch Day or Days of Payment being firſt affixed upon the ſeveral Church and Chapel Doors of the reſpective Pariſhes wherein ſuch Land and Grounds, ſo in Arrears as aforeſaid, ſhall reſpectively lie, and which Notice ſhall be deemed and taken to be as publick a Notice as if Demand thereof had been actually made by the ſaid Receiver or Collector of the Perſon or Perſons from whom ſuch Arrears ſhall be ſo due and owing as aforeſaid, it ſhall and may be lawful for the reſpective Collector or Collectors, Receiver or Receivers, or for any other Perſon or Perſons, by virtue of any Warrant or Precept, under the Hands and Seals of three or more of the ſaid Commiſſioners for ſuch reſpective Diſtricts wherein or whereon ſuch Arrears ſhall be due as aforeſaid (which Warrant or Precept ſuch reſpective Commiſſioners, or any three or more of them reſpectively, are hereby impowered and required to make and ſign), to enter into and upon the ſaid Fen Lands and Low Grounds, ſo rated, taxed, and aſſeſſed, as aforeſaid, in Poſſeſſion of ſuch Perſon or Perſons as ſhall ſo make Default in Payment, as aforeſaid, and all Meſſuages, Tenements, or Buildings thereupon ſtanding, or belonging thereto, with their and every of their Appurtenances, and to levy the Sum or Sums of Money, by or from him or them due or payable for ſuch Arrears of the ſaid Rates or Taxes, by Diſtreſs and Sale of the Goods and Chattels then and there found, in ſuch and the ſame Manner, and with the like Penalties for Non-payment thereof, as the Commiſſioners for the ſeveral Diſtricts or Diviſions under this preſent Act are herein before authoriſed and impowered to diſtrain for and recover the ſeveral Rates, Taxes, and Aſſeſſments, within their ſeveral and reſpective Diſtricts and Diviſions

Commiſſioners may take Earth to ſupport the Banks, &c.

XLI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the reſpective Commiſſioners appointed by this Act for the ſaid Upper and Lower Diſtricts reſpectively, or the major Part of them who ſhall be preſent at their reſpective Meetings, from Time to Time to cut and take, or cauſe to be cut and taken, Earth from the adjoining Lands within their reſpective Diſtricts, and to

to heighten, ſtrengthen, widen, make, maintain, and ſupport, or cauſe to be heightened, widened, ſtrengthened, made, maintained, and ſupported, all and ſingular the ſaid outward Banks compriſed in the ſaid Upper and Lower Diſtricts reſpectively, of ſuch Width, Strength, and Dimenſions, as they, or the major Part of them, ſhall think proper, for the preventing the Waters thereof from running over the ſame, or making any Breach therein, or to repair and make up any Breach that may happen by reaſon or means of ſuch Waters; and that it ſhall and may be lawful to and for the reſpective Commiſſioners of each of the ſaid five Diſtricts or Diviſions for Drainage, or the major Part of them for the Time being who ſhall be preſent at their reſpective Meetings, from Time to Time to cleanſe, widen, make, cut, build, erect, purchaſe, and ſupport, alter, or remove, all ſuch Banks, Bridges, Headings, Cuts, Drains, Dams, Outlets, Mills, Engines, and other Matters and Things already made, built, or erected, or hereafter to be made, built, or erected, by virtue of this Act, within their ſeveral and reſpective Diſtricts or Diviſions, for draining their reſpective Lands and Grounds, and the more eaſy conveying the Waters thereof to Sea, as the ſaid Commiſſioners reſpectively, or the major Part of them preſent at their reſpective Meetings for the Time being, ſhall think neceſſary or proper; paying ſuch reaſonable Satisfaction to the Perſon or Perſons who have a Right to the Soil through or upon which any ſuch Cut, Drain, Dam, Bank, Bridge, Heading, Tunnel, or Outlet, ſhall be made, or whereupon any ſuch Engines or Mills ſhall be erected or removed, for the Damages he, ſhe, or they, ſhall thereby ſuſtain, as ſhall be agreed upon between the ſaid Commiſſioners reſpectively, or the major Part of them preſent at their reſpective Meetings for the Time being, and the Perſon or Perſons having ſuch Right as aforeſaid; and if the ſaid reſpective Commiſſioners, or the major Part of them preſent at their reſpective Meetings for the Time being, and ſuch Perſon or Perſons having ſuch Right as aforeſaid, cannot agree concerning the Amount of ſuch Damages, then the ſame ſhall be adjudged and aſſeſſed by the Juſtices of the Peace, at the Quarter Seſſions to be holden for the County of *Huntingdon*, if ſuch Diſpute ſhall happen within the ſaid County, or for the *Iſle of Ely*, if ſuch Diſpute or Difference ſhall happen within the ſaid Iſle, not intereſted in the Premiſes, who are hereby authoriſed and impowered, and required, to examine into, hear, and determine the ſame; and the Determination which ſhall be ſo made by the ſaid Juſtices, in their ſaid Quarter Seſſions as aforeſaid, ſhall be final and concluſive to all Parties, and ſhall not be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*.

and may cleanſe, widen, and make Cuts, Drains, &c.

making Satisfaction to the Owners of the Soil.

Diſputes to be ſettled by the Juſtices,

whoſe Determination ſhall be final.

XLII. Provided always, and be it enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners of the Upper and Lower Diſtricts of embanking reſpectively, and they are hereby authoriſed and impowered, at any Time or Times as they ſhall ſee Occaſion, in caſe of any Breach of Bank, or of any Deficiency in Deſcription in any of the ſaid intended Banks, to alter and remove any of the ſaid intended Banks, and to make and maintain new Banks, in ſuch Parts and Places, and as contiguous or near thereto as they can within the ſaid reſpective Diſtricts, as to them ſhall ſeem moſt convenient.

In caſe of any Breach, &c. Banks may be altered.

XLIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commiſſioners of the Lower Diſtrict for embanking, together with ſuch Perſons who act as Commiſſioners of the Upper Diſtrict for embanking, in Right, or as Owners or Occupiers, or Agents for any Owners, of any Part of the ſaid Farm called *The Three Hundred Acre Farm*, and they are hereby authoriſed and required, to cut and make, or cauſe to be cut and made, and, from Time to Time, and at all Times hereafter, to maintain, ſupport, and keep in good and ſufficient Repair and Condition, a Drain, not leſs than forty Feet wide and five Feet deep, through the Acre Fen to the Hard Lands at *Chatteris Slate End*, and through the ſaid Lands (except at the two Bridges) to *The Forty Foot River*; and the ſaid Commiſſioners ſhall, and they are hereby required to erect and place, or cauſe to be erected and placed, two or more ſuch Mills as ſhall be ſufficient for throwing out and diſcharging the Waters from ſuch Drains into the ſaid *Forty Foot River*, and alſo to make, or cauſe to be made, a good and ſufficient Bank on each Side of the ſaid Drain called *The Twenty Feet Drain*, from the End of the ſaid Farm called *The Three Hundred Acre Farm* to *The Forty Foot River*, and from Time to Time, and at all Times hereafter, to ſupport and maintain ſuch Banks and Mills, and cauſe the ſaid Mills to be worked, and the ſaid Banks to be ſupported and repaired, in ſuch Manner, and as often as ſhall be neceſſary for diſcharging the Waters out of the ſaid Drain, and preventing the overflowing of the adjacent Lands, and draining and preſerving the ſame.

Commiſſioners of the Lower Diſtrict for embanking, together with Commiſſioners for The Three Hundred Acre Farm, to cut Drains, erect Mills, &c.

XLIV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners for the ſaid Lower Diſtrict for embanking ſhall, and they are hereby authoriſed and required to cut and make, or cauſe to be cut and made, and from Time to Time, and at all Times hereafter, to maintain, ſupport, and keep in good and ſufficient Repair and Condition, a Drain, not more than forty Feet wide, nor leſs than five Feet deep, from the End of the Drain called *The Twelve Feet Drain* to the Corner of *The Three hundred Acre Farm*, and along the ſaid Farm to the Drain in the Acre Fen called *The Twenty Feet Drain*.

Commiſſioners of Lower Diſtrict to make particular Drains.

XLV. And be it further enacted by the Authority aforeſaid, That the Commiſſioners, when they begin to cut the new Drains by this Act directed, ſhall and do begin at the End of the ſaid Drain next to *The Forty Foot River*, and proceed from thence progreſſively.

New Drains to be begun next to the Forty Foot River.

XLVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commiſſioners of the ſaid Lower Diſtrict for embanking, together with ſuch Perſons who act as Commiſſioners for the ſaid Upper Diſtrict, in Right of or as Owners or Occupiers, or Agents for any Owners, of any Part of the ſaid Farm called *The Three Hundred Acre Farm*, and they are hereby authoriſed and impowered to erect and make, or cauſe to be erected and made, a ſtaunch Door or ſtaunch Doors in the aforeſaid Drain called *Slade Load*, at the Hard Lands in *Chatteris*, in order to prevent the Water from reverting upwards, in caſe of any Breach in the ſaid outward Bank called *The Forty Foot Bank*, or the Water running over the ſame in any Place between *Carter's Bridge* and *Horſeway*, or the great Mills being diſabled from going which ſhall be erected next the ſaid River called *The Forty Foot River* or *Drain*, and they, or any two of them, are hereby authoriſed and impowered, in caſe of ſuch Breach or running over as aforeſaid, or ſuch Mills being diſabled from going as aforeſaid, to ſhut the ſaid Door or Doors, or order the

Commiſſioners of Upper and Lower Diſtricts to make ſtaunch Doors in Slade Load Drain, at the Hard Lands in Chatteris.

same to be shut, and so to continue until the said great Mills are repaired and set off again, the Breach or Breaches taken, and the said Banks stopped from running over.

Penalty on Persons opening the said Doors when shut, without an Order signed by Commissioners.

XLVII. Provided always, and be it enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall, at any Time when such Door or Doors shall have been so shut as aforesaid, open the same, or cause the same to be opened, without an Order for that Purpose, signed by any two or more of the said Commissioners, or at any Time before such Mills shall be repaired and set off again, such Breach or Breaches taken, or such Banks shall be stopped from running over, such Person or Persons, being thereof convicted by the Oath of one or more credible Witness or Witnesses, or by Confession, before any one or more Justice or Justices of the Peace for the said *Isle of Ely*, or County of *Huntingdon*, not interested therein, which Oath such Justice or Justices are hereby impowered and required to administer, and also to hear and determine the said Offence, shall forfeit and pay, for every such Offence, any Sum not exceeding fifty Pounds, nor less than three Pounds; to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of the said Justice or Justices before whom such Conviction shall be made, and to be applied and disposed of in carrying on the Works to be done by the said Commissioners jointly; and for Want of such sufficient Distress, such Offender or Offenders shall, by such Justice or Justices, be committed to the common Gaol for the said *Isle of Ely*, or County of *Huntingdon*, for such Time or Times as such Justice or Justices shall order and direct, not exceeding two Years nor less than three Months, or until such Penalty and Forfeitures shall be paid.

'XLVIII. And, for the more easy and effectual carrying on the Works directed to be done by the said 'Commissioners of the Lower District for embanking jointly and together with such Persons who act as 'Commissioners for the said Upper District, in Right, or as Owners or Occupiers, or Agents for any 'Owners, of any Part of the said Farm called *The Three Hundred Acre Farm*,' it is hereby further enacted

Commissioners impowered to lay Taxes on the Lower District for carrying on the said Works, over and above all other Taxes,

not exceeding 10s. the first Year, nor 2 s. in any other Year, per Acre.

by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, at such first Meeting after the passing of this Act, or any yearly or other General Meeting for the said Lower District, as aforesaid, then and there to rate, tax, and assess, all and every the Lands lying within the said Lower District, or subject or liable to be rated or taxed thereto by virtue of this Act, or of the said Farm called *The Three Hundred Acre Farm*, or any Part thereof, with an equal and proportionable Acre-rate, Tax, or Sum of Money, at the Discretion of the said Commissioners, or the major Part of them who shall be present at such first Meeting, or any such General yearly or other Meeting, as aforesaid (over and above all the Taxes, Rates, or Assessments, herein before directed to be rated, raised, or levied, in or upon the said Lands and Grounds, or the several Owners or Occupiers in respect thereof), so that such Rate, Tax, or Sum of Money, do not exceed in the first Year the Sum of ten Shillings, nor in any one Year afterwards the Sum of two Shillings, for every Acre of Land or Ground, and so in proportion for every greater or lesser Quantity; and which said Taxes, Rates, and Assessments, shall be raised and levied in the same Manner as the several other Taxes, Rates, and Assessments, are herein before directed to be raised and levied upon or within the aforesaid several Districts for embanking and draining; and the Commissioners hereby appointed for raising and levying such Rates, Taxes, and Assessments, shall have the same Powers and Authorities for recovering the same, as are herein before given to or vested in the Commissioners of any of the said several Districts by virtue of this Act, for recovering any Rates, Taxes, or Assessments, to be raised or levied within the same respectively; and the Person or Persons neglecting or refusing to pay the same shall be subject and liable to the like Penalties and Forfeitures as any such Person or Persons are or may be subject or liable to for or in respect of the Non-payment, or any Default of Payment, of any other Rates or Taxes herein before directed to be raised and levied; and such Taxes, Rates, and Assessments, so to be raised and levied in or upon the said Lower District, and the said Farm called *The Three Hundred Acre Farm*, as aforesaid, shall be applied and disposed of by the said Commissioners, for and towards such particular Works as are herein mentioned or directed concerning the same, jointly, and to or for no other Use, Intent, or Purpose whatsoever.

The Stile on Northey Bank to be kept in Repair by the Commissioners of the Upper District for embanking.

XLIX. And be it further enacted by the Authority aforesaid, That the Stile now erected and standing upon the Bank in the said Upper District or Division for embanking, called *Northey Bank*, next to, or adjoining to, a certain Place in the Parish of *Ramsey*, called *Limekiln Hill*, shall, at all Times hereafter, be repaired, and kept in good and sufficient Repair, by and out of the Taxes arising or to be raised by the Commissioners of the said Upper District or Division by virtue of this Act for the embanking and keeping in Repair the several outward Banks of the said District or Division.

Commissioners for first District to make Drains, and erect a Mill.

'L. And, for the more effectual draining and preserving the several Lands and Grounds lying within 'the Limits of the said first District,' be it further enacted by the Authority aforesaid, That the Commissioners for the said first District shall, and they are hereby authorised and required to scour out and cleanse, or cause to be scoured out and cleansed, sixteen Feet wide at the Top, and ten Feet wide at the Bottom, and not less than five Feet deep from the Surface of the adjacent Lands, the Ditch from *the West Water* or *Warboys Common Drain*, formerly called *The Fourteen Feet*, along between the Land of Mistress *Kerrich* and *Warboys High Fen* to the Lands of Sir *Robert Bernard*, and between the said Farm and the said High Fen to the Lands of *William Fellowes* Esquire, and along the said Lands to the Lands of *Richard Scrimshire* and late *Joseph Sherwood*, Esquires, and between the Lands in the said first District and *Warboys High Fen* to the Corner of *Broad Pool*, and thence along the South Side of the same Lands next *Broad Pool* and the *Turf Fen* to *Puddock Drove*, and thence up to the Bank of *Ramsey* first District; and that the Earth which shall be thrown out of the said Drain shall be laid upon the Bank of the four Five hundred Acre Farms, in order to make a sufficient Bank to join the Bank of the *Ramsey* first District, and to prevent the adjacent Lands in the first District under this Act from being overflowed, and in order to make a sufficient Drain for *Warboys Common*; and that the said Commissioners shall, and they are hereby required to cut and make, or cause to be cut and made, and at all Times hereafter to support, maintain, and keep, a Drain not less than twenty Feet wide at the Top, from *the Forty Foot River*, between *Puddock Drove* and the Lands of *John*

John Flemming Eſquire, up to the Lands of Miſtreſs *Kerrich*, and alſo a Drain from thence along the ſaid Drain between the ſaid Drove and Miſtreſs *Kerrich*'s Land to the Lands of Sir *Robert Bernard*, from thence along the ſaid Drain between the ſaid Drove and the Lands of Sir *Robert Bernard* to the Lands of *William Fellowes* Eſquire, and from thence along the ſaid Drain between the ſaid Drove and the Lands of *William Fellowes* Eſquire to the Lands of *Richard Scrimſhire* and late *Joſeph Sherwood*, Eſquires, and from thence along the ſaid Drain between the ſaid Drove and the Lands of *Richard Scrimſhire* and late *Joſeph Sherwood*, Eſquires, up to the Bank that joins the *Ramſey* firſt Diſtrict, and which ſaid Drain ſhall be of ſuch Width and Depth as the ſaid Commiſſioners ſhall think proper; and ſhall and may erect and place, or cauſe to be erected and placed, at the lower End of the ſaid Drain next to *the Forty Foot River*, upon the Lands of *John Flemming* Eſquire, ſuch a Mill as ſhall be ſufficient for throwing out and diſcharging the Waters from ſuch Drains into the ſaid *Forty Foot River*, and from Time to Time, and at all Times hereafter, to ſupport and maintain ſuch Mill, and cauſe the ſame to be worked in ſuch Manner, and as often as ſhall be neceſſary for diſcharging the Waters out of the ſaid Drains, and preventing the overflowing of the adjacent Lands, and draining and preſerving the ſame.

Proprietors of Lands adjoining may erect Doors next the ſaid Drain for letting the Waters into the ſame.

LI. Provided always, and be it enacted by the Authority aforeſaid, That the ſaid Sir *Robert Bernard*, *William Fellowes*, *Richard Scrimſhire*, the Owners of the Land late *Joſeph Sherwood* and Miſtreſs *Kerrich*, and their reſpective Heirs and Aſſigns, may and ſhall, from Time to Time, and at all Times hereafter, at their reſpective proper Coſts and Charges, erect, place, ſupport, and maintain, or cauſe to be erected, placed, ſupported, and maintained, a Door or Doors by the Side of the ſaid Drain herein before directed to be made in the ſaid firſt Diſtrict, in order to let the Water out of their reſpective Lands, and convey the ſame through the ſaid Drain up to the ſaid Mill, and may and ſhall, as they ſhall judge neceſſary, erect and make Staunches upon their reſpective Lands, to keep Water upon their ſaid Lands in the Time of Low Water, for the Uſe of the Cattle upon the ſaid Lands.

No Water to be conveyed into the ſaid Drain between the ſaid Farm and Puddock Drove, nor into the Diviſion Ditch between the ſaid Farm and the Lands of Mrs. Kerrich.

LII. Provided always, and be it enacted by the Authority aforeſaid, That neither the ſaid *John Flemming*, nor any of the Owners or Occupiers for the Time being of the ſaid Farm, ſhall have any Power or Authority by virtue of this Act, or otherwiſe howſoever, to convey the Water, directly or indirectly, out of or from the ſaid Farm or Lands, by any Means whatſoever, into any Part of the ſaid Mill Drain belonging to the ſaid firſt Diſtrict, between the ſaid Farm and *Puddock Drove*, nor into the Diviſion Ditch which parts the ſaid Farm and Lands and the Farm and Lands belonging to Miſtreſs *Kerrich*, any Thing herein contained to the contrary notwithſtanding.

Mr. Flemming to ſupport his Banks.

LIII. And be it further enacted by the Authority aforeſaid, That the ſaid *John Flemming*, and all and every future Owner or Owners for the Time being of the ſaid Farm or Lands, ſhall, and he and they is and are hereby directed and required, immediately after the paſſing of this Act, to make, or cauſe to be made, and at all Times hereafter to ſupport, maintain, and keep, a good and ſufficient Bank upon the ſaid Farm or Lands of the ſaid *John Flemming*, all the Way next the Farm or Lands of Miſtreſs *Kerrich*, ſo far as the ſaid Farms lie contiguous to each other, in order to prevent the Waters in the ſaid Farms from communicating with each other, and alſo a Bank along the ſaid Farm next to *Puddock Drove*, to *the Forty Foot River*; and in caſe the ſaid *John Flemming*, or any future Owner or Owners for the Time being of the ſaid Farm or Lands, or any other Perſon or Perſons whatſoever, ſhall, at any Time hereafter, upon any Occaſion whatſoever, cut, or cauſe to be cut, the ſaid Banks, or any of them, or any Part thereof, and ſhall thereof be convicted by the Oath of one or more credible Witneſs or Witneſſes, or by Confeſſion, before one or more Juſtice or Juſtices of the Peace for the County or Place where ſuch Offence ſhall be committed, not intereſted therein, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding fifty Pounds, nor leſs than twenty Pounds; to be recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, in ſuch and the ſame Manner as other Penalties herein-before or herein-after directed to be inflicted by virtue of this Act are directed to be recovered; and for want of ſufficient Diſtreſs, ſuch Offender or Offenders to be committed to the common Gaol for the ſaid County or Place, for ſuch Time or Times as ſuch Juſtice or Juſtices ſhall order or direct, not exceeding two Years, nor leſs than ſix Months, or until ſuch Penalties or Forfeitures ſhall be paid.

Penalty of 50l. on cutting any of the Banks.

Commiſſioners of firſt Diſtrict to ſtop up the Dike Ends between Mr. Flemming and Mrs. Kerrich's Lands, and to erect Stiles as Fences.

LIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the ſaid firſt Diſtrict, and they are hereby authoriſed and required, immediately after the paſſing of this Act, to ſtop and dam up, or cauſe to be dammed and ſtopped up, both Ends of the Ditch which divides the Lands of *John Flemming* and Miſtreſs *Kerrich*, and to erect and make, or cauſe to be erected and made, and at all Times hereafter to ſupport, maintain, and keep in ſufficient Repair, Stiles upon the ſaid Dams or Headings, in order that the ſame may be ſufficient Fences between the ſaid Farms.

Commiſſioners impowered to erect Mills and make Drains in the ſecond Diſtrict.

LV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commiſſioners of the ſaid ſecond Diſtrict, and they are hereby authoriſed and impowered to erect and make, alter or remove, or cauſe to be erected, made, altered, or removed, and at all Times hereafter to ſupport, maintain, and keep a Mill or Mills on any Part of the ſaid ſecond Diſtrict, at or near *the Forty Foot River*, as they ſhall agree upon and judge proper, for ſufficiently draining and preſerving the ſaid ſecond Diſtrict; and alſo to make ſuch Drain or Drains, Banks, Dams, Stiles, Tunnels, and Headings, in or upon the Lands or Grounds within the ſaid ſecond Diſtrict, as they ſhall think proper or neceſſary for effectually draining and preſerving the ſame.

A Drain to be made, and Mill erected, for draining Warboys Common.

LVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commiſſioners of the ſaid third Diſtrict for draining, and they are hereby authoriſed and impowered to cut and make, or cauſe to be cut and made, and to ſupport, maintain, and keep a Drain fourteen Feet wide at the Top, and five Feet deep from the Surface of the adjacent Lands, from a certain Place in *Warboys Common Stray Paſture*, to receive the Water from *Goldpit Runnell*, acroſs *Puddock Drove*, and up the Eaſt Side of the ſaid Drove to the Lands of *Richard Scrimſhire* and late *Joſeph Sherwood*, Eſquires, and along the

the South Side of *Warboys Turf Fen* to *Pudding Dike*, and along the ſaid Dike to the Corner of *Warboys High Fen*, and from the Bank to be made next *Fenton Load*, between *New Paſture* and the ſaid High Fen, to the Corner of *Broad Pool*, and from thence along the Ditch between the ſaid High Fen and *Broad Pool* to the Eaſt Corner of the Lands of the ſaid *Richard Scrimſhire* and late *Joſeph Sherwood*, Eſquires, into the aforeſaid Drain to be cut by the Commiſſioners of the ſaid firſt Diſtrict; and from the Corner of the Farm called *The Three Hundred Acre Farm*, next *Fenton Load*, between the ſaid Farm and *Warboys High Fen*, to the Drain called *The Fourteen Feet*, by the South-weſt Side of the *Weſt Water*, to the Lands of Miſtreſs *Kerrich*, making a Drain on the South-weſt Side of the *Weſt Water* down to *the Forty Foot River* or *Drain*, in order that the ſame may be ſufficient Drains for letting off the Water from the ſaid Fen Lands, Low Grounds, and Commons; and the ſaid Commiſſioners are hereby required, within eighteen Calendar Months after the paſſing of this Act, to erect and place, or cauſe to be erected and placed, at the End of the ſaid Drain, and upon the Lands of the aforeſaid *John Flemming* or *Matthew Wildbore*, Eſquires, or the *Weſt Water* adjoining or abutting upon the ſaid River or Drain called *Vermuyden's* or *The Forty Foot Drain*, ſuch a Mill as ſhall be ſufficient for throwing out and diſcharging the Waters from ſuch Drains into *the Forty Foot River*, and from Time to Time, and at all Times hereafter, to ſupport and maintain ſuch Mill, and cauſe the ſame to be worked, until the Water in the aforeſaid Drain between the four Five hundred Acre Farms and *Warboys High Fen* is one Foot below the level Soil of *Warboys High Fen*.

Commiſſioners of the third Diſtrict to place a ſtaunch Door or Doors in the Ditch which divides Mrs. Kerrich's Land and the Weſt Water.

LVII. Provided always, and be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the ſaid third Diſtrict, and they are hereby authoriſed and required, within one Month after the ſaid Drain ſhall have been completed, to make, ſet down, or place, or cauſe to be made, ſet down, or placed, and from Time to Time, and at all Times hereafter, to ſupport, maintain, and keep in good and ſufficient Repair, or cauſe to be ſupported, maintained, and kept in good and ſufficient Repair, a ſtaunch Door or Doors in the Ditch which divides Miſtreſs *Kerrich*'s Land and the *Weſt Water*, not exceeding the Diſtance of ſixty Feet from *Warboys High Fen*; and alſo a good and ſufficient Bank on each Side of the ſaid Door or Doors, to join Miſtreſs *Kerrich*'s Land on the one Side, and the Bank of the ſecond Diſtrict on the other Side, in order that the ſaid ſtaunch Door or Doors, when ſhut, may effectually prevent the Waters in the Drain, by virtue of this Act directed to be made in or through the ſaid Fen Lands or Low Grounds called *Warboys Common*, from communicating with the Waters in the Drain by virtue of this Act directed to be made from thence on the South-weſt Side of the Land called *The Weſt Water*, down to *the Forty Foot River* or *Drain*; and alſo to make, and from Time to Time, and at all Times hereafter, to ſupport, maintain, and keep in good and ſufficient Repair, a good and ſufficient Bank on each Side of the ſaid Drain, from the ſaid ſtaunch Door or Doors to the ſaid *Forty Foot River*, ſo as effectually to prevent the Waters in the ſaid Drain from overflowing the Banks on each Side thereof; and the ſaid Commiſſioners ſhall, and they are hereby directed and required, from Time to Time, and at all Times hereafter, to ſhut the ſaid ſtaunch Door or Doors, or cauſe the ſame to be ſhut, in ſuch Manner as effectually to prevent ſuch Communication of the Waters as aforeſaid, at all Times (except as hereafter excepted) when the Mill, to be erected by the ſaid Commiſſioners for draining the ſaid third Diſtrict, ſhall not be going.

If Commiſſioners of third Diſtrict ſuffer ſtaunch Doors to remain open more than two Hours before the Mill is going, &c. to pay double Damage.

LVIII. And be it further enacted, That in caſe the ſaid Commiſſioners of the ſaid third Diſtrict ſhall at any Time permit or ſuffer the ſaid ſtaunch Door or Doors to be opened, or to remain open, as aforeſaid, beyond the Space of two Hours before the ſaid Mill ſhall be going, or after the ſame ſhall be ſet down or ceaſe working as aforeſaid, the ſaid Commiſſioners ſhall forfeit and pay to *Matthew Wyldbore* Eſquire, *John Flemming* Eſquire, and Miſtreſs *Kerrich*, or any of them, or to the Owner or Owners for the Time being of the three Farms now belonging to the ſaid *Matthew Wyldbore*, *John Flemming*, and Miſtreſs *Kerrich*, and lying next to the *Weſt Water*, who ſhall proſecute or ſue for the ſame, double the Damage that may ariſe to the ſaid three Farms reſpectively, by reaſon of the ſaid ſtaunch Door or Doors being left open beyond the ſaid Space of two Hours; the ſame to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, together with Treble Coſts of Suit.

Any Perſon having the Care of ſtaunch Doors, and ſuffering them to continue open more than two Hours, &c. to be committed.

LIX. And be it further enacted, That in caſe the Perſon or Perſons, to whom the Care or Cuſtody of ſhutting the ſaid ſtaunch Door or Doors ſhall by the Commiſſioners for the ſaid third Diſtrict be committed, ſhall at any Time ſuffer the ſame to continue open after the Expiration of the ſaid Space of two Hours, every ſuch Perſon ſhall, for every ſuch Offence, upon due Proof thereof before any one of his Majeſty's Juſtices of the Peace for the County of *Huntingdon*, be committed to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding three Calendar Months, nor leſs than one Calendar Month, at the Diſcretion of ſuch Juſtice.

Owners may ſhut the ſtaunch Doors, &c. and keep them and the Banks in Repair, if Commiſſioners refuſe;

LX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the preſent and all and every future Owner or Owners, Occupier or Occupiers, for the Time being, of the ſaid Farms and Lands belonging to the ſaid *Matthew Wyldbore*, *John Flemming*, and Miſtreſs *Kerrich*, and they are hereby authoriſed and impowered to ſhut the ſaid ſtaunch Door or Doors at any Time after the ſaid Mill ſhall be ſet down or ceaſe working; and in caſe the ſaid Commiſſioners for the ſaid third Diſtrict ſhall at any Time hereafter refuſe or neglect to repair, and keep in good and ſufficient Repair, the ſaid ſtaunch Door or Doors, and Banks, ſo that the ſame may effectually prevent ſuch Communication of the Waters, as aforeſaid, at ſuch Time or Times as aforeſaid, it ſhall and may be lawful to and for the preſent and all and every future Owner or Owners, Occupier or Occupiers, for the Time being, of the ſaid Farms and Lands belonging to the ſaid *Matthew Wyldbore*, *John Flemming*, and Miſtreſs *Kerrich*, and they are hereby authoriſed and impowered (after three Days Notice in Writing firſt given by them, or any of them, to the ſaid Commiſſioners, or any two of them, to repair the ſame) to repair the ſaid ſtaunch Door or Doors, and Banks, or cauſe the ſame to be repaired, in ſuch Manner, and ſo as to effectually anſwer the Purpoſes aforeſaid; and the Treaſurer or Receiver of the ſaid third Diſtrict ſhall, and he is hereby required to pay the full Charges and Expences thereof to ſuch Perſon or Perſons, on his or their producing

and be paid their Expences by the Treaſurer of the third Diſtrict.

producing proper Vouchers for the Money laid out and expended therein, within twenty Days after Demand thereof made from ſuch Treaſurer or Receiver; and in caſe of Non-payment thereof by ſuch Treaſurer or Receiver within the Time above limited for ſuch Payment as aforeſaid, that then it ſhall and may be lawful to and for ſuch Owner or Owners, Occupier or Occupiers, as aforeſaid, upon Proof on Oath being firſt made by them, or any of them, before any one or more Juſtice or Juſtices of the Peace for the County of *Huntingdon*, not intereſted in the Premiſes, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice or Juſtices, to levy the ſame by Diſtreſs and Sale of the Stock, Goods and Chattels, of the Occupier or Occupiers of any of the Lands or Grounds lying within or being Part of the ſaid third Diſtrict, rendering the Overplus (if any there be) after deducting ſuch Sum or Sums of Money, and the Coſts and Charges of ſuch Diſtreſs, to ſuch Occupier or Occupiers: And it ſhall and may be lawful for ſuch Occupier or Occupiers to deduct the Sum or Sums of Money, Coſts and Charges, by him or them to be paid, out of the Taxes by him, her, or them payable for or in reſpect of any Lands or Grounds lying within or being Part of the ſaid third Diſtrict, any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

No Land of Mr. Wyldbore to be cut or taken for repairing Banks, except for the general Embankment.

LXI. Provided alſo, and be it enacted, That the ſaid Commiſſioners, or any other Perſon, ſhall have no Power or Authority whatſoever to cut or take any of the Land belonging to the ſaid *Matthew Wyldbore*, for the Purpoſe of making and repairing any of the ſaid Banks, except for the Purpoſe of the general Embankment, any Thing herein contained to the contrary notwithſtanding.

Mr. Wyldbore's and Mr. Flemming's Land, and Crollode Common, not ſubject to Drainage Tax.

LXII. Provided always, and be it enacted, That the ſaid Lands of *Matthew Wyldbore* Eſquire, and *John Flemming* Eſquire, and the Common called *Crollode Common*, ſhall not be ſubject or liable to any Rates or Taxes impoſed by virtue of this Act, for the Purpoſe of draining any of the ſaid Diſtricts, any Thing in this Act contained to the contrary notwithſtanding.

Commiſſioners of fourth Diſtrict may erect Mills next Fenton Load.

LXIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the ſaid fourth Diſtrict, and they are hereby authoriſed and impowered to erect and make, or cauſe to be erected and made, two or more Mills, and ſuch Drains as they ſhall agree upon and judge neceſſary or proper for the effectual draining the ſame; provided that ſuch Mills be of equal Size and Dimenſions, and that the ſame be erected or placed on ſome Part of the ſaid fourth Diſtrict, and not nearer than the Diſtance of forty Feet from *Fenton Load*, and ſo that the Waters intended to be conveyed from the ſaid Lands by ſuch Mill or Mills be thrown into *Fenton Load*, and conveyed from thence to *the Forty Foot River*, through the Drain herein before directed to be cut through the Hard Lands at *Chatteris Slate End*, and provided that ſuch Mill or Mills be erected and placed as aforeſaid, and at all Times hereafter ſupported, maintained, and kept, at the ſole Expence of the ſaid fourth Diſtrict; and that there be always a free Communication of the upper End of *Fenton Load* with the Water in the ſaid Drain intended to be cut through the ſaid Lands at *Chatteris Slade End*.

Commiſſioners of fifth Diſtrict to erect Inſide Mills for Drainage, &c.

LXIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commiſſioners of the ſaid fifth Diſtrict, and they are hereby authoriſed and impowered to erect and make, alter or remove, or cauſe to be erected, made, altered, or removed, and at all Times hereafter to ſupport, maintain, and keep ſuch Inſide Mill or Mills, as they ſhall agree upon and judge proper for ſufficiently draining and preſerving the ſaid Diſtrict; provided that ſuch Mill or Mills be erected and placed in or upon ſome Part of the ſaid Diſtrict called *The Fifteen Hundred Acres*, the *Acre Fen*, or *Fledgery Burrows*; and that the Water intended to be conveyed from the ſaid Lands or Commons by ſuch Mill or Mills be thrown into the Drain called *Wimblington Leam*, or *The Twenty Feet Drain*, and conveyed through the ſaid Drain into *the Forty Foot River*.

Owners of the Three Hundred Acre Farm may erect Mills at their own Expence.

LXV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for *John Leman* and *John Newnham*, Eſquires, and each and every the future Owner or Owners for the Time being of the ſaid Farms or Lands called *The Three Hundred Acre Farm*, and they are hereby authoriſed and impowered to erect and make, or cauſe to be erected and made, and at all Times hereafter to maintain, ſupport, and keep ſuch a Mill or Mills, as they ſhall agree upon and judge proper for draining the ſaid Farm, jointly and in common, or ſeparately; provided that ſuch Mill or Mills be erected and placed in or upon ſome Part of the ſaid Farm called *The Three Hundred Acre Farm*, and that the Water to be thrown by ſuch Mill or Mills be conveyed thereby into the aforeſaid Drain called *Fenton Load*; and provided that ſuch Mill or Mills be erected and placed as aforeſaid, and at all Times hereafter ſupported, maintained, and kept at the ſole Expence of the Owner or Owners for the Time being of the ſaid Farms; and that ſuch Owner or Owners for the Time being of the ſaid Farm do make, and at all Times hereafter ſupport and maintain the Bank next the ſaid Drain called *Fenton Load*, from *Warboys High Fen Common* to the Fen called *Chatteris Acre Fen*, and not otherwiſe.

No Inſide Mills permitted to go till the great Mills are ready for working,

LXVI. Provided always, and be it enacted by the Authority aforeſaid, That none of the ſaid Inſide Mills, herein before directed to be erected or built next to the ſaid Twenty Feet Drain, or *Wimblington Leam*, and *Fenton Load*, ſhall be permitted to go or to throw Water into the ſaid Drains, or either of them, until the reſpective Banks on each Side thereof are completely finiſhed, and two or more great Mills are erected and built at *The Forty Foot River* or *Drain*, and ready for going; nor ſhall any of the ſaid Inſide Mills (except the Mill to be built on that Part of *Chatteris Common* called *The Fifteen Hundred Acres* otherwiſe *Curf*, and *Slade End Night-layer*), be permitted to go or to throw Water into the ſaid reſpective Drains, at any Time when the ſaid great Mills next *the Forty Foot River* or *Drain* are diſabled from going, or during any Breach, or the Water running over *the Forty Foot Bank* between *Carter's Bridge* and *Horſeway*, or any Breach or running over of the Inſide Banks on each Side of *Fenton Load* and *the Twenty Feet Drain*, or *Wimblington Leam*; Notice in Writing of ſuch Breach or running over, or ſuch great Mills being diſabled from going, ſigned by three Commiſſioners for any of the ſaid Upper or Lower Diſtricts for embanking, being fixed on the Outſide of one Door of each Inſide Mill, and left at the Houſe of the Surveyor, or one Commiſſioner for ſuch reſpective Diſtrict, wherein or whereon ſuch Mill or Mills ſhall ſtand,

nor during any Breach, &c. of the Bank, or when the great Mills are diſabled from going.

or left at the uſual Place of Abode of the Occupier of ſuch of the ſaid Mills as ſhall be private Property: And in caſe, after any ſuch Notice as aforeſaid, or before ſuch Inſide Banks and ſuch great Mills are completely finiſhed, as aforeſaid, any of the ſaid Inſide Mills (except the aforeſaid Mill on that Part of *Chatteris Common* called *The Fifteen Hundred Acres, Curf*, or *Slade End Night-layer*) ſhall be worked or throw Water into any of the ſaid Drains, the Commiſſioners for the Diſtrict wherein or whereon ſuch Mill ſo worked as aforeſaid ſhall ſtand, or the Occupier or Occupiers of any ſuch Mill being private Property, (Information on Oath being laid within one Month from the Time of ſuch Offence being committed before two or more Juſtices of the Peace for the County or Place where ſuch Offence ſhall be committed), ſhall, for every ſuch Offence reſpectively, forfeit and pay the Penalty or Sum of five Pounds for every Hour each and every ſuch Mill or Mills ſhall run after ſuch Notice as aforeſaid, or before ſuch Inſide Banks and great Mills are completely finiſhed, as aforeſaid; and the ſame ſhall be applied towards repairing, and keeping in Repair, ſuch great Mill or Mills, or the taking and ſtopping ſuch or any future Breach or Breaches, or running over of the ſaid Banks, as aforeſaid; and in caſe of Non-payment, ſuch Penalty and Forfeiture ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of the Juſtices of the Peace before whom ſuch Convictions ſhall be made; and ſuch Officer or Commiſſioner or Commiſſioners, upon whom or upon whoſe Goods and Chattels ſuch Diſtreſs or Diſtreſſes ſhall be made as aforeſaid, ſhall deduct ſuch Penalty or Penalties, and all Coſts and Charges which he or they ſhall be put unto or ſuſtain, out of the Rates and Taxes ariſing or levied within the Diſtrict wherein or whereon ſuch Mill ſhall ſtand or be; and the Perſon or Perſons ſo working ſuch Mill or Mills ſhall likewiſe forfeit and pay, for every ſuch Offence, the Sum of five Pounds, to be levied by Diſtreſs and Sale of his or their reſpective Goods and Chattels; but in caſe the Amount of the Penalty incurred for the Offences aforeſaid ſhall exceed the Sum of one hundred Pounds, then the ſame ſhall be recovered by Action, Bill, Plaint, or Information, in ſome one of his Majeſty's Courts of Record at *Weſtminſter*, and for want of ſufficient Diſtreſs ſuch Offender or Offenders ſhall, by ſuch Juſtice or Juſtices, be committed to the Houſe of Correction for ſuch County or Place, there to be kept to hard Labour for any Time not leſs than three Calendar Months, nor more than two Years.

5 l. Penalty for offending.

LXVII. Provided always, and be it enacted, That until the Banks on each Side of *the Twenty Feet Drain* or *Wimblington Leam* and *Fenton Load* are completely finiſhed, and the two great Mills are erected and built at *the Forty Foot River*, it ſhall and may be lawful for the Commiſſioners acting under or by virtue of the ſaid two Acts, made and paſſed in the Twenty-ſecond and Twenty-third Years of his Majeſty King *George* the Second, and they are hereby authoriſed and required, by and with the Conſent of the Owners or Occupiers for the Time being of the Farm belonging to the Heirs of Sir *Thomas Drury* Baronet, to drain the ſaid Farm called *The Three Hundred Acre Farm*, the Owners or Occupiers of the ſaid *Three Hundred Acre Farm* paying to the ſaid Commiſſioners the Sum of one Shilling *per* Acre in every Year for draining the ſaid Farm.

Commiſſioners of Sutton and Mepal Acts to drain the Three Hundred Acre Farm till certain Works are completed.

LXVIII. Provided nevertheleſs, That in caſe the ſaid Commiſſioners ſhall neglect or refuſe to drain the ſaid Farm, upon Application made to them by the Owners and Proprietors of the ſaid Farm; then, and in that Caſe, the Owners and Proprietors of the ſaid Farm, are hereby authoriſed and impowered to drain the ſaid Farm in the ſame Manner as they could or might have done in caſe this preſent Act had never been made, any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Owners to drain, if Commiſſioners refuſe.

LXIX. Provided always, and be it enacted by the Authority aforeſaid, That in caſe at any Time only one of the ſaid great Mills, to be erected next to *the Forty Foot River* or *Drain*, ſhall by any Means be diſabled from going, that then half the Number of Mills erected, or to be erected, by virtue of this Act, in or upon the ſaid fourth Diſtrict, ſhall be ſet down, and not permitted to work or throw any Water until ſuch Mill is repaired again and fit for going; or in caſe there ſhall not be an equal Number of Mills erected in the ſaid fourth Diſtrict, that then the greater Number of ſuch Mills ſhall in ſuch Caſe as aforeſaid be ſet down, and not be permitted to work again until ſuch Mill is repaired again, and fit for going as aforeſaid.

If one great Mill be diſabled, half of the others to ceaſe going, &c.

LXX. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſeveral Owners and Proprietors of Lands or Grounds lying next or adjacent to the ſaid Drains called *Fenton Gull* and *Fenton Load*, *Wimblington Leam* otherwiſe *the Twenty Feet Drain*, except *Warboys High Fen*, and they are hereby authoriſed and impowered, at their reſpective proper Coſts and Charges, to make ſuch Dikes, and lay, or cauſe to be made and laid, ſuch Tunnels, of ſuch Dimenſions as they ſhall think proper, for conveying the Waters from their ſaid Lands into the ſaid reſpective Drains, at ſuch Time, and whenever they ſhall reſpectively think proper; and for letting Water out of the ſaid Drains into their reſpective Lands, at any Time between the twenty-fourth Day of *June* and the tenth Day of *September*.

Proprietors of adjacent Lands may lay Tunnels into Fenton Load and the Twenty Feet Drain.

LXXI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commiſſioners of the Lower Diſtrict for embanking, together with the Owners and Proprietors of the ſeveral Lands and Commons lying or being in *Warboys High Fen*, and they are hereby authoriſed and required to make, or cauſe to be made, a Bank of five Floors to a Rood upon *Warboys Common* next to *Fenton Load*, from the Corner of *the Twelve Feet Drain* on the South-eaſt Side of the *Cow Common* along *New Paſture*, to the High Fen, and along the High Fen to the Ditch at the Corner of *the Three Hundred Acre Farm*, and acroſs the ſaid Ditch; and that the Charges and Expences of making ſuch Bank ſhall be borne and paid in the Manner and Proportions herein-after mentioned; that is to ſay, Three-fifths thereof ſhall be borne and paid by the Commiſſioners of the Lower Diſtrict for embanking, and Two-fifths thereof ſhall be borne and paid by the Owners and Proprietors of the ſeveral Lands and Commons lying or being in *Warboys High Fen*; and that the ſaid Banks ſhall, from Time to Time, and at all Times hereafter, be repaired and maintained, and kept in Repair, at the ſole Expence of the ſaid Owners and Proprietors of the ſeveral Lands and Commons in *Warboys High Fen*.

Commiſſioners of the Lower Diſtrict for embanking, &c. to make a Bank from Warboys Common to the Three Hundred Acre Farm.

LXXII. And

Proprietors of Warboys High Fen to make a Bank from a Place oppoſite the Twelve Feet Drain to Wilthorn Ware.

LXXII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Owners of the ſeveral Lands and Commons in *Warboys High Fen*, and they are hereby authoriſed and required, at their reſpective proper Coſts and Charges, to make, and from Time to Time, and at all Times hereafter, to ſupport, maintain, and keep in Repair, a ſufficient Bank from a certain Place oppoſite *the Twelve Feet Drain* to *Wilthorn Ware*, ſo as to prevent the adjacent Lands from being overflowed by the Water in the ſaid Drain; and that the Owners and Proprietors of the Farm called *Rowey* do alſo ſufficiently ſcour out, widen, deepen, maintain, and keep, the Drain called *Fenton Load*, along the Side to the End of the ſaid Farm; and that *Warboys* Commoners do likewiſe ſcour out, widen, and deepen the ſaid Drain, from thence to the Cloſes of *William Pagitt* Eſquire, of a ſufficient Width and Depth to convey the Waters through that Part of the ſaid Drain to the other Part thereof, next to the fourth Diſtrict; and in caſe of any Neglect or Refuſal ſo to do, it ſhall and may be lawful for the Commiſſioners of the firſt and fourth Diſtricts, or any three or more of them, after three Days Notice in Writing, (ſigned by any three or more of them, being firſt given to the Commiſſioners of the third Diſtrict, or any two or more of them, or left at their uſual Place of Abode), to repair and amend the ſame; and in caſe of Non-payment of the Coſts and Charges attending the ſame within twenty Days after Demand made thereof, to levy the ſame by Diſtreſs and Sale, and to proceed in the ſame Manner for the Recovery thereof, as is herein-before directed for the Recovery of any Sum or Sums of Money which may be expended by the Owner or Owners, Occupier or Occupiers, of the Farms or Lands of *Matthew Wyldbore* and *John Flemming* Eſquires, by reaſon of any Neglect or Default of the Commiſſioners of the third Diſtrict.

Commiſſioners of fourth and fifth Diſtricts may lay Tunnels to let Waters out of the Forty Foot into the Twenty Feet Drain.

LXXIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Commiſſioners of the ſaid fourth and fifth Diſtricts, and the Commiſſioners of or for *the Three Hundred Acre Farm* reſpectively, or the major Part of them who ſhall be preſent at a Meeting or Meetings of either of the ſaid Diſtricts for that Purpoſe, and they are hereby reſpectively authoriſed and impowered, at any Time or Times hereafter, to make and lay, or cauſe to be made and laid, one or more Tunnel or Tunnels, of ſuch Width and Depth as they, or the major Part of them, aſſembled at ſuch reſpective Meetings, ſhall think moſt proper, in order for letting Waters out of *Vermuyden's* or *the Forty Foot Drain* into the ſaid *Twenty Feet Drain* or *Wimblington Leam*, at ſuch Times, and in ſuch Manner, as the Commiſſioners, or the major Part of them, aſſembled at any Meeting for that Purpoſe, ſhall think proper to order and direct; and alſo that it ſhall and may be lawful for the Commiſſioners of the third, fourth, and fifth Diſtricts, and of *the Three Hundred Acre Farm*, or the major Part of them who ſhall be preſent at any Meeting or Meetings for that Purpoſe, and they are hereby authoriſed and impowered, to make and lay, or cauſe to be made and laid, one or more Tunnel or Tunnels, of ſuch Width and Depth as they, or the major Part of them, at ſuch Meeting, ſhall think proper, in order for letting Water out of *Fenton Load* into the ſaid reſpective Diſtricts and Farm, at ſuch Times, and in ſuch Manner, as they ſhall think proper; provided that ſuch Waters be not let into the ſaid Drains at any Time between the tenth Day of *September* and the twenty-fourth Day of *June*, or at any other Time when the Water is not one Foot below the Soil of the Land lying adjacent to the ſaid Drains.

Chatteris Commoners to erect a Bridge in Chatteris Acre Fen.

LXXIV. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for the ſaid fourth Diſtrict ſhall, and they are hereby required to pay, or cauſe to be paid, to *John Gardner* of *Chatteris* aforeſaid, Eſquire, or to *John Waddington* Eſquire, out of the Taxes or Aſſeſſments which ſhall be levied, rated, and aſſeſſed, in or upon the ſaid Diſtrict, in the firſt Year after the paſſing of this Act, the Sum of fifty-five Pounds, in Truſt, for the ſeveral Perſons having Right of Common in the ſeveral Commons in *Chatteris* aforeſaid, lying within the fifth Diſtrict, and intended to be drained by virtue of this Act, in order that the ſame may be applied for and towards the Expences of building a Bridge of twenty Feet Waterway over the Ford in *Chatteris Acre Fen*; and the ſaid Commoners are hereby required to build, or cauſe to be built, ſuch Bridge accordingly, and, from Time to Time, and at all Times hereafter, to ſupport, maintain, and keep the ſame in good and ſufficient Repair.

Monies advanced towards carrying on the Works in the Upper or Lower Diſtrict for embanking to be repaid out of the Taxes ariſing or laid in the firſt Year.

LXXV. And be it further enacted by the Authority aforeſaid, That the ſeveral Sums of Money which have been heretofore advanced and paid by any of the Owners or Proprietors of the ſeveral Fen Lands, Low Grounds, and Commons, lying or being in the ſaid Upper or Lower Diſtrict for embanking, into the Hands of *Peter Brighty* or *John Bateman*, together with all ſuch Sums of Money which the ſaid *Peter Brighty* and *John Bateman* ſhall have expended for or towards the Charges and Expences of working the Mills, or maintaining the Banks, in or upon the ſaid Lands and Grounds, until the obtaining of this Act, ſhall be repaid to them reſpectively out of the ſeveral Rates and Aſſeſſments to be raiſed and levied in or upon all the ſaid Fen Lands, Low Grounds, and Commons, in the ſaid Upper Diſtrict, and in or upon the Commons called or known by the Names of *Chatteris Acre Fen* and *Hive End Burrows*, lying in the ſaid Lower Diſtrict, in the firſt Year after the paſſing of this Act.

Commiſſioners to order a Survey and Map to be made.

LXXVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners for the ſaid Upper and Lower Diſtricts or Diviſions for the embanking, or any of the ſaid five Diſtricts for draining, or the major Part of them who ſhall be preſent at any General Meeting for that Purpoſe, to order a Survey to be taken and Map made, by ſuch Perſon or Perſons as they ſhall think proper, of the Lands and Grounds contained or compriſed in this Act, in order to aſcertain the Number of Acres contained in each reſpective Diſtrict either for embanking or draining; which Survey and Map ſhall be delivered in upon Oath to the ſaid Commiſſioners for embanking or draining reſpectively, or any five or more of them, and the Charges thereof ſhall be borne and paid jointly out of the Taxes reſpectively ariſing, or to be raiſed and levied in ſuch Diſtrict wherein or whereof ſuch Survey or Map ſhall be ſo made as aforeſaid.

High Lands not to be charged.

LXXVI. Provided always, and be it enacted, That no Tax or Aſſeſſment ſhall be rated, charged, or levied, for or in reſpect of any Lands, being Part of the Lands bounded and deſcribed as aforeſaid, which are known and diſtinguiſhed by the Name of *High Lands*, and have not been damaged by Inundations; and

Manner of determining which are High Lands.

and if any Diſpute ſhall ariſe, whether any ſuch Lands ſhall or ſhall not be deemed High Lands, the ſame ſhall be determined upon View, on or before the tenth Day of *October*, one thouſand ſeven hundred and ſeventy-five, by any four Commiſſioners appointed by or elected in purſuance of this Act, not having any Property in the Diſtrict or Diviſion where ſuch Lands ſhall lie; two of which ſaid Commiſſioners ſhall be nominated by the Commiſſioners for the Diſtrict or Diviſion wherein ſuch Diſpute ſhall ariſe, and the other two Commiſſioners by the Proprietor or Proprietors of the Lands in Diſpute; and ſuch four Commiſſioners ſhall, before they proceed to determine ſuch Diſpute, chuſe one other Commiſſioner not having Property in ſuch Diſtrict or Diviſion, as an Umpire, to determine ſuch Diſpute, in caſe ſuch four Commiſſioners ſhould be equally divided in their Opinions: And all ſuch Commiſſioners, before they proceed to determine ſuch Diſpute, ſhall take an Oath well and truly, to the beſt of their Judgment and Knowledge, to determine whether ſuch Lands ſhall or ſhall not be deemed High Lands (which Oath any one or more of the Commiſſioners are hereby impowered to adminiſter); and ſuch Commiſſioners ſhall ſet forth their Determination in two diſtinct Writings, and ſhall ſign the ſame; one of which Writings ſhall be delivered to the Owner or Owners of ſuch Lands, and the other of ſuch Writings ſhall be depoſited and kept in the Place where the Accounts and other Records of ſuch reſpective Diſtricts are kept.

Perſons deſtroying the Works deemed guilty of Felony.

LXXVIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully or maliciouſly burn, cut, break down, or otherwiſe deſtroy, any Bank, Mill, Engine, Floodgate, or Sluice, already erected, ſupported, maintained, or uſed, or hereafter to be made or erected, ſupported, maintained, or uſed, by virtue of this Act, within the Limits aforeſaid, for the Purpoſes of draining and preſerving the Fen Lands, Low Grounds, and Commons, within the ſame, every Perſon or Perſons offending, and being thereof convicted, ſhall be guilty of Felony, and ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony; and the Court, by or before whom ſuch Perſon or Perſons ſhall be tried and convicted, ſhall and hereby have Power and Authority to tranſport ſuch Felon for ſeven Years, in ſuch Manner as other Felons are directed to be tranſported by the Laws of this Realm.

Perſons cutting the Works to forfeit 100l.

LXXIX. And be it further enacted, That if any Perſon or Perſons ſhall wilfully or maliciouſly ſtop, dam up, break down, demoliſh, damage, or deſtroy, or cauſe or procure, or hire any Perſon to dam up, break down, demoliſh, damage or deſtroy, any River-drain or Watercourſe, Door, Dam, Bridge, Heading, or other Work or Works already made, cut, or erected, or which ſhall at any Time or Times hereafter be making, cutting, or erecting, or made, cut, erected, ſupported, maintained, or uſed, by virtue of this Act, for anſwering the Purpoſes of Drainage, and preſerving the Fen Lands, Low Grounds, and Commons, within any of the Limits aforeſaid, every Perſon ſo offending, and being thereof convicted on the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace for the County or Place where ſuch Offence ſhall be committed, not intereſted therein, every ſuch Perſon or Perſons, ſo convicted as aforeſaid, ſhall forfeit and pay, for every ſuch Offence, any Sum not exceeding one hundred Pounds, nor leſs than twenty Pounds; to be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices, and to be applied and diſpoſed of in the Improvement of the Works of the Diſtrict or Diviſion where ſuch Offence ſhall be ſo committed, and not elſewhere; and for Want of ſufficient Diſtreſs, ſuch Offender or Offenders ſhall be committed by ſuch Juſtice or Juſtices to the Houſe of Correction of the County or Place where ſuch Offence ſhall be committed to hard Labour for not more than two Years, nor leſs than three Months, without Bail or Mainpriſe, or until ſuch Penalty ſhall be paid.

'LXXX. And whereas it frequently happens, that the Paſſage of the Waters through the Mill Drains 'to the ſeveral Mills or Engines for draining Fen Lands is obſtructed by looſe and diſorderly Perſons ſetting 'Fiſhing-nets, and laying other Obſtructions in the ſaid Drains,' be it therefore enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, from and after the paſſing of this Act, wilfully ſet any Nets or other Engines for the taking or catching of Fiſh, or throw any Earth or other Obſtructions in any of the ſaid Mill Drains or Watercourſes already made, or hereafter to be made, in any of the ſaid Diſtricts or Diviſions reſpectively, by virtue of this Act, every Perſon or Perſons ſo offending, and being thereof convicted before any one or more Juſtice or Juſtices of the Peace for the County or Place where ſuch Offence ſhall be committed, not intereſted in the Premiſes, who is and are hereby required to hear and determine the ſame on the Oath of one or more credible Witneſs or Witneſſes, ſhall forfeit and pay any Sum not exceeding five Pounds, nor leſs than twenty Shillings; to be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals, of any one or more of the Juſtices before whom ſuch Conviction ſhall be made; one Moiety thereof to be applied and laid out in the carrying on the Works and Improvements of the ſaid Diſtricts or Diviſions where ſuch Offence ſhall be committed, and the other Moiety thereof to the Informer or Informers; and for Want of ſuch ſufficient Diſtreſs, ſuch Offender or Offenders ſhall, by the ſaid Juſtice or Juſtices, be committed to the Houſe of Correction of the County or Place where ſuch Offence ſhall be committed, for any Time not exceeding three Calendar Months, nor leſs than one Calendar Month; and that it ſhall and may be lawful for the ſaid Commiſſioners, or their Collector or Surveyor, to ſeize and take away any ſuch Nets or other Engines to ſet, and ſell and diſpoſe thereof, and apply the Money ariſing therefrom towards the neceſſary Works of ſuch Diſtrict or Diviſion where the ſame ſhall be reſpectively ſet as aforeſaid.

Penalty on Perſons laying Obſtructions in Drains and Fiſheries.

Penalty on Perſons allowing Hogs to wander on the Banks.

LXXXI. And be it enacted by the Authority aforeſaid, That if any Swine or Hogs ſhall, from and after the paſſing of this Act, be found upon any of the Banks belonging to and within the Limits aforeſaid, other than and except ſuch Banks as are private Property, or Part of the Farm Yards belonging thereto, and ſupported, maintained, and kept in Repair, at the ſole Expence of the Owners or Proprietors thereof, that the Owner or Owners of ſuch Swine or Hogs ſhall forfeit and pay to the ſaid Collector or Receiver, ſo to be appointed by the ſaid Commiſſioners, the Sum of five Shillings for every ſuch Swine or Hog that

ſhall be found on the ſaid Banks; ſuch Penalty to be applied for and towards the Repairs of the Banks where ſuch Swine or Hogs ſhall be reſpectively found; and that ſuch Penalty of five Shillings ſhall, upon Proof of the Fact, upon the Oath of one Witneſs, before any one or more Juſtice or Juſtices of the Peace for the *Iſle of Ely*, or County of *Huntingdon*, or by Confeſſion of the Owner or Owners of ſuch Swine or Hogs, be levied by Diſtreſs and Sale of the Goods and Chattels of the Owner or Owners of ſuch Swine or Hogs reſpectively, by a Warrant or Warrants, under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices which Warrant or Warrants ſuch Juſtice or Juſtices is and are hereby authoriſed and required to grant, and to adminiſter ſuch Oath, as aforeſaid); the Overplus remaining, after ſuch Penalty recovered, and the Charges of ſuch Diſtreſs and Sale, to be returned to the Owner or Owners of ſuch Goods and Chattels.

'LXXXII. And whereas it frequently happens, by the Negligence or Careleſſneſs of Servants, or 'other Perſons employed in burning Fen Lands, in order to their being converted into Tillage, that the 'Banks lying contiguous to ſuch Lands are burnt and damaged, by the Fire being ſuffered to remain too 'long on ſuch Lands, and thereby extending to ſuch Banks;' be it therefore enacted by the Authority aforeſaid, That if any Perſon or Perſons, who ſhall be employed in burning any of the Lands and Grounds lying within the Limits aforeſaid, ſhall, by Careleſſneſs or Negligence, ſet fire to or burn, or cauſe to be fired or burned, any of the Banks lying near or adjoining to any of the ſaid Fen Lands and Low Grounds (other than and except ſuch Banks as are private Property, and kept in Repair by the reſpective Owners thereof), ſo as ſuch Banks be by means of ſuch Fire deſtroyed or damaged, ſuch Perſon or Perſons being thereof convicted by the Oath of one or more credible Witneſs or Witneſſes, or by Confeſſion, before any one or more Juſtice or Juſtices of the Peace for the County or Place where ſuch Offence ſhall be committed, not intereſted therein (which Oath ſuch Juſtice or Juſtices is and are hereby impowered and required to adminiſter, and alſo to hear and determine the ſaid Offence), ſhall give ſuch Recompence and Satisfaction to the ſaid Commiſſioners for the Damage done to the ſaid Banks, as ſuch Juſtice or Juſtices ſhall think reaſonable; ſuch Damages and Recompence to be paid by ſuch Offender or Offenders, within ſuch Time as by ſuch Juſtice or Juſtices ſhall be ordered and appointed, into the Hands of the Receiver or Receivers for the Time being appointed by virtue of this Act, to be applied by him for and towards the repairing and amending ſuch Banks; and in caſe of Non-payment thereof, the ſame ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of the ſaid Juſtice or Juſtices before whom ſuch Conviction ſhall be made; and for want of ſufficient Diſtreſs, ſuch Offender or Offenders ſhall by ſuch Juſtice or Juſtices be committed to the Houſe of Correction for the ſaid Iſle or County, and there kept to hard Labour for ſuch Time or Times as ſuch Juſtice or Juſtices ſhall order and direct, not exceeding three Calendar Months, or until ſuch Damage or Recompence ſhall be paid.

Perſons burning the Banks by Careleſſneſs, to make good the Damage.

LXXXIII. Provided always, and be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall cut or dig any Turfs, Hods, or Seſſes, in the ſaid Fen Lands or Low Grounds, except in the ſaid Third Diſtrict, within the Diſtance of forty Feet from the Centre of any Bank which may be made by virtue of this Act (except ſuch Banks as ſhall be private Property), every Perſon ſo offending ſhall forfeit and pay the Sum of five Pounds for every Rod of ſuch Turf, Hods, or Seſſes, ſo cut and dug: And if any Perſon or Perſons ſhall make, or cauſe to be made or cut, any Watering Places, or any Place of Acceſs for Cattle to drink (except in the ſaid third Diſtrict, who are not intended to be hereby reſtrained from cutting Waterings for Cattle in any Place but from the Corner of *The Three Hundred Acre Farm* to *Wilthorn Ware*), in, through, or upon any of ſuch Banks, as aforeſaid, or in any Mill-drain (except ſuch as ſhall be private Property, and made, ſupported, and maintained. at the proper Coſts and Charges of the reſpective Owner or Owners thereof) within any of the ſaid Fen Lands or Low Grounds hereby intended to be embanked, drained, and preſerved, every Perſon ſo offending ſhall forfeit, for every ſuch Offence, the Sum of five Pounds: And if any Perſon or Perſons ſhall make, or cauſe to be made, any Soak-dike or Ditch, or Soak-gripple. in or upon any of the ſaid Fen Lands or Low Grounds within the Diſtance of thirty Feet from any Bank (except ſuch as ſhall be private Property, as aforeſaid) now made, or hereafter to be made, within the Limits aforeſaid, every Perſon ſo offending ſhall forfeit, for every ſuch Offence, the Sum of Four-pence for every Foot in Length of ſuch Soak-dike or Gripple, and after the ſame Rate for every Month ſuch Soak-dike or Gripple ſhall remain unfilled after Notice given by the Clerk or Agent to the ſaid Commiſſioners to ſuch Perſon or Perſons who ſhall have dug, or cauſed to be dug, the ſame; and the ſaid Commiſſioners, or any five or more of them, ſhall have full Power, at any Time, at the Coſts and Charges of the Owner or Occupier of ſuch Lands wherein ſuch Soak-dike or Gripple ſhall be made, to fill up and level the ſame; all which Forfeitures ſhall, upon Conviction of the Offender or Offenders before any one or more of the Juſtice or Juſtices of the Peace for the County or Place wherein ſuch Offence ſhall be committed, not intereſted in the Premiſes, upon the Oath of one or more credible Witneſs or Witneſſes (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter, and alſo to hear and determine the ſaid Offence), be immediately paid into the Hands of the Treaſurer of the ſaid Diſtrict, to be applied for carrying on the Works thereof; and in caſe of Non-payment thereof, ſuch Forfeitures ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant, under the Hand and Seal, or Hands and Seals, of the Juſtice or Juſtices of the Peace, before whom ſuch Conviction ſhall be made; and for want of ſufficient Diſtreſs, ſuch Offender ſhall, by ſuch Juſtice or Juſtices, be committed to the Houſe of Correction for ſuch County or Place where ſuch Offence ſhall be committed, there to be kept to hard Labour for ſuch Time as the ſaid Juſtice or Juſtices ſhall order and direct, not exceeding three Calendar Months.

No Hods to be cut within 40 Feet of any Banks, except in the third Diſtrict.

LXXXIV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall erect, ſet up, uſe, or work, any Horſe Mill, Gigg, Engine, or other Device whatſoever, for draining or diſcharging the Water from any Land in the ſaid Diſtricts through or upon the Lands of any other Perſon or Perſons, in any other Manner than by one Liſt only, directly and immediately from the Lands of the

Perſons erecting Horſe Mills, or any more Mills than directed by this Act, to forfeit 50l.

the reſpective Owner of ſuch Mill, Gigg, Engine, or other Device, into *the Forty Foot River* or *Drain*, or in any other Manner than by virtue of the Engines erected, or to be erected, by virtue of this Act, in each of the ſaid Diſtricts for draining the ſame; every Perſon ſo diſcharging the ſaid Water other than as aforeſaid, ſhall, for every ſuch Offence, forfeit and pay the Sum of fifty Pounds, and alſo the further Sum of five Pounds *per* Day, for every Day which any ſuch Erection as aforeſaid ſhall continue or be uſed, to any Perſon who ſhall ſue for the ſame; one Moiety thereof to be paid to the Receiver or Collector for the Time being of ſuch Diſtrict or Diviſion wherein or whereon ſuch Erection ſhall ſtand or be made, and to be applied for the Purpoſes of draining, embanking, and improving the ſaid Fen Lands and Low Grounds lying or being within the ſame; and the Owner of ſuch Mill, Gigg, Engine, or other Device, ſhall alſo make full Compenſation and Satisfaction to all and every Perſon and Perſons who ſhall be injured thereby, for the Damages ſuch Perſon and Perſons ſhall thereby ſuſtain; and ſuch Penalties, Compenſation, and Satisfaction, to be recovered, together with full Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed.

and 5l. per Day while ſuch Erections ſhall continue.

No Houſes to be built, nor Trees, &c. planted, nearer to Mills than 50 Poles,

under the Penalty of 100l.

LXXXV. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this Act, no Houſes or Buildings, or any other Obſtructions whatſoever, ſhall be erected or ſet up, or Trees or Holts planted, either within the ſaid ſeveral Diſtricts, or any of them reſpectively, or on the Outſide thereof, nearer to any Mill or Engine already built, erected, or employed, or hereafter to be built, erected, or employed for draining the Fen Lands and Low Grounds within the Limits aforeſaid, than fifty Poles (being the Pole of eighteen Feet), or on any Bank within the Limits aforeſaid (except on the Bank called *Northey Bank*): And if any Perſon or Perſons ſhall build or erect any Houſe, Barn, or other Building, or ſhall plant any Tree or Holt, or ſet up, place, lay, or put any other Obſtruction whatſoever, within any leſs Diſtance than fifty Poles, every ſuch Perſon ſhall forfeit and pay, for every ſuch Houſe or Building, the Sum of one hundred Pounds; to be recovered in like Manner as the Penalties herein-before mentioned for erecting Horſe Mills, Giggs, Engines, or other Devices for throwing Water; and for every Tree the Sum of one Shilling, and five Pounds for every Holt or other Obſtruction ſo planted or ſet up; which ſaid Penalties of one Shilling and five Pounds for the Offences aforeſaid, are to be levied and paid in like Manner as the Penalties inflicted for cutting Hods or Turves within forty Feet of the ſaid Banks: And the ſaid Commiſſioners, or any three or more of them, are hereby impowered, at any of their Meetings, by an Order under the Hands and Seals of any three or more of them, to direct their Agents or Servants to take down ſuch Buildings ſo erected, and pull up and remove ſuch Trees, Holts, and other Obſtructions, ſo placed contrary to this Act.

Trees and Holts now growing within 50 Poles may be cut down.

LXXXVI. Provided always, and be it enacted, That if any Trees or Holts are now growing within the Diſtance of fifty Poles from any Mill or Engine already built, or hereafter to be built, within the Limits aforeſaid, or on any of the Banks within the Limits aforeſaid, (except the ſaid Bank called *The Northey Bank*,) it ſhall and may be lawful for the ſaid Commiſſioners for the ſaid ſeveral and reſpective Diſtricts, or any three or more of them reſpectively, by like Order, under their Hands and Seals, to order the ſame to be pulled or cut down, as if the ſame had been planted ſince the paſſing of this Act; making ſuch Satisfaction to the Owners of ſuch Trees and Holts as ſhall be agreed upon between ſuch Owner and the Commiſſioners, or any five or more of them; or in caſe any Difference or Diſpute ſhall ariſe between the ſaid Commiſſioners and ſuch Owner, touching ſuch Satisfaction, and the ſame cannot be ſettled between them, then ſuch Satisfaction and Recompence ſhall be finally determined, in ſuch and the ſame Manner as is herein-before mentioned and preſcribed for aſcertaining the Recompence to be made for Damage by making and erecting any Works in purſuance of this Act.

If Owners, &c. neglect to ſcour or repair Dikes, the ſame to be done at their Expence.

LXXXVII. And be it further enacted by the Authority aforeſaid, That if the Owner or Owners, Occupier or Occupiers, of any Land lying within the Limits aforeſaid, through which any Drove-way Dike, Outring Dike, or Diviſion Dike, leading to any of the Mill Drains within the ſaid Diſtricts reſpectively doth or ſhall paſs, ſhall neglect or refuſe ſufficiently to road, ſcour, cleanſe, open, or repair any ſuch Dike, or to make the ſame of the Depth of four Feet, and the Width of eight Feet at leaſt, after fourteen Days Notice in Writing to him, her, or them given, from Time to Time, by the Collector or Collectors, Receiver or Receivers, to cauſe ſuch Dikes to be roaded, ſcoured, cleanſed, opened, repaired, and deepened, in a ſufficient Manner, and made of the Width aforeſaid, at the proper Coſts, Charges, and Expences of ſuch Owners or Occupiers; and that wherever a Road or Way ſhall have been made over or acroſs any ſuch Dike without a ſufficient Tunnel lying therein, to cauſe ſuch Ways or Roads to be taken up, and ſuch Dike to be made of a proper Width and Depth for conveying the Waters through the ſame to the ſeveral Mills or Engines erected, or to be erected, for draining the ſaid Fen Lands and Low Grounds, and by a Warrrant or Precept, under the Hands of three or more of the ſaid Commiſſioners, to levy ſuch Charges and Expences as ſhall be occaſioned by the deepening and widening of the ſaid Dikes, or taking up the ſaid Roads, on the Owner or Owners, Occupier or Occupiers, of the Lands through which the ſaid Dikes ſhall paſs, or to which they ſhall be contiguous, or who ſhall make, or cauſe to be made, ſuch Road as aforeſaid.

Commiſſioners annually to view and repair ſuch Works as ſhall be neglected in any of the ſaid Diſtricts.

LXXXVIII. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of the ſaid Upper and Lower Diſtricts for embanking, or any five or more of them reſpectively, and they are hereby authoriſed and impowered, on the laſt *Tueſday* in *March* in every Year, or at any other Time which they ſhall appoint for that Purpoſe, to enter into and upon the ſeveral Lands and Grounds lying or being within either of the ſaid Diſtricts, in order to view the ſeveral and reſpective Banks and Works thereof, and to ſee that the ſame are in good and ſufficient Repair; (that is to ſay,) the ſaid Commiſſioners for the ſaid Upper Diſtrict, or any five or more of them, as aforeſaid, ſhall and may enter into and upon the ſeveral Lands and Grounds lying within the Limits of the ſaid Lower Diſtrict, and the ſaid Commiſſioners for the ſaid Lower Diſtrict ſhall and may enter into and upon the ſeveral

ſeveral Lands and Grounds lying or being within the Limits of the ſaid Upper Diſtrict or Diviſion, in order to view the ſeveral Banks and Works of or belonging to each reſpective Diſtrict as aforeſaid, and ſhall, at a Meeting, to be by them reſpectively appointed for each reſpective Diſtrict, make their Report of the ſame to ſuch Commiſſioners for each reſpective Diſtrict as ſhall be then and there aſſembled: And in caſe it ſhall appear that through the Neglect or Default of the Commiſſioners of either of the ſaid Diſtricts, any of the Banks or Works of or belonging thereto are not in ſuch good and ſufficient Repair and Condition as they might or ought to be, it ſhall and may be lawful for the Commiſſioners of ſuch other Diſtrict, or any five or more of them, to give Notice in Writing to the Commiſſioners of ſuch Diſtrict or Diviſion wherein ſuch Neglect or Default ſhall happen as aforeſaid, or any five or more of them, or to their Surveyor or Officer for the Time being, to repair and amend the ſame; and in caſe the ſaid Commiſſioners ſhall neglect or refuſe to repair and amend the ſame in a proper Manner for twenty-one Days after ſuch Notice ſhall have been given as aforeſaid, it ſhall and may be lawful for the Commiſſioners of ſuch other Diſtrict or Diviſion, or any five or more of them, to order and direct their Officers, with ſuch Workmen as they ſhall think proper, to enter into and upon the Lands and Grounds whereon or wherein ſuch Neglect or Default ſhall happen, as aforeſaid, and to repair, amend, and put into good and ſufficient Repair and Condition, all ſuch Banks and Works as ſhall be ſo out of Repair and Condition, and to do all ſuch other Matters and Things as ſhall be or become requiſite or neceſſary to be done for or by reaſon or Means of ſuch Neglect or Refuſal, as aforeſaid: And that the Treaſurer or Receiver of ſuch Diſtrict wherein ſuch Neglect or Default ſhall happen as aforeſaid, ſhall, and he and they is and are hereby required to pay the full Charges and Expences thereof to ſuch Officer or Officers, on his or their producing proper Vouchers for the Money laid out and expended therein within twenty Days after Demand made thereof from the ſaid Treaſurer or Receiver; and in caſe of Non-payment thereof within the Time above limited for ſuch Payment as aforeſaid, that then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, and they are hereby authoriſed and impowered, by Warrant under their Hands and Seals, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the Occupier or Occupiers of the Lands or Grounds in ſuch reſpective Diſtrict wherein ſuch Neglect or Default ſhall happen to be made, as aforeſaid; and that it ſhall and may be lawful for the Owner or Owners, Occupier or Occupiers, of ſuch Lands or Grounds wherein or whereon ſuch Diſtreſs ſhall be had or taken as aforeſaid, to deduct the Sum or Sums of Money by him or them ſo paid out of the Taxes due, or to grow due, to the ſaid Commiſſioners for the ſaid Lands and Grounds where ſuch Diſtreſs or Diſtreſſes ſhall be ſo made, any Thing to the contrary thereof notwithſtanding.

Treaſurer of any Diſtrict where Default ſhall be to pay all the Expences.

LXXXIX. Provided always, and be it enacted by the Authority aforeſaid, That in caſe the Commiſſioners of the ſaid Upper or Lower Diſtricts reſpectively ſhall at any Time hereafter neglect or refuſe to take or ſtop any Breach or Breaches, or Overflowing of the Waters, which may at any Time hereafter reſpectively happen in or upon any of the Banks of or belonging to the ſaid reſpective Diſtricts for the Space of one Hour after Notice thereof in Writing, ſigned by the Commiſſioners of the other Diſtrict, or any two of them, and given or delivered to any one of the Commiſſioners for ſuch Diſtrict wherein ſuch Breach or Breaches, or Overflowings, ſhall happen as aforeſaid, or to their Officer for the Time being, it ſhall and may be lawful for the Commiſſioners of ſuch other Diſtrict, or any two or more of them, to order and direct their Officer or Officers, with ſuch Workmen as they ſhall think proper, to enter into and upon the Lands and Grounds wherein or whereon ſuch Breach or Breaches, or Overflowing, ſhall happen as aforeſaid, and to take, ſtop, and repair the ſame in ſuch Manner as they ſhall judge neceſſary, and to do all ſuch other Matters and Things as ſhall be or become neceſſary to be done by reaſon or means of ſuch Neglect or Refuſal as aforeſaid; and ſhall proceed in the ſame Manner for recovering and receiving the Coſts and Charges neceſſarily occaſioned thereby, as ſuch Commiſſioners are reſpectively herein-before authoriſed and impowered to proceed for recovering the Coſts and Charges which may be occaſioned by repairing and amending ſuch Parts of the ſaid Banks as ſhall be neglected or refuſed to be done by the Commiſſioners in each reſpective Diſtrict.

On Neglect of the Commiſſioners for the Diſtrict where any Breach ſhall happen, Commiſſioners of the other Diſtrict may repair the ſame.

XC. And be it further enacted, by the Authority aforeſaid, That the ſaid Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, and alſo the Commiſſioners for any of the ſaid other reſpective Diſtricts, or any five or more of them, ſhall cauſe all and every the Engines and Mills, which ſhall be erected and employed by them by virtue of this Act, to be inſured againſt Fire in ſome of the Publick Inſurance Offices, and from Time to Time pay the Expence attending ſuch Inſurances out of the Money ariſing by virtue of this Act.

Mills to be inſured.

XCI. Provided alſo, and be it enacted by the Authority aforeſaid, That no Banks, Dams, or other Works, which were lawfully erected by private Perſons in any of the ſaid Diſtricts, ſhall be cut, taken away, or altered, until the ſeveral Mills in the ſaid reſpective Diſtricts are ready to work.

No Banks, &c. to be taken away till the Mills are ready to work.

XCII. And be it enacted by the Authority aforeſaid, That the Commiſſioners for the ſaid firſt Diſtrict for draining, or any three or more of them, and alſo the ſaid reſpective Commiſſioners for the ſaid other ſeveral Diſtricts either for embanking or draining, or any nine or more of them, not being Deputies, aſſembled at any of the Meetings to be held in purſuance of this Act, ſhall have full Power and Authority to appoint one Clerk, and one or more Treaſurer or Treaſurers, Receiver or Receivers, Surveyor or Surveyors, for each of the ſaid reſpective Diſtricts or Diviſions, or ſuch other proper Officer or Officers, as they the ſaid reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, and alſo for the Commiſſioners of the ſaid other Diſtricts, or any nine or more of them, ſhall think fit, for the taking Care of all ſuch Banks, Mills, and Works, and for collecting the Rates or Aſſeſſments which ſhall be laid, rated, or aſſeſſed, on the Lands and Grounds lying within the ſaid reſpective Diſtrict, or any of them; and to allow and appoint to be paid to ſuch Officers, out of ſuch Rates or Aſſeſſments reſpectively, ſuch yearly or other Wages or Salary, for their Trouble and Pains, as they the ſaid reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or the Commiſſioners of the ſaid other Diſtricts,

Commiſſioners to appoint Officers,

and allow them Salaries.

Officers may be removed after 5 Days Notice.

or any nine or more of them, preſent at ſuch Meetings, ſhall think reaſonable; which ſaid Clerk, Treaſurer or Treaſurers, Receiver or Receivers, Surveyor or Surveyors, or other Officer or Officers, ſo to be appointed, may be removed at the Will and Pleaſure of the ſaid reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more them, or of the Commiſſioners of the ſaid other Diſtricts, or any nine or more of them, aſſembled at a Meeting to be held for that Purpoſe, of which five Days Notice ſhall be given in Writing, to be affixed on the Church or Chapel Doors of ſuch Pariſh or Place wherein ſuch Diſtrict ſhall lie or be, and other or others may be appointed in his or their Stead, as Occaſion ſhall require: And ſuch reſpective Treaſurer or Treaſurers, Collectors or Receivers, ſhall, before they act in the Execution of the reſpective Offices, give ſuch Security for the due Execution thereof, and for performing the ſeveral Truſts to them committed, as the ſaid reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or the Commiſſioners of the ſaid other Diſtricts, or any nine or more of them, aſſembled at any Meeting for each reſpective Diſtrict for that Purpoſe, ſhall think fit.

Treaſurer and other Officers to give Security.

Officers to account yearly at the General Meeting,

XCIII. And be it further enacted by the Authority aforeſaid, That once in every Year, (that is to ſay) at the yearly General Meeting to be held for the ſaid ſeveral Diſtricts reſpectively, or on any ſubſequent Day to which the ſaid reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or the Commiſſioners for the ſaid other Diſtricts, or any five or more of them, ſhall adjourn, Inſpection ſhall be had by the ſaid reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or the Commiſſioners for the ſaid other Diſtricts, or any five or more of them, of the Receipts and Diſburſements of ſuch Monies as ſhall have been raiſed and received by virtue of this Act, and in relation to the ſaid ſeveral and reſpective Diſtricts either for embanking or draining for the Year then laſt paſt; and all Accounts relating to the ſaid reſpective Diſtricts ſhall be, at ſuch Meeting, made up and ſettled by the Commiſſioners appointed for the ſaid firſt Diſtrict, or any three or more of them, or the Commiſſioners for the ſaid other Diſtricts, or any five or more of them then aſſembled; at which Time the ſeveral Treaſurers, Collectors, or Receivers, of the ſaid Taxes or Aſſeſſments in each of the ſaid Diſtricts, are hereby required to attend, with proper Books of Accounts of their Receipts and Diſburſements, and all Vouchers for the ſame; and on conſidering and examining the ſaid Accounts, and all other Accounts of the Receipts and Diſburſements of the Money raiſed and received by virtue of this Act, within or in relation to the ſaid ſeveral Diſtricts reſpectively, upon Oath, or Affirmation of any of the People called *Quakers*, (if the ſame ſhall be required by any three or more of the ſaid Commiſſioners for the ſaid firſt Diſtrict, or any five or more of the Commiſſioners for the ſaid other Diſtricts, which Oath or Affirmation any one of the ſaid Commiſſioners is hereby impowered to adminiſter), the ſaid Commiſſioners, or any three or more of them for the ſaid firſt Diſtrict, or any five or more of the Commiſſioners for the ſaid other Diſtricts, are hereby impowered to allow and paſs, under their Hands, the ſaid Account or Accounts, or ſuch Part or Parts thereof as they ſhall think juſt and reaſonable; and ſuch Account or Accounts, or ſuch Part or Parts thereof as ſhall be ſo paſſed and allowed as aforeſaid, ſhall be fairly entered into two diſtinct or ſeparate Books, to be kept for that Purpoſe for each of the ſaid Diſtricts; one of which Books to be kept by the Treaſurer or Treaſurers, or ſuch other Perſon or Perſons as the ſaid Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or the ſaid Commiſſioners for the ſaid other Diſtricts, or any five or more of them, ſhall appoint; and the other of the ſaid Books ſhall be depoſited in ſuch Place as the ſaid reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or the Commiſſioners for the ſaid other Diſtricts, or any five or more of them, ſhall direct or appoint, at any Meeting to be held for each of the ſaid Diſtricts reſpectively, in a ſtrong Box, to be provided by the ſaid Commiſſioners reſpectively for that Purpoſe; and the Books ſo depoſited ſhall and may be inſpected and peruſed at all reaſonable Times, by or at the Requeſt of any Perſon or Perſons rated or taxed in purſuance of this Act, on paying Sixpence for peruſing the ſame.

and to attend with their Books, &c.

Accounts paſſed and allowed, to be entered in two ſeparate Books, &c.

Officers of each Diſtrict to account as often as required;

XCIV. And be it further enacted by the Authority aforeſaid, That all and every ſuch Clerk or Clerks, Treaſurer or Treaſurers, Collector or Collectors, Receiver or Receivers, or other Officer or Officers, ſo appointed for each reſpective Diſtrict, either for embanking or draining as aforeſaid, ſhall upon Oath, or Affirmation of the People called *Quakers*, when thereunto required by the ſaid reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or the Commiſſioners for the ſaid other Diſtricts, or any five or more of them (which Oath or Affirmation the ſaid reſpective Commiſſioners, or any one or more of them, is and are hereby impowered to adminiſter), give in to the ſaid reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or to the Commiſſioners for the ſaid other Diſtricts, or any five or more of them, a true, exact, and perfect Account, in Writing, under their reſpective Hands, with proper Vouchers, of all Monies which he or they, and every or any of them, ſhall to ſuch Time have received, paid, and diſburſed, by virtue of this Act, or by reaſon of the reſpective Office; and in caſe the Monies ſo received ſhall remain in his or their Hands, the ſame ſhall be paid to the reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or to the Commiſſioners for the ſaid other Diſtricts, or any five or more of them, or to ſuch Perſon or Perſons as they, or any three or more of them, for the ſaid firſt Diſtrict, or as they, or any five or more of them for the ſaid other Diſtricts, ſhall, by any Writing or Writings under their Hands reſpectively, authoriſe and impower to receive the ſame: And in caſe any ſuch Clerk, Collector, Receiver, or other Officer, ſhall not give in and make ſuch Account and Payment as aforeſaid, or ſhall refuſe to deliver up all Books, Papers, and Writings, in his or their Cuſtody, relating to the Execution of this Act, that then, any one or more Juſtice or Juſtices of the Peace for the *Iſle of Ely*, or County of *Huntingdon*, ſhall and may make Enquiry of and concerning ſuch Default as aforeſaid in a ſummary Way, as well by Confeſſion of the Party, as by the Teſtimony of one or more credible Witneſs or Witneſſes upon Oath, or Affirmation, as aforeſaid (which Oath or Affirmation the ſaid Juſtice or Juſtices is and are hereby impowered and required to adminiſter without Fee or Reward); and if any ſuch Clerk, Treaſurer, or Collector, or other Officer ſhall be convicted of all or any of the Offences aforeſaid, ſuch Juſtice or Juſtices ſhall, upon ſuch Conviction, commit

and in caſe of Neglect to be committed.

mit the Party to the common Gaol of the ſaid *Iſle of Ely*, or County of *Huntingdon*, there to remain without Bail or Mainprize, until he ſhall have made a perfect Account and Payment, as aforeſaid, and delivered up all ſuch Books, Papers, and Writings, in his Cuſtody, or until he ſhall have compounded and agreed with the reſpective Commiſſioners for the ſaid firſt Diſtrict, or any three or more of them, or with the Commiſſioners of the ſaid other Diſtricts, or any five or more of them, and have paid ſuch Compoſition-money; which Compoſition the ſaid reſpective Commiſſioners, or any three or more of them, for the ſaid firſt Diſtrict, or the Commiſſioners for the ſaid other Diſtricts, or any five or more of them, are hereby authoriſed and impowered to make.

Proceedings to be entered in Books.

XCV. Provided always, and be it enacted, That all Orders and Proceedings of the ſaid Commiſſioners, or any of them, at any Meeting to be held for each of the ſaid Diſtricts either for embanking or draining reſpectively, ſhall be entered in diſtinct Books, to be provided and kept for that Purpoſe; and ſuch Orders and Proceedings ſo entered ſhall be ſigned by five or more of the ſaid Commiſſioners for the Upper and Lower Diſtricts for embanking, and for the ſecond, third, fourth, and fifth Diſtricts for draining, and by three or more of the ſaid Commiſſioners for the firſt Diſtrict for draining, ſo aſſembled at ſuch Meetings, and being ſo ſigned, ſhall be deemed and taken to be Originals; and all ſuch Books, and alſo the Books hereby directed to be kept for regiſtering the Securities, Aſſignments, and Transfers, ſhall and may be read in Evidence in all Trials at Law, of any Suit or Actions touching any Thing done in relation to or in purſuance of this Act.

Orders not to be reverſed, unleſs a certain Number of Commiſſioners be preſent, and the major Part conſenting thereto, nor unleſs 10 Days Notice be given.

XCVI. Provided always, and be it enacted, That no Order which ſhall be made by the ſaid Commiſſioners, or any of them reſpectively, at any of their Meetings for ſuch reſpective Diſtrict by virtue of this Act, ſhall be altered, reverſed, annulled, or made void, at any ſubſequent Meeting, unleſs for the Upper and Lower Diſtricts for embanking, and for the ſecond, third, fourth, and fifth Diſtricts for draining reſpectively, nine or more Commiſſioners be preſent, and the major Part of the ſaid Commiſſioners be conſenting thereto; and three or more Commiſſioners for the firſt Diſtrict be preſent, and the major Part of them be conſenting thereto; nor unleſs ten Days Notice in Writing of ſuch Meeting be affixed on the Church or Chapel Doors of the Pariſh in which ſuch Diſtricts ſhall reſpectively lie; in which ſaid Notice the Intent and Deſign of ſuch Meeting ſhall be declared; and that every Order for executing the Powers of this Act ſhall be made at a Meeting of the ſaid reſpective Commiſſioners to be held in ſuch Manner as is herein-before authoriſed and appointed, and not otherwiſe, except as in this Act is excepted.

Juſtices may adminiſter Oaths; and may act although Commiſſioners, except where perſonally intereſted.

XCVII. And be it further enacted, That in all Caſes wherein Juriſdiction is given to any Juſtice or Juſtices of the Peace by this Act, it ſhall and may be lawful for ſuch Juſtice or Juſtices to adminiſter an Oath, or Affirmation, to any Perſon for his or their more certain Information in the Matters then depending; and that any Juſtice of the Peace may act as ſuch in the Execution of this Act, notwithſtanding his being a Commiſſioner, except in Caſes wherein he ſhall be perſonally intereſted.

Proceedings not to be removed by Certiorari, &c.

XCVIII. And be it further enacted, That no Order made, touching or concerning any of the Matters aforeſaid, or any other Proceedings to be had touching the Conviction or Convictions of any Offender or Offenders againſt this Act, ſhall be removed or removable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*; and that where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or the Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any ſubſequent Irregularity in the Proceedings, but the Perſon or Perſons aggrieved by ſuch Irregularities ſhall and may recover full Satisfaction for the ſpecial Damages in an Action upon the ſame.

Plaintiffs recovering to have full Coſts, &c.

XCIX. Provided always, That where the Plaintiff or Plaintiffs ſhall recover in any ſuch Action, he, ſhe, or they, ſhall be paid his, her, or their Full Coſts of Suit, and have the like Remedies for recovering the ſame, as for recovering Coſts in any other Caſe by Law.

No Plaintiff ſhall recover if Tender of Amends has been made.

C. Provided alſo, That no Plaintiff ſhall recover in any Action for an Irregularity, as aforeſaid, if Tender of good and ſufficient Amends ſhall have been made by or on Behalf of the Defendant or Defendants before ſuch Action brought, nor if ſuch Tender of Amends ſhall be made at any Time after the Action brought and between Trial thereof, together with Coſts of Suit to the Time of ſuch laſt-mentioned Tender; but on Proof made of ſuch Tender on any Trial to be had in ſuch Action, the Plaintiff or Plaintiffs ſhall ſuffer Judgment as in Caſes of Nonſuit, with Treble Coſts; to be recovered in the ſame Manner as any Defendant or Defendants may recover Coſts in any other Caſe by Law.

Penalties how to be recovered.

CI. And it is hereby further enacted and declared, That all the pecuniary Fines, Penalties, and Forfeitures, hereby inſtituted, or authoriſed to be impoſed, the Recovery whereof is not herein-before directed, ſhall be recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hand and Seal, or Hands and Seals, of any Juſtice or Juſtices of the Peace for the County or Place where ſuch Offence ſhall be committed, who is and are hereby impowered and authoriſed to act in the Premiſes, and alſo to hear and determine all other Complaints hereby referred to and made cognizable by any ſuch Juſtice or Juſtices, and to iſſue ſuch Warrant and Warrants as is and are hereby required, and neceſſary to be granted or iſſued by any Juſtice or Juſtices of the Peace, for any the Purpoſes in this Act contained; and in caſe ſufficient Diſtreſs ſhall not be found, it ſhall be lawful for any ſuch Juſtice or Juſtices to commit ſuch Offender or Offenders to the common Gaol for the ſaid *Iſle of Ely*, or County of *Huntingdon*, there to remain without Bail or Mainprize for any Time not exceeding twelve Calendar Months, or until the ſaid Penalty ſhall be paid, or otherwiſe compounded for, which Compoſition the Commiſſioners, or any five or more of them, are hereby impowered to make; and that all ſuch Fines, Penalties, and Forfeitures, and Compoſition-monies, or any Part or Parts thereof, which are not herein-before directed to be applied,

ſhall be paid into the Hands of the Treaſurer or Treaſurers to the Commiſſioners, and applied for the Purpoſes of this Act.

Perſons aggrieved may appeal to the Quarter Seſſions.

CII. And be it further enacted, That all Perſons who ſhall think themſelves aggrieved by the Order or Judgment of any Juſtice or Juſtices of the Peace, on account of any Offence committed, or ſuppoſed to be committed, againſt this Act, or any Penalty to be levied by virtue thereof, may appeal to the Juſtices of the Peace for the *Iſle of Ely*, or County of *Huntingdon*, at the next General Quarter Seſſions of the Peace to be held for the ſaid Iſle or County after the Cauſe of ſuch Appeal ſhall happen; the Perſon or Perſons ſo appealing firſt entering into Recognizance, with two ſufficient Sureties, to the Satisfaction of the ſaid Juſtice or Juſtices, to proſecute ſuch Appeal with Effect, and pay the Coſts which ſhall be aſcertained by the ſaid Juſtices in their ſaid General or Quarter Seſſions, in caſe ſuch Order or Judgment ſhall be affirmed; and the ſaid Juſtices in their General or Quarter Seſſions are hereby authoriſed and required to hear and determine ſuch Appeal, and give ſuch Coſts to either Party, as they ſhall think reaſonable, and to make ſuch Order therein as to them ſhall appear juſt; which Order ſhall be final and concluſive to all Parties, and ſhall not be removed or removable by any Writ of *Certiorari*, or otherwiſe, into any of his Majeſty's Courts of Record at *Weſtminſter*, or elſewhere.

Orders not to be quaſhed for want of Form.

CIII. And be it further enacted, That no Order or other Proceeding to be made or had, by or before any Juſtice or Juſtices of the Peace, by virtue of the Powers by this Act granted, ſhall be quaſhed or vacated for want of Form only.

How Offenders may be proceeded againſt.

CIV. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, for the ſaid firſt Diſtrict, or any five or more of the ſaid Commiſſioners for the ſaid other Diſtricts, inſtead of levying the ſeveral Rates and Aſſeſſments, and Penalties, by this Act particularly impoſed, and proceeding againſt the Offender or Offenders in the ſummary Manner herein-before provided, or in any Caſe where no Penalty is particularly impoſed, or Method of Proceeding is herein-before particularly directed to be purſued for any Offence againſt this Act, may, at their Election, prefer, and proſecute with Effect, a Bill or Bills of Indictment againſt ſuch Offender or Offenders, or may bring an Action or Actions in the Names of any two or more of them, or in the Name of their Treaſurer or Clerk.

No Writings to be chargeable with Stamp-duty.

CV. And be it further enacted, That no Order, Nomination, Appointment, Mortgage, Aſſignment, or other Security for borrowing Money, Contract, Agreement, Information, Conviction, Judgment, Warrant, or other Writing, under the Hand or Hands, Hand and Seal, or Hands and Seals, of any Commiſſioner or Commiſſioners, Juſtice or Juſtices of the Peace, or exhibited before any of them, in purſuance of any of the Powers or Authorities by this Act veſted in ſuch Commiſſioner or Commiſſioners, Juſtice or Juſtices of the Peace, nor any Transfer of any Mortgage or Security, nor any Bond taken from any Officer, or his Sureties, in purſuance of this Act, for the due Execution of his Office, nor any other Writing whatſoever concerning the Execution of this Act, ſhall be charged or chargeable with any Stamp-duty.

Quorum of Commiſſioners.

CVI. And be it further enacted by the Authority aforeſaid, That all the Powers and Authorities by this Act granted to the Commiſſioners for the ſeveral Diſtricts for embanking and draining reſpectively, ſhall and may, in all Caſes where no particular Quorum or Number is appointed by this Act, be executed by any three or more of the Commiſſioners for the firſt Diſtrict for draining, and by any five or more of the Commiſſioners for the ſaid Upper and Lower Diſtricts for embanking, or for the ſaid ſecond, third, fourth, and fifth Diſtricts for draining reſpectively, who ſhall and may, in all Caſes where no particular Quorum or Number is herein appointed, execute all the Powers and Authorities of this Act in relation to ſuch Diſtricts reſpectively.

Commiſſioners acting not being qualified to pay 50l.

CVII. And be it further enacted, That if any Perſon, not being qualified as is in this Act directed, ſhall preſume to act as a Commiſſioner in the Execution of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of fifty Pounds; to be recovered by Action of Debt, or on the Caſe, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; and the Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Proſecutor than that ſuch Perſon has acted as a Commiſſioner in the Execution of this Act: One Moiety of which Forfeiture ſhall be paid to the Proſecutor, and the other Moiety thereof ſhall be applied towards carrying on the Works within the Diſtrict wherein ſuch Perſon ſhall have acted as a Commiſſioner not being qualified as is in this Act directed.

One Moiety to the Proſecutor, and the other for the Works.

How Notice of Meetings is to be given.

CVIII. And be it further enacted by the Authority aforeſaid, That whenever any Meeting or Meetings of the Commiſſioners for any of the ſaid reſpective Diſtricts for embanking or draining ſhall be held by virtue of this Act, whereof no Notice is herein-before particularly directed to be given, the ſaid Commiſſioners for ſuch reſpective Diſtricts ſhall, and they are hereby required to give three Days Notice in Writing, ſigned by any three or more of them reſpectively, of the Time and Place for holding ſuch Meeting or Meetings, in ſuch and the ſame Manner as other Notices of Meetings for ſuch reſpective Diſtricts are herein-before directed or required to be given.

'CIX. And, for the more eaſy and ſpeedy Conviction of Offenders againſt this Act,' be it further enacted, That all and every Juſtice or Juſtices of the Peace, before whom any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, ſhall and may cauſe the Conviction to be drawn up in the following Form of Words, as the Caſe ſhall happen, or in any other Form of Words to the ſame Effect:

Form of Conviction.

County of } 'BE it remembered, That on the Day of in the Year of his Majeſty's Reign, *A. B.* convicted before of his Majeſty's Juſtices of the 'Peace for the County of by virtue of an Act, made in the fifteenth Year of the Reign of 'his Majeſty King *George* the Third, *For draining and preſerving certain Fen Lands, Low Grounds, and* 'Commons,

'*Commons, in the ſeveral Pariſhes of* Ramſey, Bury, Wiſtow, Warboys, Somerſham, Colne, *and* Pidley 'with Fenton, *in the County of* Huntingdon, *and in the Pariſhes of* Chatteris *and* Doddington, *within the* 'Iſle of Ely, *in the County of* Cambridge [*ſpecifying the Offence, and Time and Place when and where the* '*ſame was committed, as the Caſe ſhall be.*]

'Given under our Hands and Seals (*or* Hand and Seal), the Day and Year aforeſaid.'

Saving the Rights of the Commiſſioners of Ramſey firſt Diſtrict.

CX. Provided always, and it is hereby enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to invalidate, leſſen, diminiſh, alter, or take away any of the Rights, Powers, or Authorities veſted in the Commiſſioners appointed in and by an Act of Parliament, herein-before mentioned to be made and paſſed in the thirtieth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for draining and preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of* Ramſey, Bury, Wiſtow, Warboys, Farcett, Standground, *and* Water Newton, *in the County of* Huntingdon, *and of* Doddington *in the* Iſle of Ely, *and County of* Cambridge; but that all Rights, Powers, and Authorities whatſoever, contained in the ſaid Act, paſſed in the thirtieth Year of the Reign of his late Majeſty, or which, by virtue thereof, are now veſted in the ſaid Commiſſioners thereby appointed, or any of them, ſhall for ever hereafter remain, continue, and be in full Force, Power, and Virtue, as fully and effectually, to all Intents and Purpoſes, as if this Act had never been made (except with reſpect to the embanking and keeping in Repair *The Forty Foot* and *Northey Bank*, and raiſing the Tax of two Shillings, one Shilling, and one Shilling *per Acre*, hereby directed to be raiſed by the ſaid Commiſſioners in the three firſt Years after the paſſing of this Act).

Saving Clauſe to the Corporation of Bedford Level.

CXI. Provided always, and it is hereby enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to impower the ſaid Commiſſioners, or any five of them, to have, uſe, or exerciſe any Power or Authority over, or to intermeddle with, any of the Sewers, Drains, or Works already made, or hereafter to be made, by the Governor, Bailiffs, and Commonalty of the Company of Conſervators of the Great Level of the Fens called *Bedford Level*, by virtue of an Act of Parliament, made in the fifteenth Year of the Reign of King *Charles* the Second, intituled, *An Act for ſettling the Draining of the Fens called* Bedford Level, or by virtue of any other Act or Statute whatſoever, or to invalidate, leſſen, diminiſh, alter, or take away any of the Rights, Powers, and Authorities veſted in the ſaid Governor, Bailiffs, and Commonalty, or the ſaid Governor, Bailiffs, and Conſervators; but that all Rights, Powers, and Authorities whatſoever, which by virtue of the ſaid Act, or any other Act or Statute whatſoever, are now veſted in the ſaid Governor, Bailiffs, and Commonalty, or the ſaid Governor, Bailiffs, and Conſervators, or any of them, ſhall for ever hereafter remain, continue, and be in the ſaid Governor, Bailiffs, and Commonalty, and in the ſaid Governor, Bailiffs, and Conſervators, and every of them, as fully and amply, to all Intents and Purpoſes, as if this Act had never been made.

Saving Clauſe to Commiſſioners of Nene.

CXII. Provided alſo, and be it enacted, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to invalidate, leſſen, diminiſh, alter, or take away any of the Rights, Powers and Authorities veſted in the Commiſſioners, appointed in and by an Act of Parliament, paſſed in the twenty-ſeventh Year of his late Majeſty King *George* the Second, intituled, *An Act for improving and preſerving the Navigation from* Salters Load Sluice, *in the County of* Norfolk, *to* Strandground Sluice, *in the County of* Huntingdon, *and from* Floods Ferry, *in the* Iſle of Ely, *in the County of* Cambridge, *to* Ramſey High Load *in the ſaid County of* Huntingdon; *and alſo the Navigation from* Old Bedford Sluice, *in the ſaid County of* Norfolk, *to the River* Nene *in the Pariſh of* Ramſey, *in the ſaid County of* Huntingdon; but that all Rights, Powers, and Authorities whatſoever, which, by virtue of the ſaid Act, are now veſted in the Commiſſioners thereby appointed, or any of them, ſhall for ever hereafter remain, continue, and be in the ſaid Commiſſioners, and every of them, as fully and amply, to all Intents and Purpoſes, as if this Act had never been made.

Saving of Rights to Bodies Politick, &c.

CXIII. Provided alſo, and be it enacted by the Authority aforeſaid, That this Act, nor any Thing herein contained, ſhall not extend, or be deemed or underſtood, by any Ways, Means, or Conſtruction, to extend or operate to invalidate, defeat, leſſen, diminiſh, vary, alter, or take away, the Right, Property, Intereſt, or Title of any Perſon or Perſons whatſoever, Bodies Politick or Corporate, in or unto any Common Right, Paſture, or Feeding for Cattle, or other Rights, Powers, Claims, or Demands whatſoever, upon any Part of the Lands and Grounds by this Act intended and directed to be embanked and drained; but that all ſuch Right, Property, Intereſt, and Title, ſhall remain and be uſed, exerciſed, and enjoyed, in ſuch and the ſame Manner in every Reſpect, and to all Intents and Purpoſes, as could or might have been in caſe this Act had not been made; except with reſpect to the Rights or Powers of incloſing, embanking, and draining the ſeveral Fen Lands, Grounds, and Commons, compriſed in this Act, and alſo except with reſpect to the Tithes, Taxes, Parochial or other Rates, in reſpect to any Lands incloſed for Payment of the Rates or Taxes impoſed by virtue of this Act.

Saving the Rights of Turnpike Commiſſioners:

CXIV. Provided alſo, and be it enacted, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to impower the ſaid Commiſſioners, or any of them, to have, uſe, or exerciſe any Power or Authority over, or to intermeddle with, or prejudice any of the Roads or Works already made, or hereafter to be made, by the Truſtees appointed in and by virtue of two ſeveral Acts of Parliament, the one paſſed in the fifth Year of his preſent Majeſty King *George* the Third, intituled, *An Act for continuing the Terms of ſeveral Acts, and for giving further Powers for Repairing the Road from* Chatteris Ferry *to* Hammond's Eau, *and* Somerſham Bridge, *and for amending and widening the Road from* Somerſham Bridge *to the Sheep Market in* Saint Ives, *and alſo the Road branching out of the ſaid Road near* Stock's Bridge, *through* Needingworth *to* Earith, *in the County of* Huntingdon; and the other, paſſed in the ſeventh Year of his preſent Majeſty King *George* the Third, intituled, *An Act to amend an Act, made in the fifth Year of his preſent Majeſty, for amending the Road from* Chatteris Ferry *through* Chatteris *and* March *to*

Wiſbech

Wiſbech Saint Peters, *and from thence to* Tidd Goat, *in the* Iſle of Ely, *and from* Wiſbech *aforeſaid through* Outwell *to* Downham Bridge, *in the County of* Norfolk; *and for repealing the ſeveral Acts for repairing the ſaid Road between* Wiſbech *and* March, *and alſo for charging certain Lands in* Walderſea *and on* Wiſbech *South Side, towards the Repairs of the* Walderſea *and South Side Banks, which before the paſſing of the ſaid Act were liable to ſuch Repairs*; or either of them; or be conſtrued to extend to invalidate, leſſen, diminiſh, alter, abridge, prejudice, or take away any of the Rights, Powers, and Authorities veſted in the ſaid Truſtees reſpectively appointed, or to be appointed, in and by virtue of the ſaid ſeveral Acts; but that all Rights, Powers, and Authorities whatſoever, which by virtue of the ſaid ſeveral Acts are now veſted in the Truſtees thereby and by virtue thereof reſpectively appointed, or any of them, ſhall hereafter remain, continue, and be in the ſaid Truſtees reſpectively, and every of them, as fully and amply, to all Intents and Purpoſes, as if this Act had never been made; except with regard to the Drain called *Hammond's Eau*, and the new Cut, in *Crollode*, which croſs the ſaid Road, which the ſaid Commiſſioners hereby appointed, and their Succeſſors, are hereby authoriſed and impowered to fill up, and take and carry away the Bridges acroſs the ſaid Drains, provided they ſhall and do erect ſufficient Temporary Bridges during the Time of taking the ſaid Bridges away, and ſhall and do alſo well and ſufficiently fill up the ſaid Drains, and make as complete a Paſſage over the ſaid Drains as in any other Part of the ſaid Road.

But not to impower them to make any Cuts for Water croſs the Road, ſo as to injure the Lands to be drained by this Act.

CXV. Provided alſo, and be it further enacted, That the ſaid Truſtees of the ſaid Turnpike Roads, under or by virtue of the ſaid two recited Acts of Parliament, made in the fifth and ſeventh Years of his preſent Majeſty King *George* the Third, ſhall have no Power or Authority whatſoever to make any Cut or Cuts, Paſſage or Paſſages, for the Water croſs the ſaid Road, ſo as in any Manner to injure or damage any of the Lands or Grounds compriſed in this preſent Act, or intended to be thereby drained and preſerved.

Limitation of Actions.

CXVI. And be it further enacted by the Authority aforeſaid, That if any Action, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done, or to be done, in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid or brought in the particular County or Liberty where ſuch Offence ſhall be ſuppoſed to have been done, and not elſewhere; and the Defendant or Defendants in ſuch Actions or Suits ſhall and may plead the General Iſſue; and if in replevin may juſtify and avow, by virtue of this Act, as Perſons acting by Authority (as Commiſſioners of Sewers are able to do), and give the ſpecial Verdict in Evidence without ſpecially pleading the ſame, otherwiſe than as aforeſaid, at any Trial to be had thereupon, and that the Fact alleged to have been done was done in purſuance and by Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought in any other County, Liberty, or Place, than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become Nonſuit, or forbear Proſecution, or diſcontinue his, her, or their Suit or Suits; or if any Verdict ſhall paſs againſt him, her, or them, either in Demurrer or otherwiſe; then and in any of the ſaid Caſes, the Defendant or Defendants, Avowant or Avowants, ſhall recover Treble Coſts, for which he, ſhe, or they ſhall have like Remedy as when Coſts by Law are awarded.

General Iſſue.

Treble Coſts.

Publick Act.

CXVII. And be it further enacted and declared by the Authority aforeſaid, That this Act ſhall be deemed a Publick Act; and all Judges or Juſtices, or other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. LXVI.

An Act for draining and preſerving certain Lands and Grounds in the Pariſhes of *Wiſbech Saint Peter's* and *Wiſbech Saint Mary's*, and in the Hamlets of *Wiſbech Murrow* and *Wiſbech Guyhirn*, in the *Iſle of Ely*, and County of *Cambridge*.

Preamble.

'WHEREAS the ſeveral Lands and Grounds lying in the Pariſhes of *Wiſbech Saint Peter's* and *Wiſbech Saint Mary's*, and in the Hamlets of *Wiſbech Murrow* and *Wiſbech Guyhirn*, in the *Iſle of Ely*, in the County of *Cambridge*, containing ſeven thouſand Acres, or thereabouts, and abutted and bounded as follows; (that is to ſay,) Towards the Weſt by *Murrow Bank*, towards the South by the North Bank of the River *Nene* in Part and the Town of *Wiſbech* in Part, towards the Eaſt by the ſaid Town in Part and the Weſt Bank of the ſaid River *Nene* in Part and the Lands in *Leverington* in Part, and towards the North by the Lands in *Leverington* and *Leverington Parſon Drove*, are much annoyed with Waters for want of a proper Drainage, and if the ſame be effectually drained, great Benefit will accrue as well to the Owners and Proprietors of the ſaid Lands and Grounds as to the Publick; but there are no Powers or Proviſions now in Force, by virtue of or under any Commiſſion of Sewers, or Law in being, ſufficient for the effecting the ſame; nor can the ſaid Lands and Grounds be effectually drained without the Aid and Authority of Parliament:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable *Webb Seymour* commonly called *Lord Webb Seymour*, Sir *Clement Trafford*, Sir *Philip Vavazor*, *John Warren* Doctor in Divinity, *Thomas Patrick Young* Doctor in Divinity, *Lawrence Banyer*, *Philip Burton*, *John Chettoe*, *Richard Cumberland*, *Edward Dickinſon*, *Bartholomew Edwards*, *John Edwards*, *Robert Foſter*, *Aungier Peacocke*, *Armſtead Parker*, *Rogers Parker*, *Robert Palmer*, *Richard Reynolds*, *Edmund Rolfe*, *John Sumpter*, *Daniel Swaine*, *Spelman Swaine*, *Matthew Wyldbore*, *John Waddington*, *Maximilian Weſtern*, *John Balchen Weſt*, and *Thomas Jenkinſon Woodward*, Eſquires; *Thomas Cook*, *John Dickinſon*, *Thomas Forſter*, *William Greaves*, *James Harris*, *Anthony Reynolds*, *Anthony Sanderſon*, and *John Twells*, Clerks; *John Abbott*, *James Aſhley* the Elder, *John Burch*, *Joſeph Barton*,

Commiſſioners Names.

arton, *William Coe*, *Edward Croſs*, *William Daws*, *John Drake*, *Thomas Ground*, *Maſon Hardy*, *John Hetherington*, *Joſeph Hancock*, *John Hancock*, *Thomas Harriſon*, *James Long*, *William Maſon*, *John Morphew* junior, *John Mayer*, *William Moore*, *Henry Newcome*, *Thomas Richardſon*, *William Rayner*, *John Stona*, *William Skrimſhire*, *James Scrimſhaw*, *William Stringer*, *Joſeph Torry*, *Robert Wenſley*, and *Joſeph Wilkinſon*, Gentlemen, ſhall be, and they and their Succeſſors, to be elected in Manner herein-after mentioned, are hereby appointed Commiſſioners for putting this Act into Execution.

Time and Place of the Meetings of Commiſſioners.

II. And be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall meet once at leaſt in every Year; to wit, on the ſecond *Tueſday* in *May*, in *Wiſbech Saint Peter's* aforeſaid, or at ſuch other Time or Times, Place or Places, as they ſhall ſee Cauſe, or think convenient; and ſhall and may, from Time to Time, at any of their ſaid Meetings, adjourn themſelves to ſuch other Time or Times, Place or Places, as they ſhall think proper; and that three of the ſaid Commiſſioners, and no leſs a Number, ſhall be deemed at all Times to be and conſtitute a Meeting within the true Intent and Meaning of this Act, for doing the Buſineſs and carrying the Purpoſes thereof into Execution; and that the firſt Meeting to be holden in purſuance of this Act ſhall be holden at the *Roſe and Crown Inn* in *Wiſbech Saint Peter's* aforeſaid, on the *Tueſday* Three Weeks next after the Day of the paſſing thereof; and that ten Days Notice of every other Meeting, except adjourned Meetings, ſhall be given under the Hands of two or more Commiſſioners, or their Clerk, and affixed in ſome publick Place in *Wiſbech Saint Peter's* aforeſaid, and on the Church Doors of *Wiſbech Saint Peter's* and *Wiſbech Saint Mary's* aforeſaid.

What Number ſhall conſtitute a Meeting.

Time of firſt Meeting.

Expences allowed to Commiſſioners at Meetings.

III. Provided always, That no greater or larger Sum of Money than three Shillings for each Commiſſioner who ſhall be preſent at any of the ſaid General Meetings, or than two Shillings for each Commiſſioner who ſhall be preſent at any of the ſaid other Meetings, ſhall ever be paid and allowed out of the Money to be raiſed by virtue of this Act, for the Charges or Expences of the ſaid Commiſſioners at ſuch Meetings; and that all Orders and Determinations of the ſaid Commiſſioners in the Execution of this Act ſhall be made at the Meetings to be held in purſuance thereof, by a Majority of the Commiſſioners preſent at ſuch Meetings; and that no ſuch Order or Determination of the ſaid Commiſſioners ſhall be revoked or altered at any ſubſequent Meeting, unleſs five of the ſaid Commiſſioners at leaſt ſhall be preſent, and concur in the revoking or altering thereof.

All Orders, &c. to be made at Meetings only, and not to be altered, unleſs five Commiſſioners concur.

In caſe of Death, &c. of Commiſſioners, new ones to be choſen.

IV. And be it further enacted by the Authority aforeſaid, That when and ſo often as any of the Commiſſioners appointed, or to be appointed, by or under this Act, ſhall happen to die, it ſhall and may be lawful to and for the ſurviving or other Commiſſioners, at their ſaid General Meeting, to elect and appoint one or more Perſon or Perſons in the Place of ſuch Commiſſioner or Commiſſioners as ſhall be then dead, out of the Owners and Proprietors of twenty Acres of the ſaid Lands and Grounds ſo bounded and deſcribed as aforeſaid; provided that no Perſon ſo elected ſhall be qualified to act as a Commiſſioner for any longer or other Time than he ſhall continue ſuch Owner as aforeſaid; and that upon his ceaſing to be Owner as aforeſaid, the ſaid Commiſſioners, at their next General Meeting, or any other General Meeting, ſhall and may elect and appoint another Perſon, qualified as aforeſaid, in the Place of every ſuch diſqualified Commiſſioner, in like Manner as if ſuch Commiſſioner was dead; and that all ſuch Commiſſioners, ſo to be elected and appointed, ſhall be and are hereby veſted with the ſame Powers and Authorities as the Commiſſioners in whoſe Places they were reſpectively elected and appointed were veſted with by virtue of this Act.

Biſhop of Ely, &c. may nominate Commiſſioners.

V. And be it further enacted by the Authority aforeſaid, That the Right Reverend the Lord Biſhop of *Ely* for the Time being, by Writing under his Hand and Seal, and the Dean and Chapter of *Ely*, Maſter and Scholars of *Saint Peter's College*, commonly called *Peter Houſe*, in the Univerſity of *Cambridge*, the Corporation for the Relief of the poor Widows and Children of Clergymen, and the capital Burgeſſes of the Town of *Wiſbech* for the Time being, by Writings under their reſpective common Seals (ſuch ſeveral Writings to be certified at the next Meeting after the ſigning or ſealing thereof), ſhall and may reſpectively, from Time to Time, nominate and appoint one Commiſſioner for putting this Act into Execution; and that ſuch Commiſſioners, ſo to be nominated and appointed as aforeſaid, ſhall be, and are hereby veſted with the ſame Powers and Authorities as the Commiſſioners hereby named and appointed are veſted with by virtue of this Act; and that each and every of the Commiſſioners hereby named and appointed, or to be named and appointed in purſuance of this Act, who ſhall be ſeiſed and poſſeſſed of one hundred Acres of the Lands and Grounds intended to be drained by virtue hereof, ſhall and may, from Time to Time, by Writing under his Hand, to be certified alſo at the next Meeting after the ſigning thereof, nominate and appoint one other Perſon to vote and act as a Commiſſioner in his Abſence, and not otherwiſe, at all or any of the Meetings to be holden under the ſaid Act; and ſuch Perſon ſo to be nominated and appointed, ſhall, in the Abſence of the Commiſſioner ſo appointing him, be, and is hereby veſted with the ſame Powers and Authorities as ſuch Commiſſioner is or ſhall be veſted with by virtue of this Act: Provided that no Perſon whatſoever ſhall vote or act as Agent for any more than one of the ſaid Commiſſioners at the ſame Time.

Certain Commiſſioners may appoint Proxies.

Penalty on Perſons acting as Commiſſioners not being qualified.

VI. Provided, and it is hereby further enacted, That if any Perſon or Perſons, not being qualified as aforeſaid (the Commiſſioners hereby nominated, and ſuch other Commiſſioners as ſhall be reſpectively named and appointed by the ſaid Lord Biſhop of *Ely*, Dean and Chapter of *Ely*, Maſter and Scholars of *Saint Peter's College*, commonly called *Peter Houſe*, in the Univerſity of *Cambridge*, the Corporation for the Relief of the poor Widows and Children of Clergymen, and capital Burgeſſes of the ſaid Town of *Wiſbech*, or by any of the Commiſſioners, Proprietors as aforeſaid, to act in their Abſence, only excepted), ſhall preſume to act as Commiſſioner in the Execution of this Act, ſuch Perſon ſo offending ſhall, for every ſuch Offence, forfeit the Sum of fifty Pounds; to be recovered, with full Coſts of Suit, by any Perſon or Perſons who ſhall inform or ſue for the ſame, in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or upon the Caſe, Bill, Suit, or Information, wherein no Eſſoin, Protection, Privilege, or Wager of Law, nor more than one Imparlance, ſhall be allowed; and in which Action or Suit it ſhall be

only neceſſary for the Plaintiff or Informer to prove that the Defendant acted as a Commiſſioner in the Execution of this Act, and a Verdict ſhall be found againſt the Defendant, unleſs he ſhall prove in his Defence that he was, at the Time of his ſo acting, qualified according to the true Intent and Meaning of this Act.

Commiſſioners impowered to dig and take Earth from certain Lands, and to ſet up Mills, and make Bridges, &c.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall have full Power and Authority, from Time to Time, and at all Times hereafter, at their Will and Pleaſure, to dig up and take Earth from the ſaid Lands and Grounds, ſo bounded and deſcribed as aforeſaid, or any Lands and Grounds lying adjacent thereto, or to any of their Works; and to make, raiſe, and ſet up, or cauſe to be made, raiſed, and ſet up, ſupported, widened, and cleanſed, all ſuch Mills, Engines, Sluices, Bridges, Tunnels, Banks, Cuts, Drains, Dams, Outlets, or other Works, in, through, or upon the ſaid Lands and Grounds, ſo abutted and deſcribed as aforeſaid, or any of them, or in, through, or upon any Part of the North Bank of the ſaid River *Nene*, between *Guyhirn Croſs* and a certain Lane in *Wiſbech Saint Peter's* called *Barton Lane*, or in, through, or upon any Part of the Weſt Bank of the ſaid River, from the North Side of the Turnpike Houſe in *Wiſbech Saint Peter's* to the Lands in the Pariſh of *Leverington*, as they ſhall think neceſſary and convenient for the draining of the Waters from the ſaid Lands and Grounds, ſo abutted and deſcribed as aforeſaid, into the ſaid River; and that they the ſaid Commiſſioners ſhall have full Power and Authority over all and ſingular the ſaid Works ſo to be made, and alſo over the Mills already ſet up for the draining of the ſaid Lands and Grounds, called *The White* and *Red Engines*, and the Houſes, Drains, Sluices, Tunnels, and other Works thereto belonging, and to alter, repair, rebuild, enlarge, widen, or deepen the ſame, and alſo over all and ſingular the Tunnels, Sluices, and other Works already made and ſet up in the Banks of the ſaid River *Nene*, between *Guyhirn Croſs* and *Barton Lane* aforeſaid; and to alter, repair, rebuild, enlarge, widen, deepen, uſe, or take up the ſame, as they ſhall think proper and neceſſary for the better draining of the ſaid Lands and Grounds ſo abutted and deſcribed as aforeſaid; and alſo ſhall have full Power and Authority over all and ſingular the Banks, Bridges, Cuts, Drains, Dams, Headings, Outlets, Sluices, or other Works of draining, already made or ſet up within the Limits of the ſaid Lands and Grounds ſo abutted and deſcribed as aforeſaid; and alſo to fell and take down all ſuch Trees, Wood, and Buſhes, as ſhall or may, at any Time or Times, be Obſtructions or Impediments to the working of the ſaid Mills, or any of them, or to the ſaid Drainage, they the ſaid Commiſſioners paying to ſuch Perſon or Perſons, Body Corporate or Bodies Corporate, as ſhall or may have a Right or Property in or to any ſeveral Lands and Grounds from which any Earth ſhall be ſo dug up or taken, or through or upon which any ſuch Bank, Bridge, Cut, Drain, Dam, Outlet, Mill, Engine, Sluice, or other Work, ſhall be made or ſet up, or as ſhall and may ſuſtain any Damage by the removing of the ſaid Obſtructions and Impediments, ſuch Satisfaction for the Damages they ſhall reſpectively ſuſtain thereby, as ſhall be agreed upon by the ſaid Commiſſioners, and the Perſon or Perſons, Body Corporate or Bodies Corporate, having ſuch Right or Property, or ſuſtaining ſuch Damage as aforeſaid: And if the ſaid Commiſſioners, and the ſaid Perſon or Perſons, Body Corporate or Bodies Corporate, having ſuch Right or Property, or ſuſtaining ſuch Damage as aforeſaid, cannot agree upon the Value and Amount of the ſaid Damages; then, and in ſuch Caſe, paying ſuch Satisfaction as ſhall be aſſeſſed by the Juſtices of the Peace for the ſaid *Iſle of Ely*, or the major Part of them, not intereſted, at any General Quarter Seſſions of the Peace to be holden for the ſaid Iſle, within twelve Months next after ſuch Damages ſhall be done; and ſuch Juſtices are hereby authoriſed to examine into, hear, and determine, the Value and Amount of ſuch Damages upon the Oath of one or more Witneſs or Witneſſes, and their Determinations ſhall be final and concluſive to all Parties: Provided, that if, before any ſuch Application to the ſaid Juſtices, the Satisfaction agreed to be paid by the ſaid Commiſſioners to ſuch Perſon or Perſons, Body Corporate or Bodies Corporate, as ſhall or may have ſuch Right or Property, or ſuſtain ſuch Damages as aforeſaid, ſhall be by the ſaid Juſtices adjudged a ſufficient Recompence for the Damages which ſuch Perſon or Perſons, Body Corporate or Bodies Corporate, ſhall or may ſuſtain thereby; then, and in ſuch Caſe, the Coſts and Charges of ſuch Application to the ſaid Juſtices ſhall be borne and paid by the Perſon or Perſons, Body Corporate or Bodies Corporate, making ſuch Application; ſuch Coſts and Charges to be aſcertained and taxed by the ſaid Juſtices to whom ſuch Application ſhall be made.

to fell Trees, and remove other Obſtructions, paying for the Damage.

If Parties cannot agree, Damage to be ſettled by the Juſtices.

Proviſo.

Saving Clauſe.

VIII. Provided nevertheleſs, That nothing herein contained ſhall extend, or be conſtrued to extend, to give any Power or Authority to the ſaid Commiſſioners to make or widen any Cut, or ſet down any Sluice, or other Work, in or through the Banks of the ſaid River, or either of them, or in or through the Turnpike Road, without making good ſuch Part or Parts of the ſaid Banks or Road where the ſaid Cut, Sluice, or other Work ſhall be made, and maintaining and ſupporting the ſame ſo long as the ſaid Cut, Sluice, or other Work ſhall continue; or to alter, take up, or diſannul any Sluice, Cut, or other Work, made or to be made, in or through the ſaid Banks, or either of them, without making good the Breaches occaſioned thereby; or to ſet up, or have any other Mill or Mills (other than and except the ſaid *White* and *Red Engines*) for the carrying of the Waters from the ſaid Lands and Grounds, ſo abutted and deſcribed as aforeſaid, into the ſaid River, through any other Part of the Banks of the ſame than ſuch Part thereof as is ſituate between *Guyhirn Croſs* and *Bevis Hall*; or to remove the ſaid White and Red Engines, or either of them, from the reſpective Places where they now ſtand; and that no Earth ſhall be taken for any Purpoſe whatſoever from any Place or Places within ſixty Feet of *Murrow Bank*, or of any of the Banks of the ſaid River *Nene*; and alſo that no Earth ſhall be taken from any of the adjacent Lands and Grounds, unleſs the ſaid Lands and Grounds, ſo deſcribed and abutted as aforeſaid, ſhall be overflowed with Water in ſuch Manner that Earth cannot be had or taken therefrom within fifty Yards of the Place where the ſaid Earth is to be laid by virtue of this Act.

'IX. And, for the preventing of the Waters in the ſaid Drain from overflowing the Banks thereof, or 'running too high between the White and Red Mills, to the Damage of the Lands lying on each Side 'thereof, in the Pariſh of *Leverington* and in *The Nine Hundred*,' be it enacted by the Authority aforeſaid, That

That in caſe the ſaid Commiſſioners ſhall at any Time or Times make any Alteration in the Dimenſions of the ſaid White Mill, by enlarging the ſame, then, and in ſuch Caſe, the ſaid Commiſſioners ſhall alſo enlarge the ſaid Red Mill proportionably, and ſo as to exceed the Dimenſions of the ſaid White Mill in ſuch Proportion as Sea Mills uſually exceed the Dimenſions of Land Mills; and that an Overfall of Brick ſhall be ſet up and built near the ſaid White Mill, of ſuch Height, and in ſuch Manner, as they the ſaid Commiſſioners ſhall think proper and neceſſary for the effectual ſtopping of the ſaid Waters, and preventing their overflowing the Banks of the ſaid Drain, or running too high in the ſame, to the Damage of the ſaid Lands on each Side of the ſaid Drain.

If the White Mill be enlarged, the Red Mill to be alſo enlarged.

X. And be it further enacted by the Authority aforeſaid, That if the ſaid Commiſſioners ſhall at any Time or Times think proper to widen the ſaid Drain between the Poor Houſes at or near *Tun Green*, in the Pariſh of *Leverington*, and the Turn of the ſaid Drain near *Little Dowgate*, then the ſaid Commiſſioners ſhall take the Earth from each Side of the ſaid Drain in an equal Proportion, except at ſuch Places where the taking of the Earth from each Side thereof will interfere with private Property, and there the Earth ſhall be taken on that Side of the ſaid Drain where the taking thereof will not interfere with ſuch Property.

How Earth may be taken away to widen the Drain at Tun Green, &c.

'XI. And, foraſmuch as the Preſervation of the ſaid Lands and Grounds, ſo abutted and deſcribed as 'aforeſaid, in a great Meaſure depends upon the keeping of a ſufficient Bank between the ſaid Lands and 'Grounds and the Common of *Leverington*, and *Leverington Parſon Drove*, and therefore the Owners and 'Proprietors of the ſaid Lands and Grounds, notwithſtanding the ſaid Bank is now repaired, ſupported, 'and maintained, by the Land Owners of *Leverington* and *Leverington Parſon Drove* aforeſaid, are deſirous 'of taking upon themſelves the Burthen and Expence of raiſing, ſupporting, and maintaining the ſame, 'from *Murrow Bank* to the White Engine;' be it therefore enacted by the Authority aforeſaid, that the ſaid Commiſſioners ſhall have full Power and Authority, from Time to Time, and at all Times hereafter, at their Will and Pleaſure, to amend, raiſe, ſupport, maintain and keep, at their own Expence, the ſaid Bank, from *Murrow Bank* aforeſaid to the White Engine, of a Height and Breadth ſufficient for the Defence of the ſaid Lands and Grounds, ſo deſcribed and abutted as aforeſaid, againſt the Waters of *Leverington* and *Leverington Parſon Drove*; and that they the ſaid Commiſſioners, for the amending, raiſing, ſupporting, maintaining, and keeping up of the ſaid Bank, ſhall, and lawfully may, from Time to Time, and at all Times, enter upon the ſaid Common, and take from thence all ſuch Earth as ſhall be neceſſary and wanting for the amending, raiſing, ſupporting, maintaining, and keeping of the ſaid Bank of the ſaid Height and Breadth, without paying or making any Recompence for the ſame: Provided, that no Earth ſhall be taken for the Purpoſes aforeſaid, or any of them, at a greater Diſtance than thirty Feet from the Brink of the preſent Drain running between the ſaid Lands and Grounds and the ſaid Common.

Commiſſioners impowered to ſupport the Bank from Murrow Bank to the White Engine.

Proviſo.

XII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall be, and they are hereby authoriſed and directed to lay down Bridges in all Places where all or any of the Drains already cut and thrown out, or to be cut and thrown out, under and by virtue of this Act, ſhall croſs any Road or publick Highway, and the ſaid Bridges to ſupport and keep as publick Bridges, for the Paſſage of Horſes, Beaſts, Cattle, and Carriages of all Sorts.

Bridges to be provided where neceſſary.

XIII. And be it alſo enacted by the Authority aforeſaid, That the Proprietors of the Lands lying on the North Side of the ſaid Drain, between *Little Dowgate* and the Red Mill, ſhall and may have a Paſſage into their ſaid Lands over the ſaid Drain, for Horſes, Carts, and Carriages; and ſhall and may, from Time to Time, and at all Times, have free Liberty to lay Bridges, or raiſe Arches, over any Part or Parts thereof, between *Little Dowgate* aforeſaid and the Red Mill, for ſuch Paſſage, and from Time to Time to repair, amend, and keep up the ſaid Bridges and Arches, provided that they the ſaid Proprietors do not thereby, or by Means thereof, leſſen or narrow the ſaid Drain, or choak or fill up the ſame with Earth, Bricks, Rubbiſh, or in any other Manner whatſoever.

Proprietors of Lands lying on the North Side of the Drain between Little Dowgate and the Red Mill to have free Paſſage over the ſame.

XIV. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall and may, and are hereby impowered to make ſuch Orders, and give ſuch Directions, for the ſaid ſeveral Works of Draining, and for the managing, maintaining, and ſupporting of the ſame, as they ſhall think fit; and ſhall and may appoint one or more Clerk or Clerks, Receiver or Receivers, Collector or Collectors, and ſuch other Officers, for the making and taking Care of ſuch Works, and for the collecting of the Rates and Aſſeſſments to be laid and aſſeſſed for the making and ſupporting thereof, or for any other of the Purpoſes of this Act, as they the ſaid Commiſſioners ſhall think proper; and ſhall and may allow ſuch Officers, and every of them, reaſonable Salaries for their Trouble; and ſhall and may, from Time to Time, as they ſhall ſee Occaſion, remove any ſuch Clerks, Collectors, Receivers, or Officers, and appoint others in the Places of ſuch of them as ſhall be ſo removed, and in caſe of the Death of any of them, in the Place of ſuch of them as ſhall ſo die; and that every Collector and Receiver, ſo to be appointed as aforeſaid, before he or they ſhall act in the Execution of his or their Office, ſhall give ſuch Security to the ſaid Commiſſioners, for the due Execution of the ſame, as the ſaid Commiſſioners ſhall think proper; and ſhall account and produce his or their Vouchers for all and every ſuch Sum and Sums of Money as he or they ſhall receive or pay by virtue of their ſaid Office, at the ſaid General Meeting in every Year, and pay over the Balance of ſuch Accounts remaining in his or their Hands, if any ſuch there be, into the Hands of the ſaid Commiſſioners there aſſembled, or as they, or the major Part of them, ſhall direct or appoint.

Commiſſioners Power reſpecting the Works, and appointing of Officers, &c.

Collectors and Receivers to give Security, and to account at the General Meeting.

XV. Provided, and it is hereby further enacted by the Authority aforeſaid, That if any ſuch Collector or Collectors, Receiver or Receivers, ſhall neglect or refuſe to account for any Sum or Sums of Money by him or them collected or received in purſuance of this Act, at the ſaid General Meeting in every Year, or to pay over the Balance remaining in his or their Hands to the ſaid Commiſſioners then and there aſſembled; then, and in either of the ſaid Caſes, it ſhall and may be lawful to and for two of the Juſtices of the Peace for the ſaid *Iſle of Ely*, or for the County where ſuch Collector or Collectors, Receiver or

How Officers refuſing to account may be puniſhed.

Receivers, ſhall reſide, to inquire of and concerning ſuch Neglect or Refuſal; and if any ſuch Collector or Receiver ſhall be convicted thereof, upon the Oath of one or more credible Witneſs or Witneſſes, that then the ſaid Juſtices ſhall reſpectively, upon ſuch Conviction, commit the ſaid Collector or Collectors, Receiver or Receivers, to the Common Gaol of the ſaid Iſle or County where ſuch Collector or Collectors, Receiver or Receivers, ſhall reſide, there to remain until he or they ſhall have made a full, true, and perfect Account and Payment, as aforeſaid.

Acre Taxes to be made, and in what Proportions.

XVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, at their firſt Meeting after the paſſing of this Act, and from Time to Time, at their General Meeting in every ſucceeding Year, to aſſeſs, rate, tax, and charge, all and every of the Owners and Occupiers of all and ſingular the ſaid Lands and Grounds, ſo deſcribed and abutted as aforeſaid, by proportionable Acre Taxes, in ſuch Rates or Sums of Money as they ſhall think proper, and that the ſaid Rates or Sums of Money ſo aſſeſſed ſhall be paid as ſoon after the aſſeſſing and charging thereof as conveniently may be: Provided, that no ſuch Aſſeſſments, Rates, or Taxes, ſhall at any Time, during the firſt five Years after the paſſing of this Act, exceed the Sum of two Shillings and Sixpence an Acre in any one Year, or in any one Year afterwards two Shillings an Acre; and that no ſuch Aſſeſſment, Rate, or Tax, be in any one Year leſs than one Shilling an Acre, ſo long as any Sum or Sums of Money ſhall be due and owing thereupon.

Proviſo reſpecting a Place called The Nine Hundred.

XVII. Provided alſo, That the Acre Tax for each and every Acre of the ſaid Lands and Grounds lying in a Place called *The Nine Hundred*, in *Wiſbech Saint Peter's* aforeſaid, ſhall not exceed in any Year the fourth Part of the Acre Tax to be rated, aſſeſſed, and charged on the Owners and Proprietors of the other Lands and Grounds intended to be drained by virtue of this Act; and that no Acre Tax ſhall be laid for and in reſpect of the ſaid Lands in *The Nine Hundred*, at ſuch Time as an Aſſeſſment ſhall not be made for or in reſpect of the ſaid other Lands.

Lands to be meaſured.

XVIII. And be it further enacted by the Authority aforeſaid, That on or before the firſt Day of *September*, in the Year of our Lord one thouſand ſeven hundred and ſeventy-five, or as ſoon after as conveniently may be, all and ſingular the ſaid Lands and Grounds, as well thoſe called *The Nine Hundred*, as the ſaid other Lands and Grounds, ſhall be truly and diſtinctly ſurveyed and meaſured by ſuch Perſon or Perſons as the ſaid Commiſſioners, at any of their ſaid Meetings, ſhall nominate and appoint; and that ſuch Survey ſhall be put into Writing, and ſhall contain the Number of Acres, Roods, and Perches, in Statute Meaſure, belonging to each of the ſaid Proprietors, and two Maps made thereof, and depoſited in the Pariſh Churches of *Wiſbech Saint Peter's* and *Wiſbech Saint Mary's* aforeſaid; and that ſuch Survey ſhall, as ſoon as may be after the ſame ſhall be completed, be verified at any of the Meetings of the ſaid Commiſſioners, by the Oath of ſuch Perſon or Perſons as ſhall ſo make the ſame; which Oath the ſaid Commiſſioners, or any one or more of them, is or are hereby impowered to adminiſter; and that the ſaid Maps ſhall be a ſufficient Warrant and Authority to the ſaid Commiſſioners to aſcertain and determine the Quantity of the ſaid Lands and Grounds ſo to be meaſured as aforeſaid, belonging to each of the Owners and Proprietors thereof.

Tenants to pay the Tax,

and to deduct it from their Rent.

'XIX. And, to the End that the ſaid Rates and Taxes may be more eaſily and effectually collected and 'received,' be it further enacted by the Authority aforeſaid, That all and every of the Tenants and Occupiers of the ſaid Lands and Grounds, who ſhall be ſo aſſeſſed and rated as aforeſaid, ſhall and are hereby authoriſed and required to pay all and every ſuch Sum or Sums of Money as ſhall be ſo aſſeſſed and rated on the reſpective Lands and Grounds in their ſeveral and reſpective Occupations, and to deduct and retain, out of his, her, or their Rent, all ſuch Sum and Sums of Money as they ſhall ſo reſpectively pay as aforeſaid; and the ſeveral and reſpective Landlords or Owners of ſuch Lands and Grounds are hereby required to allow ſuch Deduction and Payment upon Receipt of the Reſidue of their ſaid Rent; and every ſuch Tenant or Occupier, paying ſuch Aſſeſſment or Rate, ſhall be acquitted and diſcharged of ſo much Money as the ſaid Aſſeſſment or Rate ſo to be paid by them ſhall amount to, as fully and effectually as if the ſame had been actually paid to his, her, or their Landlord or Landlords.

Certain Perſons not intitled to deduct the Tax.

XX. Provided, and be it further enacted and declared by the Authority aforeſaid, That no Leſſee or Tenant of any Lands or Grounds, charged with the ſaid Rates, Taxes, or Aſſeſſments, who ſhall hold the ſame by virtue of or under any Leaſe from any Biſhop, or Collegiate Church or College, or any Eccleſiaſtical Corporation, Sole or Aggregate, or by virtue of or under any other Leaſe or Agreement, in which, at the Time of the paſſing of this Act, there ſhall be more than ſeven Years to come and unexpired, ſhall be intitled to deduct the ſaid Rates, Taxes, or Aſſeſſments, chargeable by this Act, or any of them, out of the Rent reſerved or made payable by any ſuch Leaſe or Agreement; but that the ſaid Rates, Taxes, and Aſſeſſments, ſhall be charged upon and paid by the Leſſees or Tenants ſo holding ſuch Lands or Grounds as aforeſaid; and that all and every Leſſee or Leſſees, Tenant or Tenants, of any Lands or Grounds charged with the ſaid Rates, Taxes, and Aſſeſſments, by virtue of or under any other Leaſe or Agreement, in which there ſhall be ſeven Years or leſs to come and unexpired, ſhall pay ſuch an Advance of Rent as the ſaid Commiſſioners at any of their Meetings ſhall order, as a Conſideration for the Benefit which ſuch Tenant or Tenants ſhall or may receive by Means of this Act.

If Perſons make Default in Payment of Taxes, how they may be recovered,

XXI. And be it further enacted by the Authority aforeſaid, That in caſe Default ſhall be made by any Perſon or Perſons aſſeſſed, rated, taxed, and charged as aforeſaid, in his, her, or their reſpective Payments, by the Space of twenty Days next after the Time hereby appointed for the Payment thereof, and Demand made by the Collector or Collectors, Receiver or Receivers, by Notice in Writing of ſuch Demand left at the uſual Place of Abode of the Perſon or Perſons who is, are, or ought to pay the ſame; or, if ſuch Perſon or Perſons ſhall not have any Place of Abode within the Pariſh in which ſuch Lands or Grounds, for or in reſpect of which he, ſhe, or they ſhall be aſſeſſed and rated as aforeſaid, ſhall lie, then after Demand made by the ſaid Collector or Collectors, Receiver or Receivers, by Notice in Writing of ſuch Demand affixed upon the Church Door of the Pariſh where ſuch Lands and Grounds, or any Part thereof, ſhall lie, it ſhall and may be lawful to and for the Collector or Collectors, Receiver or Receivers, or

or any other Perſon or Perſons, by virtue of any Warrant or Precept under the Hands and Seals of any two or more of the ſaid Commiſſioners (which Warrant or Precept the ſaid Commiſſioners, or any two or more of them, are hereby impowered and required to make and give, as there ſhall be Occaſion), to enter into and upon the Lands and Grounds ſo rated and taxed as aforeſaid, in Poſſeſſion of ſuch Perſon or Perſons as ſhall make Default in Payment as aforeſaid, and all Meſſuages or Tenements thereupon ſtanding, and to levy the Sum and Sums of Money by him, her, or them payable for ſuch Rate or Tax, by Diſtreſs of the Goods, Chattels, and Cattle, which ſhall be there found; and in caſe no ſufficient Diſtreſs can be there found, it ſhall and may be lawful to and for the Collector and Collectors, Receiver or Receivers, or other Perſon or Perſons, by virtue of ſuch Warrant or Precept as aforeſaid, to levy all Arrears of the ſaid Rates or Taxes by Diſtreſs of the Goods, Chattels, and Cattle, of the Perſon and Perſons ſo making Default in Payment as aforeſaid, which ſhall be found in any other Place in the Kingdom of *Great Britain*, and the ſaid Goods, Chattels, and Cattle, to impound on the Meſſuages or Lands where the ſame ſhall be found, or to take, lead, drive, or carry away, and the ſame to keep for the Space of five Days, at the Coſts and Charges of the Owner or Owners thereof, leaving Notice in Writing of the Cauſe of ſuch Diſtreſs at the Meſſuage or Tenement, if any there be, belonging to the ſaid Lands or Grounds upon which ſuch Diſtreſs ſhall be taken, and for Want of ſuch Meſſuage or Tenement, at the uſual Place of Abode of the Perſon or Perſons who is, are, or ought to pay the ſaid Rates or Taxes; but if ſuch Perſon or Perſons ſhall not have any Place of Abode within the Pariſh in which the ſaid Lands and Grounds, or any Part thereof, for or in reſpect of which he, ſhe, or they, ſhall be ſo aſſeſſed and rated as aforeſaid, ſhall lie, then affixing ſuch Notice upon the Church Door of the Pariſh where ſuch Goods, Chattels, and Cattle, ſhall be ſo taken in Diſtreſs; and if the Owner or Owners of the ſaid Goods, Chattels, and Cattle, ſhall not pay the Sum or Sums of Money ſo aſſeſſed, rated, and diſtrained for as aforeſaid, together with the Charges of ſuch Warrant, and taking ſuch Diſtreſs, and of keeping and maintaining the ſame, or replevy the Goods, Chattels, and Cattle ſo diſtrained, according to the Laws now in Force for the Non-payment of Rent, within the ſaid five Days, that then the ſaid Goods, Chattels, and Cattle, ſo diſtrained, ſhall be appraiſed by two or more indifferent Perſons, to be ſworn by the Conſtable or Headborough of the Pariſh where ſuch Diſtreſs ſhall be made (who is hereby authoriſed and required to adminiſter an Oath for that Purpoſe), to appraiſe the ſame according to the beſt of their Judgment; and that, after ſuch Appraiſement as aforeſaid, the ſaid Goods, Chattels, and Cattle, ſhall be ſold by the ſaid Collector or Collectors, Receiver or Receivers, or other Perſon or Perſons, for Payment of the ſaid Sum or Sums of Money ſo aſſeſſed, rated, and diſtrained for, and of the ſaid Charges, and alſo of the Charges of appraiſing and ſelling ſuch Diſtreſs; and that the Overplus ariſing from ſuch Sale, if any be, after Payment of the ſaid Sum or Sums ſo aſſeſſed, rated, and diſtrained for, and the ſaid Charges, ſhall be returned on Demand to the Owner or Owners thereof.

Manner of Proceeding, when Diſtreſs cannot be found on the Lands.

XXII. Provided always, and it is hereby further enacted and declared, That in caſe any of the ſaid Lands and Grounds, abutted or deſcribed as aforeſaid, ſhall, at any Time hereafter, be untenanted or unoccupied, ſo that no ſufficient Diſtreſs can be made for levying the ſaid Rates and Taxes, then the Lands and Grounds chargeable therewith ſhall remain a Security for Payment thereof; and all Goods, Chattels, and Cattle, which ſhall at any Time thereafter be found thereon, ſhall and may be diſtrained, impounded, kept, and ſold, in Manner aforeſaid, until all Arrears of the ſaid Rates and Taxes, and the Charges incident to ſuch Diſtreſs, ſhall be fully paid and ſatisfied.

Lands untenanted to remain a Security for the Rates.

'XXIII. And, foraſmuch as the ſaid Aſſeſſments, Rates, and Taxes, ſo to be charged and collected as 'aforeſaid, will not be ſufficient to defray the immediate Expence of making the ſeveral Works neceſſary 'for the ſpeedy Improvement of the ſaid Lands and Grounds,' be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any two or more of them, ſhall and may, and they are hereby impowered, from Time to Time, purſuant to an Order for that Purpoſe, to be made at any of the ſaid General or other Meetings to be held as aforeſaid, at which ſeven Commiſſioners ſhall be preſent and concur, to borrow and take up at Intereſt any Sum or Sums of Money, not exceeding in the Whole the Sum of ſix thouſand Pounds, which they ſhall think neceſſary for the making, carrying on, and maintaining the ſaid Works, and, by Writing under their Hands and Seals, to mortgage or aſſign the ſaid Aſſeſſments, Rates, Taxes, and Sums of Money, ſo to be rated, taxed, and charged, or any Part thereof (the Coſts and Charges of ſuch Mortgage or Aſſignment to be paid out of the ſaid Taxes), for any ſuch Time or Number of Years, and in ſuch Manner and Form, as to the ſaid Commiſſioners, or any two or more of them, ſhall ſeem meet, as a Security for any ſuch Sum or Sums of Money ſo borrowed, to ſuch Perſon or Perſons, his, her, or their Truſtee or Truſtees, with Intereſt for the ſame, not exceeding five Pounds *per Centum per Annum*; and that Copies of all ſuch Mortgages and Aſſignments ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk or Clerks to the ſaid Commiſſioners; and that it ſhall and may be lawful for all and every Perſon and Perſons to whom any ſuch Mortgage or Aſſignment ſhall be made as aforeſaid, or who ſhall be intitled to the Money thereby ſecured, by Indorſement on his, her, or their Security or Securities, or otherwiſe, to aſſign or transfer his, her, or their Mortgage or Security, and Right to the Principal Money and Intereſt thereby ſecured; and that ſuch Aſſignment or Transfer ſhall be notified to the ſaid Clerk or Clerks, within three Calendar Months after the Date thereof, and that the ſaid Clerk or Clerks ſhall cauſe an Entry or Memorial thereof to be made (containing the Date of ſuch Aſſignment or Transfer, the Names of the Parties thereto, and the Sum or Sums of Money therein mentioned to be aſſigned or transferred) in the ſaid Book or Books to be kept for entering the original Mortgages or Aſſignments, for which he or they ſhall be paid the Sum of two Shillings and Sixpence, and no more; and that after ſuch Entries ſhall be made, ſuch Aſſignment or Transfer ſhall intitle ſuch Aſſignees to the Benefit and Payment thereon; and that every ſuch Aſſignee ſhall and may, in like Manner, from Time to Time, aſſign or transfer his, her, or their Right and Intereſt therein and thereto; and that all and every Perſon and Perſons, to whom any ſuch Mortgage, Transfer, or Aſſignment, ſhall be made

Money may be borrowed, not exceeding 6000l.

and the Rates may be aſſigned as a Security for Payment.

Aſſignments to be entered in a Book,

and notified to the Clerk within three Months.

Clerk's Fee.

Aſſignments may be transferred.

as aforeſaid, ſhall be, in proportion to the Sum or Sums of Money therein mentioned, Creditors on the ſaid Aſſeſſments, Rates, Taxes, and Sums of Money, in equal Degree one with another, and ſhall have no Preference in reſpect to the Priority of advancing any ſuch Money; and that the ſaid Money ſo borrowed ſhall be applied in Manner hereafter mentioned, (that is to ſay) in the firſt place, towards paying and diſcharging the Coſts, Charges, and Expences of obtaining and paſſing this Act, and then in making, effecting, and maintaining the ſaid Works of draining and improving the ſaid Lands and Grounds ſo abutted and deſcribed as aforeſaid, and to and for no other Uſe, Intent, or Purpoſe whatſoever.

Expences of this Act how to be paid.

Rates to be chargeable with Money borrowed.

XXIV. And it is hereby further enacted and declared, That all and ſingular the ſaid Rates, Taxes, and Sums of Money, by virtue hereof to be aſſeſſed and paid by the Owners and Occupiers of the ſaid Lands and Grounds, ſhall be charged and chargeable in Manner before mentioned, with and for the Payment of ſuch Sum and Sums of Money ſo to be borrowed as aforeſaid, and the Intereſt thereof, and ſhall veſt in the reſpective Creditors, upon Default of Payment of ſuch Principal Money and Intereſt, until the ſame ſhall be fully paid and ſatisfied, together with the Coſts and Charges occaſioned by the Non-payment thereof; and the ſaid Creditors reſpectively, their reſpective Executors, Adminiſtrators, and Aſſigns, ſhall have the ſame Powers, Rights, and Privileges, of raiſing and recovering the Rates, Taxes, and Sums of Money payable as aforeſaid, by the Owners and Occupiers of the ſaid Lands and Grounds, for or in reſpect of ſuch Principal Money and Intereſt, if Default ſhall be made in Payment thereof, as the ſaid Commiſſioners, or their Collector or Collectors, would have had, in caſe the ſaid Principal Money and Intereſt had been regularly paid and ſatisfied.

Transfers or other Securities may be without Stamps.

XXV. And it is hereby further enacted by the Authority aforeſaid, That no Mortgage, Transfer, or other Security, for the borrowing of any Money, or Aſſignment of ſuch Mortgage or Security, Information, Proceſs, Warrant, Judgment, Appointment, or other Writing, in purſuance of, or relating to the Execution of this Act, ſhall be chargeable with any Stamp-duty whatſoever.

Penalty on Perſons wilfully deſtroying Mills, Floodgates, &c.

XXVI. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall, at any Time or Times hereafter, wilfully and maliciouſly cut, throw down, burn, or otherwiſe deſtroy, any Bank, Mill, Engine, or Flood-gate, already made and erected, or which at any Time hereafter ſhall be making and erecting, or made and erected, for the draining and improving of the ſaid Lands and Grounds ſo abutted and deſcribed as aforeſaid, or any of them, and ſhall be thereof lawfully convicted, ſhall be guilty of Felony, and liable to be tranſported as a Felon for ſeven Years; and that if any Perſon or Perſons ſhall, at any Time or Times hereafter, permit or ſuffer his, her, or their Hogs or Swine to ſtray upon any of the ſaid Banks made and raiſed by virtue of this Act, or ſhall ſet down any Nets or Engines for the catching of Fiſh in any of the Drains thrown out for the Purpoſes aforeſaid; or ſhall dig or throw out any Pond or Watering in any of the ſaid Lands and Grounds ſo deſcribed and abutted as aforeſaid, within forty Feet of any Drain already made, or to be made, and uſed for the draining and improving of the ſaid Lands and Grounds as aforeſaid; or ſhall at any Time hereafter maliciouſly deſtroy, ſtop, dam up, ſpoil, or damage any Drain, Watercourſe, Sluice, Tunnel, Door, Dam, Heading, Bridge, or other Work or Works, made or to be made, or ſet up and uſed for the ſaid Purpoſes of draining; all and every ſuch Perſon and Perſons ſo offending, being thereof convicted before two or more of his Majeſty's Juſtices of the Peace for the *Iſle of Ely*, or for the County where ſuch Perſon or Perſons ſhall reſide (who are hereby authoriſed and required to hear and determine the ſame, on the Oath of one or more credible Witneſs or Witneſſes, or on the Confeſſion of the Party or Parties ſo offending), ſhall, for every ſuch Offence, forfeit and pay a Sum of Money not exceeding the Sum of fifty Pounds, nor leſs than five Pounds, as the ſaid Juſtices ſhall reſpectively order and direct, to the ſaid Commiſſioners, for the ſame Purpoſes for which the ſaid Aſſeſſments, Rates, and Taxes, are hereby directed to be applied, and to be levied by Diſtreſs and Sale of the Goods, Chattels, and Cattle, of all and every ſuch Offender or Offenders, by Warrant under the Hands and Seals of the ſaid Juſtices; and that in Default of ſuch Diſtreſs or Payment, the Perſon or Perſons ſo offending ſhall be committed by ſuch Juſtices to the Houſe of Correction, there to be kept to hard Labour for ſuch Time as the ſaid Juſtices ſhall reſpectively order and direct, not exceeding three Calendar Months, at the Diſcretion of the ſaid Juſtices by whom ſuch Commitment ſhall be made.

or permitting Swine to ſtray on the Banks, or ſetting Nets in the Drains, &c.

or otherwiſe damaging any other of the Works.

'XXVII. And, to the End that it may appear clearly what is raiſed from Time to Time by virtue of 'the ſaid Aſſeſſments or Rates, and how the ſame have been from Time to Time applied, and that all 'Accounts of the Monies raiſed and diſburſed by virtue of this Act may be fairly examined;' be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners ſhall order and cauſe a Book of Aſſeſſments to be made and kept, and all the Rates and Aſſeſſments made as aforeſaid, under this Act, to be fairly entered therein; and alſo ſhall order and cauſe a Book of Accounts to be made and kept, and an Account of all the Receipts and Diſburſements of the Monies received and diſburſed, by virtue of this Act, to be fairly entered in the ſame; and that no Account ſhall be paſſed and allowed, unleſs the ſame ſhall be kept and made up in ſuch Books as aforeſaid; and that once in every Year, to wit, at the ſaid General Meeting, they the ſaid Commiſſioners ſhall carefully examine all Receipts and Diſburſements of all ſuch Monies as ſhall be collected, received, and diſburſed, by virtue of this Act, to the *Ladyday* next before ſuch Meeting, and all Vouchers relating to the ſame; and that upon Inſpection and Examination of the ſaid Accounts, upon Oath, to be adminiſtered by one or more of the ſaid Commiſſioners (which Oath any one or more of them is or are hereby impowered to adminiſter), the ſaid Commiſſioners ſhall, and they are hereby impowered and directed to allow and paſs the ſaid Accounts, or ſuch Part or Parts thereof as ſhall appear to them juſt and reaſonable; and the ſaid Accounts, or ſuch Part or Parts thereof as ſhall be allowed by the ſaid Commiſſioners, under their Hands, ſhall be fairly entered in a Book or Books to be kept for that Purpoſe by them the ſaid Commiſſioners; and that the ſaid Book or Books ſhall or may be inſpected and peruſed, at all ſeaſonable Times, by any Owner or Owners of the ſaid Lands and Grounds ſo abutted and bounded as aforeſaid, or of any Part thereof, without Fee or Reward.

Rates, &c. to be entered in Books.

Receipts to be examined annually.

Accounts allowed or to be entered in a Book, which may be inſpected without Fee.

XXVIII. And

Proceedings of Commiſſioners to be entered in Books.

XXVIII. And be it further enacted and declared by the Authority aforeſaid, That all Orders and Proceedings of the ſaid Commiſſioners ſhall be entered in a Book or Books to be kept for that Purpoſe; and that ſuch Orders and Proceedings ſo entered ſhall be ſigned by the Commiſſioners then preſent, or the major Part of them, and that ſuch Orders ſo ſigned ſhall be deemed and taken to be original Orders, as fully and effectually as if the ſame were under the Hands and Seals of the ſaid Commiſſioners; and that ſuch Book or Books ſhall and may be inſpected and peruſed, at all ſeaſonable Times, by any Owner or Owners of the ſaid Lands or Grounds ſo abutted and bounded as aforeſaid, without Fee or Reward, and ſhall and may be produced and read in Evidence in all Caſes of Suits or Actions touching any Thing done in purſuance and by virtue of this Act.

How Outring or Diviſion Dikes are to be maintained, &c.

XXIX. And be it further enacted by the Authority aforeſaid, That the Owners or Occupiers of the ſaid Lands and Grounds ſo deſcribed and abutted as aforeſaid, ſhall make, and from Time to Time, and at all Times hereafter, maintain and keep all the Outring or Diviſion Dikes of or belonging to their ſaid reſpective Lands and Grounds nine Feet wide, and of a ſufficient Depth from the level Soil; and ſhall from Time to Time, and at all Times hereafter, cauſe the ſaid Dikes to be well and ſufficiently roded, ſcoured, and cleanſed from Weeds, and other Rubbiſh and Obſtructions; and alſo cauſe Bridges or Tunnels to be laid over the ſaid Dikes, of ſuch Dimenſions, and at ſuch Places, as the ſaid Commiſſioners, at any of their ſaid Meetings, ſhall judge proper and neceſſary for the better iſſuing, running, and conveying away of the Waters therein, and maintain and keep the ſaid Bridges and Tunnels in Repair: And that if any ſuch Owner or Occupier ſhall refuſe or neglect to make or keep ſuch Dikes of the Dimenſions aforeſaid, or to rode, ſcour, or cleanſe the ſame from Weeds, or other Rubbiſh or Obſtructions, or to lay down or repair ſuch Tunnels or Bridges as aforeſaid, after fourteen Days Notice in Writing under the Hands of any two or more of the ſaid Commiſſioners to him or her given, or left at his or her uſual Place of Abode; or, in caſe he or ſhe ſhall not at that Time have any Place of Abode within the ſaid Pariſh where ſuch Lands ſhall lie, to which ſuch Dikes, Bridges, or Tunnels, ſhall appertain or belong; then, after affixing ſuch Notice on the Church Door of the Pariſh where ſuch Lands ſhall lie, the ſaid Commiſſioners ſhall and may, and they are hereby authoriſed and required to cauſe the ſame to be done in a proper and effectual Manner, and, by Warrant under their Hands and Seals, to authoriſe and impower their Collector or Collectors, or any other Perſon or Perſons, to levy and raiſe the Money expended in the doing thereof, by Diſtreſs and Sale of ſuch Goods, Chattels, and Cattle, as ſhall at any Time thereafter be found on the Lands and Grounds to which ſuch Dikes, Bridges, or Tunnels, ſhall appertain or belong; and that the Perſon or Perſons to whom ſuch Warrant ſhall be directed, ſhall and may levy the Money ſo expended by Diſtreſs and Sale of the ſame Goods, Chattels, and Cattle, together with all incident Charges, in the ſame Manner as the Rates, Taxes, and Aſſeſſments, herein before mentioned, are hereby directed to be levied, rendering the Overplus, if any there be, to the Owner or Owners thereof.

If Owners refuſe to ſcour, &c. and remove all Obſtructions,

Commiſſioners may cauſe the ſame to be done, and levy the Money expended by Diſtreſs.

Rights of Commiſſioners of Sewers over theſe Lands to ceaſe.

XXX. And be it further enacted by the Authority aforeſaid, That all ſuch Rights, Powers, and Authorities, as the Commiſſioners of Sewers for the Hundred of *Wiſbech*, and Parts adjacent, have at any Time or Times heretofore had or exerciſed over the ſaid Lands and Grounds ſo deſcribed and abutted as aforeſaid, by virtue of any Act of Parliament, or otherwiſe howſoever, ſhall from henceforth ceaſe, and be utterly void and determined.

Not to invalidate the Halfpenny Acre Shot.

XXXI. Provided, That nothing herein contained ſhall extend, or be conſtrued to extend, to invalidate, leſſen, diminiſh, or take away the Rights, Powers, and Authorities, now veſted in the ſaid Commiſſioners of Sewers, for the raiſing of the Rate or Tax known by the Name of *The Halfpenny Acre Shot*, upon or from the ſaid Lands and Grounds ſo abutted and deſcribed as aforeſaid, or any of them; or for the raiſing of any Rates, Taxes, or Sums of Money, upon or from the ſaid Lands and Grounds ſo abutted and deſcribed as aforeſaid, for the repairing, maintaining, and ſupporting of the Bank or Banks running from *Clowes Croſs* to *Guyhirn Croſs*, and from thence to *Wiſbech Bridge*, and ſo to a Place called *The Horſeſhoe*, in the Pariſh of *Leverington*, in the ſaid *Iſle of Ely*; but that the ſaid Lands and Grounds ſhall ſtill remain charged and chargeable with the ſaid Rate or Tax known by the Name of *The Halfpenny Acre Shot*, and alſo charged and chargeable with the Repairs of the ſaid Bank, in ſuch Proportion, Manner, and Form, as before the paſſing of this Act the ſaid Lands and Grounds have been uſed to be charged towards the ſaid Repairs; and that the ſaid Commiſſioners of Sewers ſhall have full Power and Authority to aſſeſs, rate, and tax the ſaid Lands and Grounds reſpectively, for and towards the ſaid Halfpenny Acre Shot, and for and towards the repairing of the ſaid Bank or Banks, in Proportion and Manner herein before mentioned; and ſhall have the ſame Powers and Remedies for the recovering and compelling Payment of the ſaid Halfpenny Acre Shot, and alſo of the ſaid other Rates and Aſſeſſments to be by them impoſed on the ſaid Lands and Grounds, for the repairing of the ſaid Bank or Banks, which they have heretofore had and exerciſed by or under any Law or Commiſſion of Sewers whatſoever, any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Dike Reeves under Commiſſioners of Sewers to collect Rates already laid, except as excepted,

and how to be applied.

XXXII. Provided alſo, and be it further enacted, That the ſeveral Dike Reeves, and other Officers acting under the Power and by the Authority of the Commiſſion of Sewers for the Hundred of *Wiſbech* and Parts adjacent, ſhall collect and receive all ſuch Rates and Aſſeſſments as ſhall have been by the ſaid Power and Authority laid upon the ſaid Lands and Grounds ſo deſcribed and abutted as aforeſaid, or any of them, before the paſſing of this Act; and the ſaid Rates, Taxes, and Aſſeſſments (except the Rate or Tax known by the Name of *The Halfpenny Acre Shot*, and alſo except the Rates and Aſſeſſments laid for the repairing and maintaining of the Bank or Banks running from *Clowes Croſs* to *Guyhirn Croſs*, and from thence to *Wiſbech Bridge*, and to a Place called *The Horſeſhoe*, in the Pariſh of *Leverington*), apply, in the firſt place, towards reimburſing themſelves all ſuch Sums of Money as ſhall have been laid out and expended by them, or any of them, upon the ſaid Lands and Grounds, or any Part thereof, at the Time of the paſſing of this Act, under and by virtue of the ſaid Power and Authority, and ſhall have the ſame Remedies for the compelling of the Payment thereof as they, or any of them, had before the paſſing of this

this Act; and that they the ſaid Dike Reeves and Officers, after reimburſing themſelves ſuch Sums of Money ſo laid out and expended as aforeſaid, ſhall pay the Overplus of ſuch Rates, Taxes, and Aſſeſſments (except as before excepted), to the Collector or Collectors, Receiver or Receivers, of the Rates, Taxes, and Aſſeſſments, to be laid by force and virtue of this Act, and to be by them applied to and for the Purpoſes thereof: Provided, that the ſame be collected and received by the ſaid Dike Reeves and Officers of Sewers within ſix Calendar Months after the paſſing of this Act.

Limitation of Actions.

XXXIII. And be it further enacted by the Authority aforeſaid, That if any Action, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or in the Execution of any of the Powers or Authorities hereby given, every ſuch Action or Suit ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid, had, and brought in the ſaid *Iſle of Ely*, or in the County of *Cambridge*; and that the Defendant or Defendants in ſuch Action or Actions, Suit or Suits, ſhall and may plead the General Iſſue, and if in Replevin juſtify and avow by virtue of this Act, as Perſons acting by Authority of Commiſſioners of Sewers are enabled to do, and ſhall and may, without ſpecially pleading the ſame, other than as aforeſaid, at any Trial to be had thereupon, give this Act and the Special Matter in Evidence, and that the ſame was done in purſuance and by Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time herein before limited for bringing the ſame, or ſhall be brought or laid in any other County or Liberty than as aforeſaid, that then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff ſhall become nonſuit, or forbear Proſecution, or diſcontinue his, her, or their Action or Actions, Suit or Suits; or if a Verdict ſhall paſs, or upon Demurrer or otherwiſe Judgment ſhall be given againſt the Plaintiff or Plaintiffs; that then, or in any of theſe Caſes, the Defendant or Defendants, Avowant or Avowants, ſhall recover Treble Coſts, and have ſuch and the like Remedy for the ſame as where Coſts by Law are awarded.

General Iſſue.

Treble Coſts.

Reſerving Rights of Conſervators of Bedford Level.

XXXIV. Provided always, and it is hereby further enacted, That this Act, or any Thing herein contained, ſhall not extend, or be conſtrued to extend, to invalidate, leſſen, diminiſh, alter, or take away any of the Rights, Powers, or Authorities, veſted in the Governor, Bailiffs, or Commonalty, of the Company of Conſervators of the Great Level of the Fens called *Bedford Level*, or in the ſaid Governor, Bailiffs, and Conſervators, by virtue of an Act, made in the fifteenth Year of the Reign of King *Charles* the Second, intituled, *An Act for ſettling the draining of the Great Level of the Fens, called* Bedford Level, or by virtue of any other Act or Statute whatſoever; but that all Rights, Powers, and Authorities whatſoever, which, by virtue of the ſaid Act of the fifteenth of King *Charles* the Second, or of any other Act or Statute whatſoever, now are veſted in the ſaid Governor, Bailiffs, and Commonalty, or Governor, Bailiffs, and Conſervators, or any of them, ſhall, for ever hereafter, remain, continue, and be in the ſaid Governor, Bailiffs, and Commonalty, and in the ſaid Governor, Bailiffs, and Conſervators, and every of them, as fully and amply, to all Intents and Purpoſes, as if this Act had never been made.

Publick Act.

XXXV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, taken, and allowed to be a Publick Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

THE

Statutes at Large,

Anno decimo quinto GEORGII III. Regis,

Being the FIRST Seſſion of the

FOURTEENTH Parliament of GREAT BRITAIN.

THE

STATUTES at Large, &c.

Anno Regni GEORGII III. Decimo Sexto.

'AT the Parliament begun and holden at *Weſtminſter*, the twenty-ninth Day of *November*, *Anno Domini* one thouſand ſeven hundred and ſeventy-four, in the fifteenth Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, *&c.*

'And from thence continued, by ſeveral Prorogations, to the twenty-ſixth Day of *October* one thouſand ſeven hundred and ſeventy-five; being the ſecond Seſſion of the fourteenth Parliament of *Great Britain*.

CAP. I.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix.

CAP. II.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

CAP. III.

An Act to enable his Majeſty for a limited Time to call out and aſſemble the Militia in all Caſes of Rebellion within this Realm of *Great Britain*, or any of the Dominions thereunto belonging; and to ſummon the Parliament in the Caſes and Manner therein mentioned.

Preamble.

Act 2 Geo. III, recited.

'WHEREAS by an Act made in the ſecond Year of the Reign of his preſent Majeſty, (intituled, *An Act to explain, amend, and reduce into one Act of Parliament the ſeveral Laws now in being, relating to the raiſing and training the Militia, within that Part of* Great Britain *called* England); it is, amongſt other Things, enacted, That in caſe of actual Invaſion, or upon imminent Danger thereof, or in caſe of Rebellion, it may and ſhall be lawful for his Majeſty, his Heirs and Succeſſors (the Occaſion being firſt communicated to Parliament, if the Parliament ſhall be then ſitting, or declared in Council, and notified by Proclamation, if no Parliament ſhall be then ſitting, or in being), to order and direct his or their Lieutenants and Deputy Lieutenants therein mentioned, with all convenient Speed, to draw out and embody all the Regiments and Battalions of Militia of their reſpective Counties, Ridings, or Places, or ſo many of them as his Majeſty, his Heirs and Succeſſors, ſhall judge neceſſary, in ſuch Manner as ſhall be beſt adapted to the Circumſtances of the Danger, and to direct them to be employed in ſuch Manner as is therein more particularly mentioned: And whereas it might be of great public Utility, that the Militia of this Kingdom ſhould be drawn out, embodied, and employed as aforeſaid, upon Occaſion of the preſent Rebellion in *America*, or of any Rebellion that may hereafter ariſe in any of the Dominions of the Crown of *Great Britain*, that his Majeſty may be the better enabled to employ his other Forces for the ſuppreſſing of ſuch Rebellion, and at the ſame time to provide for the Defence of theſe Kingdoms;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in all Caſes of Rebellion within this Realm of *Great Britain*, or any of the Territories or Dominions thereunto belonging (the Occaſion being firſt communicated, declared, and notified, as in the ſaid Act is provided), it ſhall and may be lawful for his Majeſty, his Heirs and Succeſſors, to order and direct all the Regiments and Battalions of Militia, of the reſpective Counties or Places in this Kingdom, or ſo many of them as his Majeſty, his Heirs and Succeſſors, ſhall judge neceſſary, to be drawn out, embodied, led, and employed, in any Parts of this Kingdom, in ſuch Manner and upon the like Terms, Conditions, and Regulations, to all Purpoſes and Effects whatſoever, as in the ſaid Act are provided in the Caſes therein mentioned.

His Majeſty, &c. in caſe of Rebellion, may embody the Militia;

II. Provided always, and be it enacted by the Authority aforeſaid, That if at any Time (in caſe of any Rebellion within this Realm of *Great Britain*, or any of the Territories or Dominions thereunto belonging) the Parliament ſhall happen to be ſeparated by ſuch Adjournment or Prorogation, as will not expire within

and aſſemble the Parliament, on giving 14 Days Notice.

within fourteen Days, it ſhall be lawful for his Majeſty, his Heirs and Succeſſors, to iſſue a Proclamation for the Meeting of the Parliament, upon ſuch Day as he or they ſhall thereby appoint, giving fourteen Days Notice of ſuch Appointment, and the Parliament ſhall accordingly meet upon ſuch Day, and continue to ſit and act in like Manner, to all Intents and Purpoſes, as if it had ſtood adjourned or prorogued to the ſame Day.

This Act to continue in Force for ſeven Years.

III. Provided always, and be it enacted by the Authority aforeſaid, That this Act ſhall continue and be in Force for the Space of ſeven Years, and from thence to the End of the then next Seſſion of Parliament, and no longer.

CAP. IV.

An Act for granting an Aid to his Majeſty by a Land-Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix. 4 *s.*

CAP. V.

An Act to prohibit all Trade and Intercourſe with the Colonies of *New Hampſhire*, *Maſſachuſet's Bay*, *Rhode Iſland*, *Connecticut*, *New York*, *New Jerſey*, *Penſylvania*, the three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*, during the Continuance of the preſent Rebellion within the ſaid Colonies reſpectively; for repealing an Act, made in the fourteenth Year of the Reign of his preſent Majeſty, *to diſcontinue the Landing and Diſcharging, Lading or Shipping, of Goods, Wares, and Merchandiſe, at the Town and within the Harbour of* Boſton, *in the Province of* Maſſachuſet's Bay; and alſo two Acts, made in the laſt Seſſion of Parliament, for reſtraining the Trade and Commerce of the Colonies in the ſaid Acts reſpectively mentioned; and to enable any Perſon or Perſons, appointed and authoriſed by his Majeſty to grant Pardons, to iſſue Proclamations, in the Caſes and for the Purpoſes therein mentioned.

Preamble.

'WHEREAS many Perſons in the Colonies of *New Hampſhire*, *Maſſachuſet's Bay*, *Rhode Iſland*, *Connecticut*, *New York*, *New Jerſey*, *Penſylvania*, the three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*, have ſet themſelves in open Rebellion and Defiance to the juſt and legal Authority of the King and Parliament of *Great Britain*, to which they ever have been, and of Right ought to be, ſubject; and have aſſembled together an armed Force, engaged his Majeſty's Troops, and attacked his Forts; have uſurped the Powers of Government, and prohibited all Trade and Commerce with this Kingdom, and the other Parts of his Majeſty's Dominions: For the more ſpeedily and effectually ſuppreſſing ſuch wicked and daring Deſigns, and for preventing any Aid, Supply, or Aſſiſtance, being ſent thither during the Continuance of the ſaid rebellious and treaſonable Commotions,' be it therefore declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Manner of Trade and Commerce is and ſhall be prohibited with the Colonies of *New Hampſhire*, *Maſſachuſet's Bay*, *Rhode Iſland*, *Connecticut*, *New York*, *New Jerſey*, *Penſylvania*, the three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*; and that all Ships and Veſſels of or belonging to the Inhabitants of the ſaid Colonies, together with their Cargoes, Apparel, and Furniture, and all other Ships and Veſſels whatſoever, together with their Cargoes, Apparel, and Furniture, which ſhall be found trading in any Port or Place of the ſaid Colonies, or going to trade, or coming from trading, in any ſuch Port or Place, ſhall become forfeited to his Majeſty, as if the ſame were the Ships and Effects of open Enemies, and ſhall be ſo adjudged, deemed, and taken in all Courts of Admiralty, and in all other Courts whatſoever.

All Trade and Commerce with the rebellious Colonies prohibited, on Pain of Forfeiture of Veſſels, Cargoes, &c.

Proviſo.

II. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to extend, to ſuch Ships and Veſſels as ſhall be actually retained or employed in his Majeſty's Service, or to ſuch Ships and Veſſels as ſhall be laden with Proviſions for the Uſe of his Majeſty's Fleets, Armies, or Garriſons, or for the Uſe of the Inhabitants of any Town or Place garriſoned or poſſeſſed by any of his Majeſty's Troops, provided the Maſters of ſuch Ships and Veſſels reſpectively ſhall produce a Licence in Writing, under the Hand and Seal of the Lord High Admiral of *Great Britain* for the Time being, or of three or more Commiſſioners for the Time being for executing the Office of Lord High Admiral of *Great Britain*, or of the Commanders of his Majeſty's Fleets or Armies, or of the Governor, Lieutenant Governor, or Commander in Chief of any of his Majeſty's Colonies or Provinces not herein before mentioned, ſpecifying the Voyage in which ſuch Ship or Veſſel ſhall be employed, and expreſſing the Time for which ſuch Licence ſhall ſubſiſt and be in Force, and alſo expreſſing the Quantity and Species of the ſaid Stores and Proviſions on Board: And if any Goods, Wares, or Merchandiſes, other than Stores and Proviſions for his Majeſty's Uſe, or Proviſions for the Uſe of the Inhabitants of any Town or Place garriſoned and poſſeſſed by his Majeſty's Troops, ſhall be found on Board ſuch Ships or Veſſels (the neceſſary Stores for the Ship's Uſe, and the Baggage of the Paſſengers, only excepted), in any or either of thoſe Caſes, the ſaid Goods, Wares, and Merchandiſes, ſhall be forfeited, and ſhall and may be ſeized and proſecuted in the Manner herein after directed.

Sole Property of all Prizes veſted in the Captors.

'III. And,' for the Encouragement of the Officers and Seamen of his Majeſty's Ships of War,' be it further enacted, That the Flag Officers, Captains, Commanders, and other commiſſioned Officers in his Majeſty's Pay, and alſo the Seamen, Marines, and Soldiers on Board, ſhall have the ſole Intereſt and Property

Property of and in all and every ſuch Ship, Veſſel, Goods, and Merchandiſe, which they ſhall ſeize and take (being firſt adjudged lawful Prize in any of his Majeſty's Courts of Admiralty), to be divided in ſuch Proportions, and after ſuch Manner, as his Majeſty ſhall think fit to order and direct by Proclamation or Proclamations hereafter to be iſſued for thoſe Purpoſes.

Crews of Prizes may be put on Board his Majeſty's Ships,

and their Names entered on the Ships Books.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Flag Officers, Captains, and Commanders reſpectively, to cauſe to be taken, or put on Board any of his Majeſty's Ships or Veſſels of War, or on Board any other Ships or Veſſels, all and every the Maſters, Crews, and other Perſons, who ſhall be found on Board ſuch Ship and Ships as ſhall be ſeized and taken as Prize as aforeſaid; and alſo to enter the Names of ſuch of the ſaid Mariners and Crews, upon the Book or Books of his Majeſty's ſaid Ships or Veſſels, as they, the ſaid Flag Officers, Captains, and Commanders, ſhall reſpectively think fit; from the Time and Times of which ſaid Entries reſpectively, the ſaid Mariners and Crews ſhall be conſidered, and they are hereby declared to belong to, and to be as much in the Service of his Majeſty, to all Intents and Purpoſes, as if the ſaid Mariners and Crews had entered themſelves voluntarily to ſerve on Board his Majeſty's ſaid Ships and Veſſels reſpectively; and alſo that it ſhall and may be lawful to and for the ſaid Flag Officers, Captains, and Commanders reſpectively, to detain, or cauſe to be detained and kept, the Maſters and other Perſons, and alſo ſuch others of the Mariners and Crews of the ſaid Prize Ships as ſhall not be entered upon the Books of his Majeſty's Ships or Veſſels of War as aforeſaid, in and on Board any Ship or Ships, Veſſel or Veſſels whatſoever, until the Arrival of ſuch laſt-mentioned Ships or Veſſels in ſome Port in *Great Britain* or *Ireland*, or in any Port of *America* not in Rebellion; and upon the Arrival of thoſe Ships or Veſſels in any ſuch Port, the Commanders thereof are hereby reſpectively authoriſed and required immediately to ſet the ſaid laſt-mentioned Mariners and Crews, and alſo the ſaid Maſters and other Perſons, at Liberty on Shore there.

Thoſe, whoſe Names are not entered, to be ſet on Shore in Great Britain, &c.

Judges in Courts of Admiralty, how to proceed in Condemnation of Prizes.

'V. And, for the more ſpeedy proceeding to Condemnation or other Determination of any Prize, Ship, 'or Veſſel, Goods, or Merchandiſes, to be taken as aforeſaid, and for leſſening the Expences that have 'been uſual in the like Caſes,' be it further enacted by the Authority aforeſaid, That the Judge or Judges of ſuch Court of Admiralty, or other Perſon or Perſons thereto authoriſed, ſhall, within the Space of five Days after Requeſt to him or them for that Purpoſe made, finiſh the uſual preparatory Examinations of the Perſons commonly examined in ſuch Caſes, in order to prove the Capture to be lawful Prize, or to inquire whether the ſame be lawful Prize or not; and that the proper Monition uſual in ſuch Caſes ſhall be iſſued by the Perſon or Perſons proper to iſſue the ſame, and ſhall be executed in the uſual Manner by the Perſon or Perſons proper to execute the ſame, within the Space of three Days after Requeſt in that Behalf made; and in caſe no Claim of ſuch Capture, Ship, Veſſel, or Goods, ſhall be duly entered or made in the uſual Form, and atteſted upon Oath, giving twenty Days Notice after the Execution of ſuch Monition; or if there be ſuch Claim, and the Claimant or Claimants ſhall not within five Days give ſufficient Security (to be approved of by ſuch Court of Admiralty) to pay double Coſts to the Captor or Captors of ſuch Ship, Veſſel, or Goods, in caſe the ſame ſo claimed ſhall be adjudged lawful Prize, that then the Judge or Judges of ſuch Court of Admiralty ſhall (upon producing to him or them the ſaid Examinations or Copies thereof, and upon producing to him or them, upon Oath, all Papers and Writings which ſhall have been found taken in or with ſuch Capture, or upon Oath made that no ſuch Papers or Writings were found) immediately, and without further Delay, proceed to Sentence, either to diſcharge and acquit ſuch Capture, or to adjudge and condemn the ſame as lawful Prize, according as the Caſe ſhall appear to him or them upon Peruſal of ſuch preparatory Examinations, and alſo of the other laſt-mentioned Papers and Writings found taken in or with ſuch Capture, if any ſuch Papers or Writings ſhall be found; and in caſe ſuch Claim ſhall be duly entered or made, and Security given thereupon according to the Tenor and true Meaning of this Act, and there ſhall appear no Occaſion to examine any Witneſſes other than what ſhall be then near to ſuch Court of Admiralty, that then ſuch Judge or Judges ſhall forthwith cauſe ſuch Witneſſes to be examined within the Space of ten Days after ſuch Claim made and Security given, and proceed to ſuch Sentence, as aforeſaid, touching ſuch Capture: But in caſe, upon making or entering ſuch Claim, and the Allegation and Oath thereupon, or the producing ſuch Papers or Writings as ſhall have been found or taken in or with ſuch Capture, or, upon the ſaid preparatory Examinations, it ſhall appear doubtful to the Judge or Judges of ſuch Court of Admiralty, whether ſuch Capture be lawful Prize or not, and it ſhall appear neceſſary, according to the Circumſtances of the Caſe, for the clearing and determining ſuch Doubt, to have an Examination, upon Pleadings given in by the Parties and admitted by the Judge, of Witneſſes that are remote from ſuch Court of Admiralty, and ſuch Examination ſhall be deſired, and that it be ſtill inſiſted on, on Behalf of the Captors, that the ſaid Capture is lawful Prize, and the contrary be ſtill perſiſted in on the Claimants Behalf; that then the ſaid Judge or Judges ſhall forthwith cauſe ſuch Capture to be appraiſed by Perſons to be named by the Parties and appointed by the Court, and ſworn truly to appraiſe the ſame according to the beſt of their Skill and Knowledge; for which Purpoſe the ſaid Judge or Judges ſhall cauſe the Goods found on Board to be unladen, and (an Inventory thereof being firſt taken by the Marſhal of the Admiralty or his Deputy) ſhall cauſe all ſuch Parts of the Goods and Merchandiſe as are periſhable Commodities to be ſold by public Sale, for the clear Amount of which only the Captors ſhall be anſwerable to the Claimants, and the Remainder of them to be put into proper Warehouſes, with ſeparate Locks, of the Collector and Comptroller of the Cuſtoms, and, where there is no Comptroller, of the Naval Officer and the Agents or Perſons employed by the Captors and Claimants, at the Charge of the Party or Parties deſiring the ſame; and ſhall, after ſuch Appraiſement made, and within the Space of fourteen Days after the making of ſuch Claim, proceed to take good and ſufficient Security from the Claimants to pay the Captors the full Value thereof, according to ſuch Appraiſement, in caſe the ſame ſhall be adjudged lawful Prize; and ſhall alſo proceed to take good and ſufficient Security from the Captors to pay ſuch Coſts as the Court ſhall think proper, in caſe ſuch Ship ſhall not be condemned as lawful Prize; and, after ſuch Securities duly given, the ſaid Judge or

Prizes to be appraiſed;

and, on Parties giving ſufficient Security, to be delivered to the Claimants,

Judges ſhall make an interlocutory Order for releaſing or delivering the ſame to ſuch Claimant or Claimants, or his or their Agents, and the ſame ſhall be actually releaſed or delivered accordingly.

If Claimants refuſe ſuch Security,

VI. And it is hereby further enacted by the Authority aforeſaid, That if any Claimant or Claimants ſhall refuſe to give ſuch Security, the Judge or Judges ſhall cauſe the Captor or Captors in like Manner to give good and ſufficient Security to pay the ſaid Claimant or Claimants the full Value thereof according to the Appraiſement, in caſe any ſuch Capture or Captures ſhall be adjudged not to be lawful Prize; and the ſaid Judge or Judges ſhall thereupon proceed to make an interlocutory Order for the releaſing and delivering the ſame to the ſaid Captor or Captors, or their Agents.

Prize to be delivered to the Captors.

Books, Papers, &c. found in any Prize, to be brought into the Admiralty Court, &c.

VII. And be it further enacted by the Authority aforeſaid, That all Books, Papers, and Writings, found in any Ship or Veſſel taken as Prize, ſhall, without Delay, upon the Oath of the Captor, be brought into the Regiſtry of the Court of Admiralty wherein ſuch Ship or Veſſel may be proceeded againſt in order to Condemnation; but that ſuch only of the ſaid Books, Papers, and Writings, ſhall be made uſe of and tranſlated, as ſhall be agreed or inſiſted upon by the Proctors of the ſeveral Parties, Captors or Claimants, or, in caſe of no Claim, by the Captor or Regiſter, to be neceſſary for aſcertaining the Property of ſuch Ship or Veſſel, and the Cargo thereof, and the Deſtination of the Voyage.

All Captures brought into any of his Majeſty's Dominions in America, to be under the Care of the Collector, &c.

VIII. And be it further enacted by the Authority aforeſaid, That all ſuch Captures as aforeſaid, which ſhall be brought into any of his Majeſty's Dominions in *America*, in order to be proceeded againſt to Condemnation in any of his Vice-admiralty Courts, ſhall, without breaking Bulk, ſtay there, and be under the joint Care and Cuſtody of the Collector and Comptroller of the Cuſtoms, or, where there is no Comptroller, of the Naval Officers of the Port or Place where the ſame ſhall be brought, and all the Captors thereof, and their Agents, ſubject to the Directions of the Court of Vice-admiralty, until either the ſame ſhall, by final Sentence, have been either cleared and diſcharged, or adjudged and condemned as lawful Prize, or that ſuch interlocutory Order as aforeſaid ſhall have been made for the releaſing or delivering of the ſame unto ſuch Perſon or Perſons, and to be ſo divided and diſpoſed of, as his Majeſty, his Heirs and Succeſſors, ſhall, by Proclamation or Proclamations hereafter to be iſſued for thoſe Purpoſes, order and direct.

Proviſo.

IX. Provided always, and it is hereby further enacted by the Authority aforeſaid, That no Captures which ſhall be taken by virtue of this Act, ſhall be carried into any of the Colonies or Plantations in *America* herein before particularly mentioned, during and ſo long Time as ſuch Colonies or Plantations reſpectively ſhall continue in a State of Rebellion.

Any Judge, or other Officer, neglecting his Duty,

X. And be it further enacted by the Authority aforeſaid, That if any Judge or Judges, or other Officer or Officers, in any of his Majeſty's Colonies or Dominions abroad, to whom reſpectively it ſhall appertain, ſhall delay the doing, performing, making, or pronouncing any of the ſeveral Proceedings, Matters, or Things, for, towards, or relating to, condemning or diſcharging, releaſing or delivering, of any ſuch Capture in Manner aforeſaid, within the reſpective Times herein before limited, or as ſoon as the ſame ought to be done, according to the Tenor and true Meaning of this Act, all and every ſuch Judge and Judges, and other Officer and Officers, ſhall, for every ſuch Offence, forfeit the Sum of five hundred Pounds; one Moiety thereof to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof, with full Coſts of Suit, to ſuch Perſon or Perſons who ſhall inform or ſue for the ſame, in any of his Majeſty's Courts in any of his Colonies or Dominions wherein ſuch Offence ſhall be committed.

to forfeit 500 l.

No Regiſter, &c. in any Court of Admiralty, ſhall act as Advocate, &c.

XI. And be it further enacted by the Authority aforeſaid, That no Regiſter or Deputy Regiſter, nor any Marſhal or Deputy Marſhal, of or belonging to any of his Majeſty's Courts of Admiralty or Vice-admiralty whatſoever, ſhall, either directly or indirectly, by himſelf or themſelves, or by any Agent or Agents, or other Perſon or Perſons whatſoever, act or be concerned in any Manner, either as an Advocate or Proctor, in any Cauſe, Matter, or Buſineſs whatſoever, that ſhall be depending in any ſuch Court or Courts of Admiralty, to which ſuch Regiſter, Deputy Regiſter, Marſhal, or Deputy Marſhal, ſhall then belong; and that every Regiſter, Deputy Regiſter, Marſhal, or Deputy Marſhal, who ſhall be guilty of ſuch Offence (being thereof lawfully convicted, either upon an Information or Indictment), ſhall from thenceforth abſolutely forfeit his reſpective Office and Employment of Regiſter, Deputy Regiſter, Marſhal, or Deputy Marſhal, in and belonging to the ſame Court.

on Penalty of forfeiting his Office.

Fees to be taken by the Officers in Courts of Vice-admiralty.

XII. And be it further enacted by the Authority aforeſaid, That there ſhall not be paid unto or among all the Judges and Officers of any Court of Vice-admiralty in any of his Majeſty's Dominions, for, towards, or relating to, the adjudging or condemning of ſuch Capture as aforeſaid, as lawful Prize, above the Sum of ten Pounds, in caſe ſuch Prize Ship or Veſſel be under the Burthen of one hundred Tons, nor above the Sum of fifteen Pounds, in caſe the ſame be of that or any greater Burthen; and that, upon Payment of either of the ſaid reſpective Sums, as the Caſe ſhall require, to the ſaid Judge or Judges, or any of them, to be by him or them diſpoſed or divided, as he or they ſhall think fit, among the Officers of ſuch Court, ſuch Judges and Officers, and every of them, ſhall be liable to all and every of the ſeveral Penalties hereby impoſed for neglecting or delaying to do and perform their ſeveral and reſpective Duties or Offices in and relating to the ſeveral Proceedings aforeſaid, within the reſpective Times herein for that Purpoſe limited.

Parties diſſatisfied, may appeal to Commiſſioners, within 14 Days after Sentence.

XIII. Provided nevertheleſs, and it is hereby further enacted by the Authority aforeſaid, That if any Captor or Captors, Claimant or Claimants, ſhall not reſt ſatisfied with the Sentence given in ſuch Court of Vice-admiralty in any of his Majeſty's Dominions, it ſhall and may be lawful for the Party or Parties thereby aggrieved to appeal from the ſaid Court of Vice-admiralty to Commiſſioners appointed, or to be appointed, under the Great Seal of *Great Britain*, for receiving, hearing, and determining Appeals in Cauſes of Prizes, ſo as the ſame be made within fourteen Days after Sentence, and good Security be likewiſe given by the Appellant or Appellants, that he or they will effectually proſecute ſuch Appeal, and anſwer the Condemnation, and alſo pay Treble Coſts, as ſhall be awarded in caſe the Sentence of ſuch Court of Vice-admiralty be affirmed; provided that the ſaid Captor or Captors, Claimant or Claimants, do,

do, within ſix Months after Sentence paſſed, give Notice to the ſaid Court of Vice-admiralty that they have appealed from ſuch Decree to the ſaid Commiſſioners.

Execution of any Sentence not to be ſuſpended by reaſon of Appeal, &c.

XIV. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the Execution of any Sentence ſo appealed from as aforeſaid, ſhall not be ſuſpended by reaſon of ſuch Appeal, in caſe the Party or Parties appellate ſhall give ſufficient Security, to be approved of by the Court in which ſuch Sentence ſhall be given, to reſtore the Ship, Veſſel, Goods, or Effects, concerning which ſuch Sentence ſhall be pronounced, or the full Value thereof, to the Appellant or Appellants, in caſe the Sentence ſo appealed from ſhall be reverſed.

Perſons appealing, &c. muſt enter their Claim.

XV. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon, who was not a Party in the firſt Inſtance of the Cauſe, ſhall interpoſe in an Appeal from a Sentence given in any Vice-admiralty-Court, ſuch Perſon, or his or her Agent, ſhall at the ſame Time enter his or her Claim, otherwiſe ſuch Appeal ſhall be null and void.

Penalty on Officers, Seamen, &c. who ſhall embezzle Money, Jewels, &c. belonging to any Prize.

XVI. And be it further enacted by the Authority aforeſaid, That if any Commander or Commanders, Officer or Officers, Seamen, Marines, Soldiers, or others, ſhall break Bulk on Board, or embezzle any of the Money, Jewels, Plate, Goods, Merchandiſe, Tackle, Furniture, or Apparel, of or belonging to ſuch Prize or Prizes ſo taken, ſuch Commander, Officer, Seaman, Marine, Soldier, or others, ſhall forfeit Treble the Value of all ſuch Money, Jewels, Plate, Goods, Merchandiſe, Tackle, Furniture, or Apparel, as he or they ſhall embezzle; one-third Part thereof to be to the Uſe of *Greenwich* Hoſpital, and the other two-third Parts thereof to him or them who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in *Great Britain*, in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Appraiſements and Sales of Prizes to be made by Agents appointed by Flag Officers, &c.

XVII. And be it further enacted by the Authority aforeſaid, That all Appraiſements and Sales of any Ship or Ships, Goods, Wares, or Merchandiſes, as ſhall be taken as Prizes, ſhall be made by Agents, or Perſons nominated and appointed in equal Numbers by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ships Company, and others entitled thereunto; (that is to ſay,) That if the Flag Officers or Flag Officer of any Fleet or Squadron of Ships as ſhall take any ſuch Prize or Prizes, or the Majority of ſuch Flag Officers (if more than one), ſhall nominate and appoint one or more Perſon or Perſons, Agent or Agents, to ſell or appraiſe the ſame as aforeſaid, then the Captains and Commanders, or Captain or Commander, entitled thereunto, or the Majority of them (if more than one), ſhall nominate and appoint the like Number of Perſons or Agents to act for them; and all the other Officers under the Degree of a Captain and Commander entitled thereto, or the major Part of them, ſhall alſo nominate and appoint the like Number of Perſons or Agents to act for them; and all the Crews of the ſeveral Ships Companies of the Fleet or Squadron, or Ship's Company, and others entitled thereto, or the major Part of them, ſhall likewiſe nominate and appoint the ſame Number of Perſons or Agents to act in their Behalf in ſuch Appraiſement or Sale.

Agents ſhall regiſter their Letters of Attorney within ſix Months after Sentence of Condemnation,

XVIII. And be it further enacted by the Authority aforeſaid, That all and every Perſon or Perſons who ſhall be nominated and appointed Agent or Agents as aforeſaid, for any Prize or Prizes to be taken by any Ship or Ships, Veſſel or Veſſels of War, and which Prize or Prizes ſhall be condemned in the High Court of Admiralty in *Great Britain*, or in any of the Courts of Vice-admiralty in any of his Majeſty's Dominions where the ſaid Prize or Prizes, and every of them, ſhall be condemned, ſhall exhibit and cauſe to be regiſtered in the ſaid High Court of Admiralty, or in the reſpective Courts of Vice-admiralty in any of his Majeſty's Dominions where the ſaid Prize and Prizes, and every of them, ſhall be condemned, his or their reſpective Letter or Letters of Attorney, appointing him or them Agent or Agents for the Purpoſes aforeſaid; and if any Perſon or Perſons ſo appointed Agent or Agents as aforeſaid, ſhall refuſe or neglect ſo to do, for the Space of ſix Calendar Months next after Sentence of Condemnation of any Prize ſhall be given in the ſaid High Court of Admiralty in *Great Britain*, or in any Vice-admiralty Court in his Majeſty's Dominions, for the Care and Diſtribution of which he or they ſhall be appointed Agent or Agents, ſuch Perſon or Perſons ſo refuſing or neglecting, ſhall forfeit the Sum of five hundred Pounds, to be recovered by him or them who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in *Great Britain*, or in any other of his Majeſty's Dominions, in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

or forfeit 500l.

Proviſo.

XIX. Provided always, That if any Agent or Agents ſhall be appointed after the Time any Sentence of Condemnation in any of the ſaid Courts of Admiralty or Vice-admiralty ſhall be given, ſuch Agent or Agents ſhall, under the aforeſaid Penalty, regiſter, or cauſe to be regiſtered, in Manner aforeſaid, his or their reſpective Letter or Letters of Attorney, appointing him or them Agent or Agents as aforeſaid, within the Space of ſix Calendar Months after the Date of the ſaid Letter or Letters of Attorney.

Manner of giving public Notifications after Sale of Prizes.

XX. And be it further enacted by the Authority aforeſaid, That after the Sale or Sales of any Prize or Prizes which ſhall be taken in purſuance or by virtue of this Act, public Notification or Notifications ſhall be given and publiſhed in ſuch Manner as is herein after particularly mentioned; (that is to ſay), If the Prize or Prizes ſhall be condemned in his Majeſty's High or other Court of Admiralty in *Great Britain*, then the Perſon or Perſons, Agent or Agents, to be appointed in purſuance of this Act, for the Appraiſement and Sale of ſuch Prize or Prizes, ſhall inſert and publiſh, or cauſe to be inſerted and publiſhed, ſuch Notification under his or their Hand or Hands reſpectively in the *London Gazette*, and if condemned in any Court or Courts of Admiralty or Vice-admiralty in any other of his Majeſty's Dominions, then ſuch Perſon or Perſons, Agent or Agents as aforeſaid, ſhall inſert and publiſh, or cauſe to be inſerted and publiſhed, ſuch Notification, under his or their Hand or Hands reſpectively, in the Gazette, or ſome other News-paper of Public Authority, of the Iſland or Place where the Prize or Prizes ſhall be condemned; and if there ſhall be no Gazette or ſuch other News-paper publiſhed there, then in ſome or one of the moſt public News-papers of ſuch Iſland or Place for the Time being; and all Perſons or Agents publiſhing, or cauſing to be publiſhed, every ſuch Notification reſpectively, ſhall deliver to the Collector, Cuſtomer,

Cuſtomer, or Searcher for the Time being, of his Majeſty's Cuſtoms, reſiding at, or belonging to the Port or Place where the Prize or Prizes ſhall be condemned, or the lawful Deputy or Deputies of ſuch Collector, Cuſtomer, or Searcher; and if there ſhall be no ſuch Collector, Cuſtomer, or Searcher, then ſuch Perſons or Agents as aforeſaid ſhall deliver to the Principal Officer or Officers of the Port or Place where the Prize or Prizes ſhall have been condemned, or to the lawful Deputy or Deputies of ſuch Principal Officer or Officers, two of the Gazettes or other News-papers in which ſuch Notification ſhall be ſo inſerted and publiſhed; and if there ſhall not be any public News-papers in any ſuch Iſland or Place, then ſuch Perſon or Perſons, Agent or Agents, ſhall give two ſuch Notifications, in Writing, under his or their reſpective Hand or Hands, to the ſaid Collector, Cuſtomer, or Searcher, or the Deputy or Deputies of ſuch Collector, Cuſtomer, or Searcher, or, where there ſhall be no ſuch Collector, Cuſtomer, or Searcher, to ſuch Principal Officer or Officers, or his or their Deputy or Deputies aforeſaid; and every ſuch Collector, Cuſtomer, or Searcher, and Principal Officer or Officers, or ſuch Deputy or Deputies, ſhall ſubſcribe his or their Name or Names on ſome conſpicuous Part of both the ſaid Gazettes, News-papers, or written Notifications reſpectively, and by the firſt Ship which ſhall ſail (after his or their Receipt of ſuch Gazettes, News-papers, or written Notifications reſpectively) from ſuch Port or Place to any Port of *Great Britain*, ſhall tranſmit or ſend to the Treaſurer of *Greenwich* Hoſpital, or the Deputy of ſuch Treaſurer for the Time being, one of the ſaid Gazettes, News-papers, or written Notifications, with his or their Name or Names ſo ſubſcribed to and upon the ſame reſpectively, to be there regiſtered, and ſhall faithfully preſerve and keep the other of the ſaid two Gazettes, News-papers, or written Notifications, with his or their Name or Names ſubſcribed as aforeſaid, in his or their Cuſtody; and that in every ſuch printed or written Notification as aforeſaid, the ſaid Perſon or Perſons, Agent or Agents, ſhall inſert or ſpecify his or their Place or Places of Abode, and the preciſe Day of the Month and Year appointed for the Payment of the ſeveral and reſpective Shares of the Prize or Prizes to the Captors; and all ſuch Notifications with reſpect to Prizes, which ſhall be condemned in *Great Britain*, ſhall be publiſhed in the *London Gazette*, three Days at leaſt before any Part or Parts, Share or Proportion of any ſuch Prize or Prizes ſhall be paid to any Perſon or Perſons entitled thereto; and all ſuch Notifications, with reſpect to Prizes condemned in any other Part of his Majeſty's Dominions, ſhall be delivered to the ſaid Collector, Cuſtomer, or Searcher, or Principal Officer or Officers aforeſaid reſpectively, or ſuch reſpective Deputy or Deputies, three Days at leaſt before any Part or Parts, Share or Proportion of any ſuch Prize or Prizes, ſhall be paid to any Perſon or Perſons entitled thereto: After which ſeveral and reſpective Notifications, if any Men's Shares ſhall remain in the Hands of the Perſons or Agents appointed as aforeſaid, either belonging to ſuch Men as ſhall be run from his Majeſty's Service, or which ſhall not be legally demanded within three Years, then ſuch Share or Shares ſo remaining in the Perſons or Agents Hands, or belonging to ſuch Men as ſhall run from his Majeſty's Service, ſhall go and be paid to the Uſe of *Greenwich* Hoſpital.

Agent for Appraiſement or Sale of Prizes neglecting his Duty,

ſhall forfeit 100l.

XXI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Agent, to be appointed for Appraiſement or Sale of any Prize or Prizes which ſhall be ſeized and taken as aforeſaid, ſhall neglect or refuſe to publiſh, give or deliver, any Notification herein before directed or required to be publiſhed, given, or delivered, before the Payment of any Part of ſuch Prize-money, or in the Manner herein before appointed, or ſhall not ſet forth and ſpecify therein the Matters and Things herein before directed to be ſpecified and ſet forth; every ſuch Perſon or Agent ſhall, for every ſuch Offence, forfeit and pay the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record in *Great Britain*, or elſewhere in any of his Majeſty's Dominions, in which no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed; and if any Collector, Cuſtomer, or Searcher, of his Majeſty's Cuſtoms, or Principal Officer or Officers, or ſuch Deputy or Deputies as aforeſaid, ſhall neglect or refuſe to receive or to atteſt, or ſhall not tranſmit or ſend any ſuch Gazette, News-papers, or written Notification, as aforeſaid, in ſuch Manner as is before directed, every ſuch Collector, Cuſtomer, or Searcher, Principal Officer or Officers, or ſuch Deputy or Deputies ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds, to be ſued for and recovered in the ſame Manner as the above Penalty is directed to be ſued for and recovered.

Collector, Cuſtomer, &c. neglecting his Duty,

ſhall forfeit 100l.

Notifications in Gazettes, &c. duly atteſted and regiſtered,

ſhall be good Evidence in Law, &c.

XXII. And be it further enacted by the Authority aforeſaid, That the Notifications in all ſuch Gazettes, News-papers, and in Writing reſpectively, as aforeſaid, which ſhall be ſo tranſmitted and atteſted by ſuch Collector, Cuſtomer, or Searcher, or Principal Officer or Officers, or ſuch Deputy or Deputies as aforeſaid, and regiſtered at the ſaid Royal Hoſpital, on Proof of the Hand-writing of ſuch Collector, Cuſtomer, or Searcher, Principal Officer or Officers, or Deputy or Deputies, from Time to Time, and at all Times, ſhall be good and ſufficient Evidence in all his Majeſty's Courts of Law and Equity, that the Perſon or Perſons, whoſe Name or Names is or are therein ſet forth and ſpecified as the Agent or Agents for the Prize or Prizes therein reſpectively mentioned, is or are ſuch Agent or Agents.

Proviſo.

XXIII. Provided always, and be it declared and enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, or exempt any Ships, Goods, Wares, or Merchandiſes, which ſhall be taken as Prize, and brought or imported into this Kingdom, or any of his Majeſty's Dominions, from the Payment of any Cuſtoms or Duties, or from being ſubject to ſuch Reſtrictions and Regulations to which the ſame now are or ſhall hereafter be liable by virtue of the Laws and Statutes of this Realm.

Prizes which had been taken from his Majeſty's Subjects not in Rebellion, to be reſtored to them,

XXIV. Provided always, and be it further enacted by the Authority aforeſaid, That if any Ship, Veſſel, or Boat, taken as Prize, or any Goods therein, ſhall appear and be proved, in the High Court of Admiralty, or Vice-admiralty Court, to have belonged to any of his Majeſty's Subjects of *Great Britain* or *Ireland*, or any of the Dominions and Territories remaining and continuing in their Allegiance to the King, and under his Majeſty's Protection, which were before taken or ſurpriſed by any of his Majeſty's rebellious

rebellious Colonies or Plantations before mentioned, and at any Time afterwards again ſurpriſed and retaken from his Majeſty's ſaid rebellious Colonies or Plantations by any of his Majeſty's Ships of War, or other Ship, Veſſel, or Boat, under his Majeſty's Protection and Obedience; that then ſuch Ships, Veſſels, Boats, and Goods, and every ſuch Part and Parts thereof as aforeſaid, formerly belonging to ſuch his Majeſty's Subjects remaining and continuing under his Protection, ſhall in all Caſes be adjudged to be reſtored, and ſhall be, by Decree of the ſaid High Court of Admiralty or Vice-admiralty Court, accordingly reſtored to ſuch former Owner or Owners, or Proprietors, he or they paying for and in Lieu of Salvage (if retaken from the Rebels) one-eighth Part of the true Value of the Ships, Veſſels, Boats, and Goods reſpectively ſo to be reſtored; which Salvage ſhall be anſwered and paid to the Captains, Officers, and Seamen, to be divided in ſuch Manner as before in this Act is directed touching the Share of Prizes belonging to the Flag Officers, Captains, Officers, Seamen, Marines, and Soldiers.

on Payment of 1-8th Part of the Value thereof.

XXV. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons belonging to any of his Majeſty's Ships or Veſſels of War, who ſhall run away or withdraw him or themſelves from the Ship or Veſſel by which any Prize or Prizes ſhall be taken, or otherwiſe, from his Majeſty's Service, before or after Notification ſhall be given by the Perſons or Agents appointed as aforeſaid, of the Day appointed for the Payment of the ſeveral Shares to the Captors of the ſaid Prize or Prizes, ſhall have, or be entitled to have or claim, any Intereſt in or Benefit of the ſaid Share or Shares of the ſaid Prize or Prizes, or any Part thereof, but ſuch Share and Shares of ſuch Prize and Prizes ſhall go and be paid to the Uſe of *Greenwich* Hoſpital.

Perſons withdrawing themſelves from his Majeſty's Service, forfeit their Share of Prize-money; which ſhall be applied to the Uſe of Greenwich Hoſpital.

XXVI. Provided always, That if any Perſon or Perſons ſhall or do run away or withdraw him or themſelves from any ſuch Ship or Veſſel as aforeſaid, after Notification given as aforeſaid, he and they ſhall forfeit and loſe ſuch Part of his and their Share and Shares of the ſaid Prize or Prizes, as ſhall be remaining in the ſaid Agent or Agents Hands at the Time of his or their running away or withdrawing him or themſelves; any Thing herein before contained to the contrary thereof in any-wiſe notwithſtanding.

Proviſo.

XXVII. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, Agent and Agents, and others, who ſhall ſell or otherwiſe diſpoſe of any Prize or Prizes ſo to be taken as aforeſaid, ſhall, within the Space of three Calendar Months next after the Day to be appointed for the firſt Payment or Diſtribution to the Captors of ſuch Prize or Prizes, made in purſuance of ſuch public Notification as aforeſaid, make out and tranſmit or deliver unto the Treaſurer of the ſaid Royal Hoſpital of *Greenwich* for the Time being, or to ſuch Perſon or Perſons as he ſhall for that Purpoſe depute or appoint, a true State and Account in Writing, under the Hand or Hands of ſuch Agent or Agents, or Perſon or Perſons ſo employed, of the Produce of all ſuch Prize and Prizes as aforeſaid, together with an Account of the Payments of the ſeveral Shares to the Captors as ſhall then have been really and *bona fide* by him or them reſpectively paid; and alſo that all and every Perſon and Perſons, Agents, and others, that by virtue of this Act ſhall ſell or diſpoſe of any Prize or Prizes, which ſhall at any Time or Times hereafter be taken by any of his Majeſty's Ships or Veſſels of War, ſuch Perſon and Perſons, Agents, and others, ſo ſelling and diſpoſing thereof, ſhall, within the Space of three Calendar Months next after the Expiration of the Term of three Years limited by this Act, make out an exact Account in Writing of the Produce of ſuch Prize and Prizes, as alſo of the Payments of the ſeveral Shares to the reſpective Captors, together with a true and juſt Account upon Oath, to be taken before the Treaſurer of the ſaid Hoſpital for the Time being, or any other Perſon or Perſons by him for that Purpoſe deputed and authoriſed in Writing under his Hand and Seal (which Oath the ſaid Treaſurer of the ſaid Hoſpital, and his ſufficient Deputy and Deputies, authoriſed as aforeſaid, is and are hereby authoriſed and impowered to adminiſter), of all Sum and Sums of Money as ſhall be then remaining in ſuch Agent or Agents, or Perſons Cuſtody, Power or Poſſeſſion, and ſhall at the ſame time deliver, or cauſe to be delivered, to the Treaſurer of the ſaid Hoſpital for the Time being, or to his ſufficient Deputy or Agent, the ſaid Accounts ſo atteſted upon Oath as aforeſaid, together with all ſuch remaining Sum and Sums of Money then ſo left and remaining in his or their Hands as aforeſaid, taking from the ſaid Treaſurer, or his proper Deputy or Agent, his or their Acquittance or Acquittances for the ſame.

Agents, who ſhall ſell any Prize, to tranſmit to the Treaſurer of Greenwich Hoſpital a true State of the Produce of ſuch Prize, &c.

XXVIII. And be it further enacted, That all and every Perſon and Perſons hereby directed to tranſmit or deliver all or any the Accounts before mentioned, who ſhall neglect or refuſe to tranſmit or deliver all or any ſuch Account or Accounts to the Treaſurer of the ſaid Hoſpital, or his ſaid Deputy or Agent, within the Time before limited and appointed, in Manner and Form as is herein before mentioned, or who ſhall neglect or refuſe to pay over all and every ſuch Sum and Sums of Money as ſhall remain in his or their Hand or Hands, Power, Cuſtody, or Poſſeſſion, after the Term of three Years, to be accounted as aforeſaid, ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds, over and above the Money then in ſuch Agents Hands; one-third Part whereof ſhall belong to his Majeſty, and the remaining two-third Parts to the ſaid Royal Hoſpital, to be recovered, with Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, in which no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Perſon, &c. neglecting to deliver true Accounts to the Treaſurer, &c. or not paying in all Money remaining in his Hands after three Years, ſhall forfeit 100l.

XXIX. And be it further enacted by the Authority aforeſaid, That if any Fraud, Colluſion, or Deceit, ſhall be wittingly or willingly made, uſed, committed, permitted, or done, or ſuffered, in making, ſtating, or balancing, any ſuch Accounts, then every Perſon or Perſons who ſhall be thereof duly convicted, and his and their Aiders and Abettors, ſhall forfeit and pay, for every ſuch Offence, over and above the Penalties and Puniſhments inflicted by this Act, the Sum of one hundred Pounds; one-third Part whereof to be to the Uſe of his Majeſty, and one other third Part to the Uſe of the ſaid Hoſpital, and the remaining third Part to the Informer who ſhall ſue for the ſame, to be recovered, with Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any Court of Record, in which no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, ſhall be allowed.

No wilful Fraud to be uſed in balancing Accounts,

on Penalty of 100l.

XXX. And

Regiſters in Courts of Admiralty ſhall enter all Letters of Attorney exhibited by Agents, &c. within 14 Days;

and deliver Copies thereof twice in every Year to the Treaſurer, &c.

or forfeit 100 l.

XXX. And be it further enacted by the Authority aforeſaid, That the Regiſter or Regiſters of his Majeſty's High Court of Admiralty, and all other Courts of Admiralty in *Great Britain*, ſhall, from Time to Time, duly enter or regiſter, or cauſe to be entered or regiſtered, in one or more Book or Books, to be by him or them kept for that Purpoſe only, all Letters of Attorney that ſhall be exhibited by any Agent or Agents for any Prize or Prizes which ſhall be taken by any of his Majeſty's Ships or Veſſels of War, within fourteen Days after the ſame ſhall be ſo exhibited or delivered to ſuch Regiſter or Regiſters, at his or their reſpective Offices; which Regiſtry ſhall contain the Day of Delivery and Entry, the Dates of the Letters of Attorney, the Names and Places of Abode of the Agents, the Names of the Prizes taken, together with the Names of the Ships or Veſſels by which ſuch Prizes ſhall have been taken; and the ſaid Regiſter or Regiſters ſhall, on the twenty-ſixth Day of *March*, and the thirtieth Day of *September*, or within forty Days thereafter, in every Year, tranſmit or deliver unto the Treaſurer of the ſaid Hoſpital, or to the lawful Deputy of ſuch Treaſurer for the Time being, a true Copy or Tranſcript, under his or their Hand or Hands, of all ſuch Entries as aforeſaid, within the preceding Half-year; and if ſuch Regiſter or Regiſters ſhall neglect or refuſe to make and keep ſuch Entries, or to tranſmit or deliver ſuch Copies thereof as aforeſaid, within the reſpective Times herein before limited for that Purpoſe, he or they ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record, in which no Eſſoin, Protection, Privilege, Wager of Law, or more than one Imparlance, ſhall be allowed.

Regiſters of Admiralty Courts to make out yearly Liſts of all Letters of Attorney regiſtered there, and tranſmit them to the Treaſurer of Greenwich Hoſpital,

on Penalty of 500 l.

XXXI. And be it further enacted by the Authority aforeſaid, That the Regiſter or Regiſters of all and every the Court and Courts of Admiralty in any of his Majeſty's Dominions, ſhall yearly and every Year, upon the twenty-third Day of *October*, or within three Calendar Months next after the ſame, make out and tranſcribe true Copies of all and every ſuch Letter and Letters of Attorney as ſhall be ſo regiſtered in the ſaid Court or Courts, to which the Judge and Judges of the ſaid Court and Courts ſhall affix his and their Seal of Office; and then the ſaid Regiſter and Regiſters ſhall tranſmit the ſame to the Treaſurer of the ſaid Royal Hoſpital at *Greenwich*, to be there regiſtered, and to be inſpected by any Perſon *gratis*, the Charges of which Copies, and affixing the Seal or Seals thereto, and tranſmitting the ſame to the Treaſurer of the ſaid Hoſpital, ſhall be paid by the ſaid Agent or Agents at the Time of making ſuch Regiſtry as aforeſaid; and in caſe ſuch Regiſter or Regiſters ſhall neglect or refuſe to tranſcribe and tranſmit ſuch Copy and Copies of the ſaid Letter and Letters of Attorney in Manner aforeſaid (any Ship or Ships in that Time ſailing from ſuch Port or Place to any Port or Place in *Great Britain*), ſuch Regiſter and Regiſters ſo neglecting or refuſing ſhall forfeit the Sum of five hundred Pounds, to be recovered by him or them who will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any Court of Record in *Great Britain*, or in any other Part of his Majeſty's Dominions, in which no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, ſhall be allowed.

True Copies of Letters of Attorney, &c. ſhall be ſufficient Evidence of the Agency of the Perſons to whom they are made.

'XXXII. And for the more effectual making ſuch Letters of Attorney Evidence of the Agency of the 'Perſon or Perſons to whom the ſame ſhall be made,' be it further enacted by the Authority aforeſaid, That true Copies of ſuch Letter and Letters of Attorney, and of Tranſcripts under Seal, tranſmitted by the ſaid Regiſter or Regiſters of the Court and Courts of Vice-admiralty within any of his Majeſty's Dominions, and regiſtered by the ſaid Treaſurer of *Greenwich* Hoſpital, ſhall, from Time to Time, and at all Times hereafter, be good and ſufficient Evidence of the Agency of the Perſon or Perſons to whom ſuch Letters of Attorney is or ſhall be made; and from Time to Time, and at all Times hereafter, ſhall be admitted, without further or other Proof thereof, to be legal Evidence in all his Majeſty's Courts of Record of Law or Equity; any Law, Cuſtom, or Uſage, to the contrary thereof in any-wiſe notwithſtanding.

Agents not liable to be ſued by any Perſon who ſhall be made run from his Majeſty's Service in the Liſts of Officers, Seamen, &c. unleſs he produce a Certificate of his *R* being taken off.

XXXIII. And be it further enacted by the Authority aforeſaid, That no Agent or Agents for Prizes ſhall be liable to be ſued, impleaded, or arreſted, by any Perſon or Perſons who ſhall be made run from his Majeſty's Service, in the Liſts to be duly certified of the Names of the Officers, Seamen, Marines, Soldiers, or others, who ſhall be actually on Board any of his Majeſty's Ships of War, at the taking of any Prize or Prizes, until the End of three Months next after the Expiration of three Years, limited by this Act for the claiming of Prizes, unleſs the Perſon or Perſons ſo made run ſhall, before any Action brought, obtain a Certificate of his or their *R* or *Rs* being taken off, and the Forfeiture of his or their Share of ſuch Prizes being diſcharged by the Commiſſioners of his Majeſty's Navy who ſubſcribed the ſaid Liſts, and ſhall produce ſuch Certificate to the ſaid Agent or Agents reſpectively, and unleſs the ſaid Agent or Agents, on the producing of ſuch Certificate or Certificates, ſhall refuſe to pay the ſaid Prize-money (in caſe the ſame be due and payable, according to the Directions in his Majeſty's Declaration) within two Months after any ſuch Demand made, and ſuch Certificate produced.

Proviſo.

XXXIV. Provided always, That nothing in this Act contained ſhall be conſtrued to reſtrain his Majeſty, his Heirs and Succeſſors, from giving ſuch further Rules and Directions to his reſpective Courts of Admiralty and Vice-admiralty, as by his Majeſty, his Heirs and Succeſſors, with the Advice of his or their Privy Council, ſhall be thought neceſſary or proper.

This Act not to extend to Veſſels which ſhall have ſailed for Great Britain or Ireland, from the Weſt Indies, on or before March 1, 1776, &c.

XXXV. Provided always, and it is hereby further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to any Ship or Veſſel the Property of any Perſon or Perſons reſiding in the ſaid Colonies of *New Hampſhire*, *Maſſachuſet's Bay*, *Rhode Iſland*, *Connecticut*, *New York*, *New Jerſey*, *Penſylvania*, the three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*, or any or either of them, which ſhall have ſailed for *Great Britain* or *Ireland*, from any *Britiſh* Sugar Colony or Plantation in the *Weſt Indies*, on or before the firſt Day of *March* one thouſand ſeven hundred and ſeventy-ſix, laden with any Goods or Commodities which before the paſſing of this Act might be ſo lawfully tranſported and carried in ſuch Ship or Veſſel; nor to any Ship or Veſſel the Property of any Perſon or Perſons reſiding in the ſaid Colonies of *New Hampſhire*, *Maſſachuſet's*

chuſet's Bay, *Rhode Iſland*, *Connecticut*, *New York*, *New Jerſey*, *Penſylvania*, the three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, and *Georgia*, or any or either of them, which on or before the firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix, ſhall have arrived at any of the *Britiſh* Sugar Colonies or Plantations in the *Weſt Indies*, laden with Lumber and Proviſions, or either of them, and, after diſcharging the ſame at ſuch Sugar Colony or Plantation, ſhall, on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and ſeventy-ſix, lade and take on Board there, in order to be tranſported from thence into *Great Britain* or *Ireland*, any Goods or Commodities which may be lawfully tranſported from ſuch Sugar Colony or Plantation into *Great Britain* or *Ireland* reſpectively, in any other *Britiſh* Veſſel, upon Condition that the Maſter or Perſon having the Charge of ſuch Ship or Veſſel which ſhall have ſo arrived on or before the ſaid firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix, and ſhall have been loaded on or before the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſeventy-ſix, ſhall produce a Certificate, under the Hands and Seal of Office of the Collector and Comptroller, or other Principal Officer of his Majeſty's Cuſtoms for the Port or Place where ſuch Goods ſhall be laden, certifying that ſuch Ship or Veſſel did arrive at ſuch Sugar Colony or Plantation on or before the ſaid firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix, laden with Lumber and Proviſions, or either of them, as the Caſe may be; and that, after having diſcharged the ſame in ſuch Sugar Colony or Plantation, ſhe had taken on Board the ſeveral Goods therein laden for *Great Britain* or *Ireland* reſpectively, deſcribing the Name and Burthen of the Ship, with the Name of the Maſter, and the Contents of the Cargo, with the particular Marks and Numbers of the Packages of each Sort and Species of Goods ſo laden, the Port or Place where, and the Time when laden, and the Port in *Great Britain* or *Ireland* to which the Goods are conſigned, and that Bond and Security has been given for the due landing thereof according to Law; which Certificate ſuch Collector and Comptroller, or other Principal Officer of the Cuſtoms, are hereby required and enjoined to give without Fee or Reward.

Certificates to continue in Force for ſix Months. Maſter, &c. upon his Arrival in Great Britain or Ireland, to deliver up his Certificate to the Collector, &c. on Forfeiture of 100 l.

XXXVI. And it is hereby further enacted by the Authority aforeſaid, That the Certificates before mentioned for ſuch Ships or Veſſels as ſhall be bound to *Great Britain* and *Ireland*, ſhall continue in Force for ſix Months from the Dates thereof, and no longer; and the Maſter or Perſon having Charge of ſuch Ship or Veſſel, upon his Arrival at the Port of his Diſcharge in *Great Britain* or *Ireland*, at the Time he reports his Ship, is hereby required to deliver up ſuch Certificate to the Collector and Comptroller, or other Principal Officer of the Cuſtoms at ſuch Port, on Forfeiture of one hundred Pounds: And if any Officer or Officers of the Cuſtoms ſhall give or grant any falſe Certificate, for the Purpoſe required or directed by this Act, ſuch Officer or Officers ſhall forfeit the Sum of five hundred Pounds, and be rendered incapable of ſerving his Majeſty, his Heirs and Succeſſors, in any Office whatſoever; and if any Perſon or Perſons ſhall counterfeit, eraſe, alter, or falſify any ſuch Certificate, or any Licence required or directed by this Act, or ſhall knowingly make Uſe of any falſe Certificate or Licence, or of any Certificate or Licence ſo counterfeited, eraſed, altered, or falſified, ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit the Sum of five hundred Pounds, and ſuch Certificate or Licence ſhall be invalid and of no Effect; which ſaid Penalties, if the ſame ſhall be incurred in *Great Britain*, or within the *Britiſh* Dominions in *America*, ſhall and may be proſecuted, ſued for, and recovered, and be divided, paid, and applied, in like Manner as other Penalties, inflicted by any Act or Acts of Parliament relating to the Trade or Revenues of the *Britiſh* Colonies or Plantations in *America*, are directed to be proſecuted, ſued for, or recovered, divided, paid, and applied, by any Act or Acts of Parliament now in Force; and if the ſaid Penalties ſhall be incurred in the Kingdom of *Ireland*, the ſame ſhall and may be proſecuted, ſued for, recovered, and applied, in ſuch and the like Manner as any Forfeiture incurred by the Laws now in Force in the ſaid Kingdom of *Ireland* againſt the running or intending to run Goods into that Kingdom, may, by any Act or Acts of Parliament now in Force there, be proſecuted, ſued for, recovered, and applied.

Penalty on giving a falſe Certificate, or counterfeiting or altering any Certificate, &c. Penalties how to be recovered.

This Act not to extend to Veſſels cleared out from Great Britain or Ireland before Jan. 1, 1776, and bound to the Weſt Indies, &c. if Two-thirds of the Owners are his Majeſty's Subjects reſiding in Great Britain, Ireland, or the Britiſh Sugar Iſlands.

XXXVII. Provided always, and be it further enacted by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to extend, to any Ship or Veſſel, or the Cargo thereof, which ſhall have been or may be cleared out from any Port in *Great Britain* or *Ireland*, before the firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix, and ſhall be bound to any of the *Britiſh* Sugar Colonies in the *Weſt Indies*, or which hath been, or may be ſo cleared out from the ſaid *Britiſh* Sugar Colonies, and ſhall be bound to *Great Britain* or *Ireland*, in caſe it ſhall appear by the Regiſter of ſuch Ship or Veſſel that Two thirds at the leaſt of the Owners of ſuch Ship or Veſſel are his Majeſty's Subjects reſiding in *Great Britain* or *Ireland*, or in ſome of the ſaid *Britiſh* Sugar Colonies; nor to any Ship or Veſſel, or the Cargo thereof, which ſhall be cleared out from any Port in *Great Britain* or *Ireland*, after the twentieth Day of *January* one thouſand ſeven hundred and ſeventy-ſix, and ſhall be bound to any of the *Britiſh* Sugar Colonies, or which ſhall be cleared out after the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-ſix, from the ſaid *Britiſh* Sugar Colonies, and ſhall be bound to *Great Britain* or *Ireland*, in caſe it ſhall appear, by the Oath or Affirmation of one or more of the Owners of ſuch Ship or Veſſel, to be indorſed on the Regiſter thereof, to be taken before the Collector or other Principal Officer of the Cuſtoms at the Port or Place where ſuch Ship or Veſſel ſhall be cleared out (which Oath or Affirmation ſuch Collector, or other Principal Officer of the Cuſtoms, is hereby authoriſed and required to adminiſter), that Two-thirds at leaſt of ſuch Ship or Veſſel are the Property of his Majeſty's Subjects reſiding in *Great Britain* or *Ireland*, or in ſome of the ſaid Sugar Colonies or Plantations.

'XXXVIII. And whereas many and large Debts are now due from the Inhabitants of the *North American* Colonies herein before mentioned, to divers of his Majeſty's good and loyal Subjects reſiding in *Great Britain*, *Ireland*, and the *Britiſh* Plantations in the *Weſt Indies*, and many of ſuch good and loyal Subjects may have Eſtates and Effects in ſome of the ſaid *North American* Colonies: And whereas Goods and Merchandiſe have been or may be ſhipped or laden in the ſaid Colonies, for and on Account of ſuch Debts, Eſtates, or Effects, and other Goods and Merchandiſe may be laden there, and ſent from thence in conſequence of Orders given for that Purpoſe;' be it therefore enacted by the Authority aforeſaid,

This Act not to extend to any Veſſel cleared out from the Colonies for Great Britain, &c. on or b fore Jan. 1, 1776; nor to Goods ſhipped for Remittances to Great Britain, &c. before Dec. 21, 1775.

That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Ship or Veſſel which ſhall have cleared out and ſailed from any of the ſaid Colonies for *Great Britain*, *Ireland*, or any of the *Britiſh* Plantations in the *Weſt Indies*, on or before the firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix; nor ſhall extend, or be conſtrued to extend, to forfeit any Goods or Merchandiſe, or Effects which ſhall be laden or ſhipped on Board any Ship or Veſſel in any of the ſaid *North American* Colonies on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-ſix, as a Remittance to any of his Majeſty's Subjects reſiding in *Great Britain*, *Ireland*, or the *Britiſh* Colonies or Plantations in the *Weſt Indies*, for or on account of any ſuch Eſtates, Effects, or Debts, or in conſequence of any Orders given for that Purpoſe, before the twenty-firſt Day of *December* one thouſand ſeven hundred and ſeventy-five, provided Proof thereof ſhall be made, on Oath of the Parties to whom ſuch Goods, Merchandiſe, or Effects, ſhall be conſigned, or otherwiſe to the Satisfaction of the Judge or Court before whom any Seizure of ſuch Goods, Merchandiſe, or Effects, ſhall be depending, any Thing herein contained to the contrary notwithſtanding.

Not to extend to any Veſſel the Property of the Coloniſts, which on or before Jan. 1, 1776, ſhall have ſailed from any Port in Europe where ſhe might lawfully trade, &c.

XXXIX. Provided always, and it is hereby further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to any Ship or Veſſel the Property of any Perſon or Perſons reſiding in the ſaid Colonies of *New Hampſhire*, *Maſſachuſet's Bay*, *Rhode Iſland*, *Connecticut*, *New York*, *New Jerſey*, *Penſylvania*, the three Lower Counties on *Delaware*, *Maryland*, *Virginia*, *North Carolina*, *South Carolina*, or *Georgia*, which on or before the firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix ſhall have ſailed from any Port or Place in *Europe* where ſuch Ship or Veſſel might lawfully trade; or which on or before the ſaid firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix ſhall be actually laden in any ſuch Port or Place for *Great Britain* or *Ireland*, with ſuch Goods and Merchandiſes as ſuch Ship or Veſſel might lawfully ſo tranſport; nor to any ſuch Ship or Veſſel as ſhall, on the ſaid firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix, remain in any Port of *Great Britain* or *Ireland*, any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Nor to any Veſſel belonging to the Iſland of Nantucket, employed in the Whale Fiſhery, and fitted out before Dec. 1, 1775, &c.

XL. Provided alſo, and it is hereby further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Ship or Veſſel being the Property of any of the Inhabitants of the Iſland of *Nantucket*, employed in the Whale Fiſhery only, if it ſhall appear by the Papers on Board that ſuch Ship or Veſſel was fitted and cleared out from thence before the firſt Day of *December* one thouſand ſeven hundred and ſeventy-five; or if the Maſter, or other Perſon having the Charge of any ſuch Ship or Veſſel as aforeſaid, ſhall produce a Certificate under the Hand and Seal of the Governor or Commander in Chief of the Province of the *Maſſachuſet's Bay*, ſetting forth, that ſuch Ship or Veſſel (expreſſing her Name, and the Name of her Maſter, and deſcribing her Built and Burthen) is the whole and entire Property of his Majeſty's Subjects of the ſaid Iſland of *Nantucket*, and was the Property of one or more of them on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-five.

Seizing of Perſons, Veſſels, &c. during the Rebellion, and before the paſſing of this Act, ſhall be deemed legal.

' XLI. And whereas, before the paſſing this Act, and ſince the Commencement of the ſaid unnatural ' Rebellion, divers Perſons, Veſſels, Cargoes, and other Effects, may have been ſeized, detained, exa- ' mined, ſearched, damaged, or deſtroyed, for the public Service, in withſtanding or ſuppreſſing the ſaid ' Rebellion;' be it further enacted by the Authority aforeſaid, That all ſuch Acts ſhall be deemed juſt and legal to all Intents, Conſtructions, and Purpoſes whatſoever: And if any Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons for or by reaſon of any Thing ſo done, or for or by reaſon of any Thing done or acted in purſuance of this Act, then, and in every ſuch Caſe, ſuch Action or Suit ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence; and if the Act ſhall appear to have been done for the Service of the Public, or in purſuance of and by the Authority of this Act, or if any ſuch Action or Suit ſhall be brought after the Time herein before limited for bringing the ſame, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Finding, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his or their Action after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts.

Limitation of Actions.

General Iſſue.

Treble Coſts.

Acts.

14 Geo. III.

15 Geo. III. Cap. 10.

and 15 Geo. III. Cap. 18.

repealed.

' XLII. And whereas an Act was paſſed in the fourteenth Year of the Reign of his preſent Majeſty ' (intituled, *An Act to diſcontinue, in ſuch Manner, and for ſuch Time, as are therein mentioned, the landing ' and diſcharging, lading or ſhipping, of Goods, Wares, and Merchandiſe, at the Town and within the Harbour ' of* Boſton, *in the Province of* Maſſachuſet's Bay, *in* North America); and alſo an Act paſſed in the laſt ' Seſſion of Parliament (intituled, *An Act to reſtrain the Trade and Commerce of the Provinces of* Maſſachu- ' ſet's Bay *and* New Hampſhire, *and Colonies of* Connecticut, *and* Rhode Iſland, *and* Providence Planta- ' tion, *in* North America, *to* Great Britain, Ireland, *and the* Britiſh *Iſlands in the* Weſt Indies; *and to ' prohibit ſuch Provinces and Colonies from carrying on any Fiſhery on the Banks of* Newfoundland, *or other ' Places therein mentioned, under certain Conditions and Limitations)*; and alſo another Act paſſed in the ' ſame Seſſion (intituled, *An Act to reſtrain the Trade and Commerce of the Colonies of* New Jerſey, Penſyl- ' vania, Maryland, Virginia, *and* South Carolina, *to* Great Britain, Ireland, *and the* Britiſh *Iſlands in the* ' Weſt Indies, *under certain Conditions and Limitations):* And whereas the Prohibitions and Reſtraints ' impoſed by the ſaid Acts will be rendered unneceſſary by the Proviſions of this Act:' Be it therefore enacted by the Authority aforeſaid, That from and after the firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſix, the ſaid Acts ſhall be, and the ſame are hereby repealed.

Commencement of this Act.

XLIII. And be it further enacted by the Authority aforeſaid, That this Act, ſo far as the ſame relates to the Capture and Forfeiture of Ships and Veſſels belonging to the Inhabitants of the above-mentioned Colonies, ſhall, except in the Caſes herein before mentioned, commence and be in Force from and after the firſt Day of *January* one thouſand ſeven hundred and ſeventy ſix; and ſo far as the ſame relates to the Capture

Capture and Forfeiture of all other Ships and Veſſels that ſhall be found going to trade in or at any of the ſaid Colonies, from and after the firſt Day of *February* one thouſand ſeven hundred and ſeventy-ſix; and ſo far as the ſame relates to the Capture and Forfeiture of all other Ships and Veſſels that ſhall be found trading in or at any of the ſaid Colonies, or bound and trading from any Port or Place in the ſame, from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-ſix; and ſhall continue to be in Force ſo long as the ſaid Colonies reſpectively ſhall remain in a State of Rebellion.

Perſons authoriſed by his Majeſty may grant Pardons to any Colony, Province, County, &c. by Proclamation in his Majeſty's Name; after the iſſuing of which, this Act to be void with reſpect to ſuch Colony, &c.

XLIV. Provided always nevertheleſs, and it is hereby enacted by the Authority aforeſaid, That in order to encourage all well-affected Perſons in any of the ſaid Colonies to exert themſelves in ſuppreſſing the Rebellion therein, and to afford a ſpeedy Protection to thoſe who are diſpoſed to return to their Duty, it ſhall and may be lawful to and for any Perſon or Perſons, appointed and authoriſed by his Majeſty, to grant a Pardon or Pardons to any Number or Deſcription of Perſons, by Proclamation, in his Majeſty's Name, to declare any Colony or Province, Colonies or Provinces, or any County, Town, Port, Diſtrict, or Place, in any Colony or Province, to be at the Peace of his Majeſty; and from and after the iſſuing of any ſuch Proclamation in any of the aforeſaid Colonies or Provinces, or if his Majeſty ſhall be graciouſly pleaſed to ſignify the ſame by his Royal Proclamation, then, from and after the iſſuing of ſuch Proclamation, this Act, with reſpect to ſuch Colony or Province, Colonies or Provinces, County, Town, Port, Diſtrict, or Place, ſhall ceaſe, determine, and be utterly void; and if any Captures ſhall be made, after the Date and Iſſuing of ſuch Proclamations, of any Ships or Veſſels, and their Cargoes, belonging to the Inhabitants of any ſuch Colony or Province, Colonies or Provinces, County, Town, Port, Diſtrict, or Place, or of any Ships trading to or from ſuch Colony or Province, Colonies or Provinces reſpectively, the ſame ſhall be reſtored to the Owners of ſuch Ships or Veſſels, upon Claim being entered, and due Proof made, of their Property therein, and the Captors ſhall not be liable to any Action for ſeizing or detaining the ſaid Ships or Veſſels, or their Cargoes, without Proof being made that they had actual Notice of ſuch Proclamation having been iſſued.

Proviſo.

XLV. Provided always, That ſuch Proclamation or Proclamations ſhall not diſcharge or ſuſpend any Proceeding upon any Capture of any ſuch Ship or Veſſel made before the Date and Iſſuing thereof.

CAP. VI.

An Act for giving a public Reward unto ſuch Perſon or Perſons, being his Majeſty's Subject or Subjects, as ſhall diſcover a Northern Paſſage for Veſſels by Sea, between the *Atlantic* and *Pacific* Oceans; and alſo unto ſuch as ſhall firſt approach by Sea within One Degree of the Northern Pole.

Preamble.

'WHEREAS an Act of Parliament paſſed in the eighteenth Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act for giving a public Reward to ſuch Perſon or Perſons, his Majeſty's Subject or Subjects, as ſhall diſcover a North-weſt Paſſage, through* Hudſon's Streights, *to the Weſtern and Southern Ocean of* America): And whereas many Advantages both to Commerce and Science may be alſo expected from the Diſcovery of any Northern Paſſage for Veſſels by Sea, between the *Atlantic* and *Pacific* Oceans:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Ship or Veſſel, Ships or Veſſels, belonging to any of his Majeſty's Subjects, or to his Majeſty, ſhall find out and ſail through any Paſſage by Sea, between the *Atlantic* and *Pacific* Oceans, in any Direction or Parallel of the Northern Hemiſphere to the Northward of the fifty-ſecond Degree of Northern Latitude, the Owner or Owners of ſuch Ship or Ships, Veſſel or Veſſels, if belonging to any of his Majeſty's Subjects, or the Commander or Commanders, Officers and Seamen of ſuch Ship or Veſſel, Ships or Veſſels, if belonging to his Majeſty, ſhall receive as a Reward for ſuch Diſcovery the Sum of twenty thouſand Pounds.

If any Ship belonging to his Majeſty, &c. ſhall ſail between the Atlantic and Pacific Oceans beyond the 52d Degree, Commander, &c. ſhall receive a Reward of 20,000 l.

'II. And whereas the Ships employed both in the *Spitzbergen* Seas, and in *Davis's Streights*, have frequent Opportunities of approaching the North Pole, though they have not Time, during the Courſe of one Summer, to penetrate into the *Pacific* Ocean: And whereas ſuch Approaches may greatly tend to the Diſcovery of a Communication between the *Atlantic* and *Pacific* Oceans, as well as be attended with many Advantages both to Commerce and Science,' be it therefore enacted by the Authority aforeſaid, That if any Ship or Veſſel, Ships or Veſſels, ſhall approach to within one Degree of the Northern Pole, the Owner or Owners of ſuch Ship or Veſſel, Ships or Veſſels, if belonging to any of his Majeſty's Subjects, or the Commander or Commanders, Officers and Seamen, of ſuch Ship or Veſſel, Ships or Veſſels, if belonging to his Majeſty, ſo firſt approaching to within one Degree of the Northern Pole, his or their Executors, Adminiſtrators, or Aſſigns, ſhall be entitled to receive, and ſhall receive, as a Reward for ſuch firſt Approach towards the Northern Pole, the Sum of five thouſand Pounds.

or ſhall approach to within one Degree of the Northern Pole, ſhall receive a Reward of 5000 l.

'III. And in order to aſcertain who are the firſt Diſcoverers of the ſaid Northern Paſſage into the *Pacific* Ocean, and who are the firſt Approachers to within one Degree of the Northern Pole, and to whom the Rewards by this Act reſpectively given do belong;' be it further enacted by the Authority aforeſaid, That the Commiſſioners appointed for the Purpoſes of the ſaid Act of the eighteenth of *George* the Second, and alſo ſuch other Perſons as for the Time being are Commiſſioners for the Diſcovery of the Longitude at Sea, be, and they are hereby appointed Commiſſioners for the Purpoſes of this preſent Act; and are hereby authoriſed and impowered to call for the reſpective Journal or Journals, Book or Books, and Papers, kept on Board the reſpective Ship or Ships, Veſſel or Veſſels, of the Claimant or Claimants reſpectively, and alſo to examine, upon Oath, all ſuch Perſons as they the ſaid Commiſſioners ſhall think proper with regard to any Claim or Claims, as well as any Perſon or Perſons produced by the reſpective Claim-

Commiſſioners appointed to determine who are entitled to the ſaid Rewards; who are impowered to call for Journals, Books, &c.

Commiſſioners to grant Certificates upon Proof made of Diſcovery, &c.

ant or Claimants of the reſpective Rewards given as aforeſaid by this Act (which Oath the ſaid Commiſſioners, or any three or more of them, are hereby impowered and required to adminiſter): And the ſaid Commiſſioners, or the major Part of thoſe that ſhall meet (ſuch major Part, nevertheleſs, at all Times conſiſting of thirteen Commiſſioners at the leaſt, of which the Lord High Admiral, or Firſt Commiſſioner for executing the Office of Lord High Admiral of *Great Britain* for the Time being, and the Royal Aſtronomer of *Greenwich* for the Time being, ſhall be two), being fully ſatisfied, upon Examination and Proof, that ſuch Northern Paſſage by Sea into the *Pacific* Ocean is effectually diſcovered, and ſailed through as aforeſaid, and that ſuch Approach towards the Northern Pole, as aforeſaid, has been then firſt actually made by Sea, or that either the one or the other has been fully accompliſhed within the Meaning of this Act, as the Caſe may be, are hereby authoriſed and required to grant a Certificate or Certificates accordingly, under their Hands and Seals, to ſuch Perſon or Perſons as they ſhall judge are entitled to the ſame reſpectively; which Certificate or Certificates ſhall be produced to the Lord High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, and the ſaid Sum of twenty thouſand Pounds, and the ſaid Sum of five thouſand Pounds, or the one or the other, as the Caſe may be, ſhall be reſpectively paid to ſuch Perſon or Perſons as are named in the ſaid Certificate or Certificates reſpectively, his, her, or their Executors, Adminiſtrators, or Aſſigns, out of any the Aids or Supplies which ſhall be granted in Parliament to his Majeſty, his Heirs or Succeſſors, after the ſaid Diſcovery of the ſaid Northern Paſſage into the *Pacific* Ocean, and the ſaid Approach to within one Degree of the Northern Pole, or the one or the other, as the Caſe may be, ſhall be made, effectuated, and proved, and the ſaid Certificate produced as aforeſaid.

on producing whereof, Commiſſioners of the Treaſury to pay the Reward.

All Claims to the Rewards to be made within ſix Months after Arrival at any Port in Great Britain or Ireland.

IV. Provided always, and be it further enacted by the Authority aforeſaid, That the reſpective Claim or Claims on behalf of any Ship or Ships, Veſſel or Veſſels, unto the Rewards given by this Act, or either of them, ſhall be made reſpectively, and entered with, or be by Letter ſignified to, the Secretary of the Lord High Admiral, or Firſt Commiſſioner for executing the Office of Lord High Admiral of *Great Britain* for the Time being, at the Admiralty Office in *London*, within ſix Months from the Time that ſuch Ship or Veſſel, Ships or Veſſels, ſhall have arrived at any Port of *Great Britain* or *Ireland*, otherwiſe the reſpective Claimant or Claimants ſhall not be entitled to receive, nor ſhall receive, either of the ſaid Rewards; any Thing in this Act contained to the contrary notwithſtanding.

Proviſo.

V. Provided alſo, and be it further enacted by the Authority aforeſaid, That if the ſaid Rewards, or either of them, ſhall be claimed by and adjudged to the Commander or Commanders, Officers and Seamen of any Ship or Veſſel, Ships or Veſſels, belonging to his Majeſty, the ſame ſhall be diſpoſed in favour of, and diſtributed among ſuch Commander or Commanders, Officers and Seamen, in ſuch Proportions as ſhall be directed by his Majeſty in Council, and in no other Manner.

CAP. VII.

An Act for the Regulation of his Majeſty's Marine Forces while on Shore.

CAP. VIII.

An Act for making perpetual ſo much of an Act, made in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act to continue and amend an Act, made in the fifth Year of the Reign of his preſent Majeſty*, intituled, "*An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from* Ireland, *for a limited Time*; *and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the* Britiſh *Dominions in* America, *for a limited Time*," as relates to the Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland:* And alſo another Act, made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act to permit the free Importation of Cattle from* Ireland.

Preamble, Acts 8 Geo. III. and 5 Geo. III. recited.

'WHEREAS an Act was made in the eighth Year of his preſent Majeſty's Reign, intituled, *An Act to continue and amend an Act, made in the fifth Year of the Reign of his preſent Majeſty, intituled,* "An Act for Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland*, for a limited Time; "and for allowing the Importation of Salted Beef, Pork, Bacon, and Butter, from the *Britiſh* Dominions "in *America*, for a limited Time:" And whereas the ſaid Act has, by ſeveral ſubſequent Acts, been continued to the thirtieth Day of *March* one thouſand ſeven hundred and ſeventy-ſix: And whereas another Act was made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act to permit the free Importation of Cattle from* Ireland; which Act has, by another Act made in the twelfth Year of his preſent Majeſty's Reign, been further continued until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſeventy-eight, and from thence to the End of the then next Seſſion of Parliament: And whereas the ſaid Act, made in the eighth Year of his preſent Majeſty's Reign, ſo far as the ſame relates to the Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland*; and alſo the ſaid Act, made in the fifth Year of his preſent Majeſty's Reign, have proved very beneficial:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid recited Act, made in the eighth Year of his preſent Majeſty's Reign, as relates to the Importation of Salted Beef, Pork, Bacon, and Butter, from *Ireland*, and alſo the ſaid recited Act, made in the fifth Year of his preſent Majeſty's Reign, ſhall be, and are hereby made perpetual.

So much of the Act 8 Geo. III. as relates to Ireland, and the Act 5 Geo. III. made perpetual.

CAP.

CAP. IX.

An Act for the better Relief and Employment of the Poor within the Hundred of *Forehoe*, in the County of *Norfolk*.

CAP. X.

An Act to enable his Majeſty to make Leaſes, Copies, and Grants of Offices, Lands, and Hereditaments, Parcel of the Dutchy of *Cornwall*, or annexed to the ſame; and for other Purpoſes therein mentioned.

'WHEREAS his Royal Highneſs *George* Prince of *Wales*, now ſtands ſeized of the Dutchy of *Cornwall*, and the Poſſeſſions thereof: And whereas it is neceſſary to enable his Majeſty to grant Offices, and to make Leaſes and Grants, by Copy of Court Roll, of Lands and Hereditaments, Parcel of the ſaid Dutchy, or thereunto annexed or belonging, during the Minority of his Royal Highneſs;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Leaſes and Grants, made or to be made, by Letters Patent, or Indentures, under the Seal of *Great Britain*, or Seal of the Court of Exchequer, or by Copy of Court Roll, according to the Cuſtom of the reſpective Manors, within ſeven Years next enſuing, of any Offices, Meſſuages, Parks, Lands, Tenements, or Hereditaments, (other than Honours, Lordſhips, or Manors) Parcel of the Poſſeſſions of the ſaid Dutchy of *Cornwall*, or annexed to the ſame, ſhall be good and effectual in Law, according to the Purport and Contents of the ſame Copies, Leaſes, and Grants, againſt our Sovereign Lord the King, his Heirs and Succeſſors, his Royal Highneſs *George* Prince of *Wales*, and againſt all and every other Perſon or Perſons, who ſhall at any Time hereafter have, inherit, or enjoy, the ſaid Dutchy, by force of any Act of Parliament, or by other Limitation whatſoever.

Preamble.

Leaſes and Grants made by Letters Patent or Indentures, or by Copy of Court Roll within 7 Years to come, of any Offices, Lands, or Hereditaments, Parcel of the Dutchy of Cornwall, or annexed thereto, declared to be good againſt the Crown;

II. Provided always, That every ſuch Leaſe or Grant ſo made, or to be made, be not for more than one, two, or three Lives, or for one and thirty Years, or under, or for ſome Term of Years determinable upon one, two, or three Lives, and not above; and if ſuch Leaſes or Grants be made in Reverſion or Expectancy, that then the ſame, together with the Eſtates in Poſſeſſion, do not exceed three Lives, or the Term of one and thirty Years, or ſome Term of Years determinable upon one, two, or three Lives, and be not in any wiſe made diſpuniſhable of Waſte; and ſo as upon every ſuch Leaſe or Grant there be, or ſhall be, reſerved the ancient or moſt uſual Rent, or more, or ſuch Rent as hath been reſerved, yielded, or paid, for the ſame Lands, or Hereditaments, for the greater Part of twenty Years next before the making of the ſaid Leaſes or Grants; and where no ſuch Rent hath been reſerved or payable, that then, upon every ſuch Leaſe, there be, or ſhall be, reſerved a reaſonable Rent, not being under the twentieth Part of the clear yearly Value of the Meſſuages, Parks, Lands, Tythes, Tenements, or Hereditaments, contained in ſuch Leaſe or Grant; and all Leaſes and Grants otherwiſe made, or to be made, ſhall be null and void.

ſo as ſuch Leaſes be not for more than 3 Lives, or 31 Years; or a Term determinable upon 3 Lives at the moſt:

And if in Expectancy or Reverſion, not exceeding 3 Lives or 31 Years, and ſo as the ſame be not diſpuniſhable of Waſte; and the uſual Rent, or, where there was none before, a reaſonable Rent be reſerved.

III. And be it further ordained and enacted by the Authority aforeſaid, That all Covenants, Conditions, Reſervations, and other Agreements, contained in every Leaſe, Grant, or Copy of Court Roll, made or to be made, as aforeſaid, ſhall be good and effectual in Law, according to the Words and Contents of the ſame, as well for and againſt them to whom the Reverſions of the ſame Lands, Tenements, and Hereditaments ſhall come, as for and againſt them to whom the Intereſt of the ſaid Leaſes, Grants, or Copies ſhall come, reſpectively, as if our Sovereign Lord the King's Majeſty, at the Time of making ſuch Covenants, Conditions, and Reſervations, and other Agreements, were ſeized of an abſolute Eſtate, in Fee Simple, in the ſame Lands, Tenements, or Hereditaments.

The Covenants, &c. in ſuch Leaſes or Grants deemed good in Law.

IV. Saving always, to all and every Perſon and Perſons, Bodies Politic and Corporate, their Heirs and Succeſſors, Executors, Adminiſtrators, and Aſſigns, (other than to our ſaid Sovereign Lord the King, and his Heirs and Succeſſors; and the Duke and Dukes of *Cornwall* for the Time being, and his and their Heirs; and all and every other Perſon and Perſons that ſhall hereafter have, inherit, or enjoy, the ſaid Dukedom of *Cornwall*, by force of any Act of Parliament, or other Limitation whatſoever) all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Tenures, Claims, and Demands whatſoever, of what Nature, Kind, or Quality ſoever, of, in, to, or out of, the ſaid Offices, Lands, Tenements, or Hereditaments, or any of them, as they, or any of them, had or ought to have had before the making of this Act, to all Intents and Purpoſes, and in as large and ample Manner and Form, as if this Act had never been had or made; this Act, or any Thing herein contained, to the contrary notwithſtanding.

Reſervation of Rights.

CAP. XI.

An Act to continue an Act made in the laſt Seſſion of Parliament, intituled, *An Act to amend and render more effectual in his Majeſty's Dominions in* America *an Act, paſſed in the preſent Seſſion of Parliament*, intituled, *An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters; and for extending the Proviſions of the ſaid Act to his Majeſty's Marine Forces in* America.

'WHEREAS an Act, paſſed in the fifteenth Year of his preſent Majeſty's Reign, intituled, *An Act to amend and render more effectual in his Majeſty's Dominions in* America, *an Act, paſſed in the preſent Seſſion of Parliament*, intituled, "An Act for puniſhing Mutiny and Deſertion, and for the better

Preamble.

Act 15 Geo. III. recited.

'Payment

" Payment of the Army and their Quarters;" *and for extending the Proviſions of the ſaid Act to his Majeſty's* ' *Marine Forces in* America; which Act was to continue and be in Force in all his Majeſty's Dominions ' in *America*, from the twenty-fourth Day of *March*, in the Year one thouſand ſeven hundred and ſeventy-' five, until the twenty-fourth Day of *March* one thouſand ſeven hundred and ſeventy-ſeven: And ' whereas it has been found neceſſary that the ſaid Act ſhould be continued for a further Term;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act ſhall be, and the ſame is hereby continued until the twenty-fourth Day of *March*, in the Year of our Lord one thouſand ſeven hundred and ſeventy-eight.

and further continued until March 24, 1778.

CAP. XII.

An Act to continue, for a further Time, an Act, made in the ſeventh Year of his preſent Majeſty's Reign, intituled, *An Act to diſcontinue, for a limited Time, the Duties payable upon the Importation of Tallow, Hogs-lard, and Greaſe.*

Preamble.

' WHEREAS an Act of Parliament, paſſed in the ſeventh Year of the Reign of his preſent Ma-' jeſty (intituled, *An Act to diſcontinue, for a limited Time, the Duties payable upon the Importation of* ' *Tallow, Hogs-lard, and Greaſe*): And whereas by two Acts, made in the tenth and thirteenth Years of ' his preſent Majeſty's Reign, the ſaid Act had been continued until the twenty-fifth Day of *March* one ' thouſand ſeven hundred and ſeventy-ſix: And whereas the allowing the Importation of Tallow, Hogs-' lard, and Greaſe, for a further Time, Duty free, may be of great Advantage;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act of the ſeventh Year of his preſent Majeſty's Reign, and all and every the Clauſes, Proviſions, Penalties, Forfeitures, Allowances, Matters and Things therein contained, ſhall be further continued from the Expiration thereof, until the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-nine.

Act 7 Geo. III. recited,

and further continued until March 25, 1779.

CAP. XIII.

An Act for the better ſecuring a Fund, belonging to certain Perſons of the Theatre Royal in *Drury-lane*, applicable to charitable Uſes; and for other Purpoſes therein mentioned.

Preamble.

' WHEREAS in or about the Year one thouſand ſeven hundred and ſixty-ſix, a Contribution was ' begun at the Theatre Royal in *Drury-lane*, towards the charitable Purpoſe of eſtabliſhing a Fund, ' for the Support of ſuch Performers belonging to the ſaid Theatre as, through Age, Infirmity, or Acci-' dent, ſhould be obliged to retire from the Stage; the Managers of which Charity have ſince extended ' the ſame to the occaſional Relief of Performers in caſe of Sickneſs, and alſo to the Relief and Support of ' the Widows and Children of deceaſed Performers belonging to the ſaid Theatre: And whereas by the ' Profits ariſing from ſeveral Plays, acted for the Benefit of the ſaid Charity, and the voluntary Contribu-' tions of the Performers belonging to the ſaid Company, and other Perſons, a Fund, to the Amount of ' Four Thouſand Pounds, or thereabouts, is now in the Hands of certain Truſtees applicable to the Pur-' poſes aforeſaid: To the End therefore that the Money contributed as aforeſaid, or which may hereafter ' be contributed towards increaſing the ſaid Fund, may be applied to the Purpoſes aforeſaid, and to ' prevent, as far as may be, any Miſapplication or Embezzlement thereof,' may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled,

Subſcribers incorporated.

and by the Authority of the ſame, That, from and after the paſſing of this Act, all and every the Subſcribers to the ſaid Fund for the Time being, during ſuch Time as he, ſhe, and they, reſpectively ſhall pay to the ſame, ſhall be, and are hereby declared to be, one Body Corporate and Politic, in Deed and in Name, and ſhall be called by the Name of *The Society eſtabliſhed for the Relief of indigent Perſons belonging to his Majeſty's Company of Comedians of the Theatre Royal in* Drury-lane: And by the ſame Name they ſhall have perpetual Succeſſion, and a Common Seal; and that they, and their Succeſſors, by the ſame Name may ſue and be ſued, implead and be impleaded, anſwer and be anſwered unto, in all or any Court or Courts of Record, and Places of Judicature, within this Kingdom of *Great Britain*; and that they, and their Succeſſors, by the Name aforeſaid, ſhall be able and capable in Law to have, hold, receive, enjoy, poſſeſs, and retain, for the Purpoſes aforeſaid, all and every ſuch Sum and Sums of Money as have been paid, given, deviſed, or bequeathed, or ſhall at any Time or Times hereafter be paid, given, deviſed, or bequeathed, to and for the Ends and Purpoſes herein before mentioned; and that they, and their Succeſſors, by the Name aforeſaid, ſhall and may at any Time hereafter, without Licence in Mortmain, purchaſe, take, or receive, hold, and enjoy, any Lands, Tenements, or Hereditaments, not exceeding the yearly Value of five hundred Pounds.

Their Name, and Powers.

Directors appointed;

II. And be it further enacted, That, from and after the paſſing of this Act, *Thomas King*, *John Packer*, *John Moody*, *James Aicken*, *James William Dodd*, *Robert Baddeley*, *Francis Waldron*, *Richard Hurſt*, *William Brereton*, *James Wrighten*, *William Parſons*, *John Palmer*, and *William Davies*, ſhall be, and they are hereby appointed, Directors for managing the ſaid Fund, until the Fifth Day of *April*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſeventy-ſeven: And that the ſaid Directors, and their Succeſſors, to be elected in Manner herein after mentioned, or the Majority of ſuch Directors for the Time

who may alter the Common Seal, &c.

Time being, ſhall have full Power and Authority, from Time to Time, to diſpoſe of the ſaid Common Seal, and to alter and make new the ſame, and to direct the Uſe and Application thereof; and to make, ordain, and conſtitute, ſuch and ſo many Bye-laws, Conſtitutions, Orders, and Regulations, as to them, or the major Part of them, ſhall ſeem neceſſary and convenient for the Appropriation of the ſaid Fund, or touching, or in anywiſe concerning the Affairs and Buſineſs of the ſaid Corporation; and the ſame Bye-laws, Conſtitutions, Orders, and Regulations, ſo made, to put in Uſe and enforce accordingly, and at their Will and Pleaſure to revoke, change, and alter the ſame, or any of them: Which ſaid Bye-laws, Conſtitutions, Orders, and Regulations, ſo as aforeſaid made, ſhall be duly kept and obſerved by the ſaid Corporation, and every Member thereof, provided the ſame be reaſonable, and not contrary or repugnant to the Statutes, Cuſtoms, or Laws of this Kingdom, or the true Intent and Meaning of this Act. make Bye-laws,

III. And be it further enacted, That the ſaid Directors may, and are hereby impowered to appoint a Treaſurer or Treaſurers, and ſuch other Officers as they ſhall think neceſſary for the Purpoſes of this Act; and ſhall and are hereby required to take ſuch Security from their Treaſurer or Treaſurers as a Majority of the ſaid Directors ſhall think proper. and appoint Officers.

IV. And be it further enacted, That ſuch Subſcribers to the ſaid Fund as may hereafter be entitled to receive any Benefit therefrom, ſhall meet together at ſome convenient Place, in or near the ſaid Theatre, on the twenty-fifth Day of *March* which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſeventy-ſeven, or within ten Days after, for electing Directors for the Year enſuing; and that previous to ſuch Election, the Names of all the Directors for the Time being ſhall be written on diſtinct Pieces of Paper, being all of an equal Size, and rolled up in the ſame Manner, as near as may be, and ſhall be put into a Box, or ſome other convenient Receptacle, and ſhall be ſhaken together, after which ſome Perſon, not intereſted in ſuch Election, ſhall draw out the ſaid Names one by one, until the Number remaining in the ſaid Box or Receptacle ſhall be reduced to ſix, and the ſix Perſons whoſe Names ſhall ſo remain ſhall be ſix of the Directors for the enſuing Year; after which the ſaid Subſcribers preſent ſhall proceed to elect ſeven other Perſons from amongſt themſelves (either ſuch as were, or were not Directors for the preceding Year); and the Seven Perſons ſo elected, together with the ſix Perſons whoſe Names remained undrawn, as aforeſaid, ſhall be the Directors for putting this Act in Execution for the Year next enſuing: And the ſaid Subſcribers ſhall alſo meet together on the twenty-fifth Day of *March*, or within ten Days after, in every ſucceeding Year, and elect Directors, in Manner before-mentioned, for the Year then next enſuing: And in caſe any one or more of the ſaid Directors hereby appointed, or to be elected in Manner aforeſaid, ſhall die, or refuſe to act in the Execution of this Act, the ſaid Subſcribers ſhall and may meet together, at ſome convenient Place, in or near the ſaid Theatre, and elect a Director or Directors in the Room and Stead of the Director or Directors ſo dying or refuſing to act as aforeſaid; and every Director ſo to be elected, in any or either of the Caſes aforeſaid, ſhall have the ſame Powers and Authorities, for the Purpoſes of carrying this Act into Execution, as the Directors herein and hereby nominated and appointed are inveſted with. First Election of Directors. Manner of Election. Elections to be annual.

V. Provided always, and be it further enacted, That Notice of every ſuch Election ſhall be affixed in Writing, in ſome conſpicuous Part of the ſaid Theatre, for three Days at the leaſt, immediately preceding ſuch Election; and that all Elections ſhall be decided by a Majority of Votes; and that every Subſcriber to the ſaid Fund ſhall have a Right to vote in every ſuch Election. Notice in Writing to be affixed in the Theatre Three Days before Election.

VI. Provided alſo, That at every annual Election of Directors for the Purpoſes of this Act, a Majority of the Directors for the enſuing Year ſhall conſiſt of Perſons belonging to, or employed at, the ſaid Theatre. A Majority of Directors to belong to the Theatre.

VII. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame. Public Act.

CAP. XIV.

An Act for rectifying Miſtakes in the Names of ſeveral of the Commiſſioners appointed by an Act, made in the laſt Seſſion of Parliament, to put in Execution an Act made in the ſame Seſſion, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſeventy-five*; and for appointing other Commiſſioners, together with thoſe named in the firſt-mentioned Act, to put in Execution an Act of this Seſſion of Parliament, for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix.

CAP. XV.

An Act for the better maintaining, regulating, and employing the Poor within the Pariſh of *Saint George*, in the County of *Middleſex*; and for cleanſing and lighting the Squares, Streets, Lanes, Alleys, Courts, Yards, and other open Paſſages and Places; and for keeping and regulating a Nightly Watch within ſuch Parts of the ſaid Pariſh as are not within the Liberty of the Tower of *London*.

CAP.

CAP. XVI.

An Act for enlarging the Term and Powers, granted by three Acts of Parliament, for laying a Duty of Two Pennies *Scots* upon every Pint of Ale and Beer brewed and vended within the Town of *Dundee*, and the Liberties and Suburbs thereof, for the Purpoſes in the ſaid Acts mentioned.

Preamble.

Act Parl. Scotland, 1707, recited.

Act 4 Geo. II.

and 20 Geo. II. recited.

'WHEREAS by an Act paſſed in the Parliament of *Scotland*, in the Year of our Lord one thouſand ſeven hundred and ſeven, an Impoſition of Two Pennies *Scots* (over and above the Duty of Exciſe), was laid upon every Pint of Ale and Beer brewed, brought in, tapped, vended, and ſold, within the Town of *Dundee*, and the Liberties and Suburbs thereof, for paying off and diſcharging ſuch public Debts as then had been incurred, on ſeveral Occaſions, by the ſaid Town, which Act was to have Continuance for the Term of twenty-four Years, to be computed from the twenty-fifth Day of *March*, which was in the Year one thouſand ſeven hundred and ſeven: And whereas by another Act, paſſed in the fourth Year of the Reign of his late Majeſty King *George* the Second, it was enacted, That the ſaid Duty of Two Pennies *Scots*, or one-ſixth Part of a Penny Sterling, by the ſaid former Act granted, ſhould be further continued and made payable to the Provoſt, Magiſtrates, and Town Council of the Royal Borough of *Dundee*, and their Succeſſors in Office for the Time being, and their Collectors and Aſſigns, for the ſeveral Purpoſes in the ſaid Act particularly mentioned and declared; which ſaid laſt mentioned Act was to continue and be in Force for and during the further Term of twenty-five Years, to be computed from the twenty-fifth Day of *March*, one thouſand ſeven hundred and thirty-one, and from thence to the End of the then next Seſſion of Parliament: And whereas by another Act, paſſed in the twentieth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for enlarging the Term and Powers granted by two Acts of Parliament, for laying a Duty of Two Pennies* Scots *upon every Pint of Ale and Beer brewed and vended within the Town of* Dundee, *and the Liberties and Suburbs thereof, for the Purpoſes in the ſaid Acts, and this preſent Act mentioned*; it was enacted, That the ſaid recited Acts, and each of them, and all and every the Authorities, Powers, Articles, Rules, Penalties, Proviſoes and Clauſes therein contained, (except ſuch Clauſes, Matters, and Things, as were by the ſaid laſt mentioned Act altered or varied) ſhould continue and be in Force, and be executed from and after the firſt Day of *May*, in the Year one thouſand ſeven hundred and forty-ſeven, for and during the Term of twenty-five Years by the ſaid former Acts granted, as well for empowering the Magiſtrates to pay yearly out of the ſaid Duty the Sum of ſixteen Pounds thirteen Shillings and four Pence, as an additional Proviſion to each of the three Miniſters of the ſaid Town, and their Succeſſors for the Time being, and alſo for other the Purpoſes in the ſaid former Acts, or either of them, mentioned, as for finiſhing and completing the Common Hall and Gaol of the ſaid Town, and for empowering the Magiſtrates and Town Council to convert the Hoſpital of the ſaid Town, then uſed for the Reception of decayed Burghers, into a Workhouſe for employing and ſetting the poor Inhabitants of the ſaid Town to work; and that from and after the Expiration of the Term by the ſaid former Acts granted, the ſubſiſting Term was by the ſaid laſt mentioned Act enlarged and continued for the further Term of twenty-five Years from thence next enſuing, and from thence to the End of the then next Seſſion of Parliament, ſubject and liable to the Payment of the Money then due and owing, or to be due and owing on the Credit of the Duties by the ſaid former Acts, or either of them, or the ſaid reciting Act, granted and made payable for the Purpoſes therein mentioned and declared: And whereas the Money ariſing by the ſaid Duty hath been duly applied according to the Direction of the ſaid Acts, and great Progreſs hath been made in carrying on the Works thereby directed to be done, whereby a conſiderable Debt is now owing on the Credit of the ſaid former Acts, which cannot be paid off, and the Repairs and other neceſſary Works by the ſaid Acts directed to be done, carried on and completed, unleſs the Terms and Powers, by the ſaid former Acts granted, be enlarged;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Impoſition or Duty, granted and made payable by the ſaid recited Acts, upon Ale and Beer, brewed, brought in, tapped, vended and ſold within the Town of *Dundee*, and the Liberties and Suburbs thereof, ſhall, from and after the Expiration of the Term by the ſaid laſt recited Act granted, be further continued, raiſed, levied, collected, paid, and made payable to the Provoſt, Magiſtrates and Town Council of the ſaid Borough of *Dundee*, and their Succeſſors in Office for the Time being, and their Collectors and Aſſigns, for the further Term of twenty-five Years, and from thence to the End of the then next Seſſion of Parliament.

The Duty on Ale and Beer brewed, &c. in Dundee, further continued for 25 Years.

The Duty to be levied on the ſame Perſons and in the ſame Manner, &c. as mentioned in former Acts.

II. And be it further enacted by the Authority aforeſaid, That the aforeſaid Impoſition or Duty ſhall, during the additional Term by this Act granted, be raiſed, levied, and collected, from the ſame Perſons, and by the ſame Means and Methods, and under the ſame Penalties and Forfeitures, and be accounted for, paid, and applied, to and for the ſame Uſes and Purpoſes; and that the Provoſt, Magiſtrates, and Town Council of the ſaid Borough of *Dundee*, be and continue Truſtees for ſuch Application, with the ſame Powers, and ſubject to the ſame Rules and Directions as are mentioned and declared in the ſaid recited Acts; and that the ſaid recited Acts, and every Authority, Power, Article, Rule, Clauſe, Matter, and Thing therein contained, ſhall be of the ſame Force and Effect to all Intents and Purpoſes, for raiſing, collecting, ſecuring, and levying the ſaid Impoſition or Duty, and for applying the ſame for the Uſes and Purpoſes mentioned in the ſaid recited Acts, ſo far as the ſame are not already executed, for and during the ſaid additional Term of twenty-five Years, for which the ſame are hereby granted, as fully and effectually as if the ſaid former recited Acts were particularly and at large repeated and re-enacted in the Body of this preſent Act (except ſuch Clauſes, Matters, and Things, as were by the ſaid recited Acts and this preſent Act varied or altered).

III. And

III. And be it further enacted by the Authority aforeſaid, That beſides the Remedies and Execution granted and provided by the ſaid recited Acts, for levying, recovering, and making effectual, the ſeveral Rates, Duties, and Impoſitions, hereby granted and continued, the ſaid Provoſt, Magiſtrates, and Town Council, and their Collectors and Aſſigns, ſhall, from and after the Commencement of this preſent Act, and during the Continuance thereof, be intitled to uſe all ſuch other Methods, Remedies, and Execution againſt the Perſon or Perſons neglecting or refuſing to pay the ſaid Rates, Duties, and Impoſitions, as is competent by the Law of *Scotland*, to the Provoſt, Magiſtrates, and Town Council of Royal Boroughs, and their Collectors, for recovering the ordinary Revenues of ſuch Boroughs.

New Powers granted to Provoſt, Magiſtrates, &c.

IV. And be it further enacted by the Authority aforeſaid, That the Right Honourable the Earl of *Strathmore*, the Right Honourable the Earl of *Panmure*, the Right Honourable *John* Lord *Gray*, the Right Honourable Lord *Kinnaird*, Sir *John Ogilvie* Baronet of *Inner Carrity*, Sir *John Wedderburn* Baronet of *Balindean*, *Archibald Douglas* of *Douglas*, *Thomas Fothringhame* of *Pourrie*, *Robert Graham* of *Fintry*, *Alexander Duncan* of *Lundy*, *Alexander Scrymſeour* of *Tealing*, *Archibald Ogilvy* of *Inchmartin*, *James Guthrie* of *Craigie*, *Charles Hunter* of *Burnſide*, *David Hunter* of *Blackneſs*, *William Douglas* of *Brigton*, *Robert Fletcher* of *Balingſhoe*, *Robert Speid* of *Ardovie*, *James Ogilvie* of *Ruthven*, *John Rankin* of *Dudhop*, *Alexander Read* of *Logie*, *David Read* of *Drumguth*, *George Dempſter* of *Dunnichen*, ſhall be, and are hereby appointed Overſeers of the Impoſition or Duty hereby continued and granted, and of the Application thereof, (excepting always what ſhall or may concern the aforeſaid Hoſpital, and the Penſions payed to decayed Burghers, and in relation to the ſaid Workhouſe, and the Poor employed therein), in Place and Stead of the Overſeers appointed by the ſaid recited Acts, and ſhall have, and are hereby veſted with, the ſame Powers, and under the ſame Regulations, as are in and by the ſaid above recited Acts granted and given to the former Overſeers, as well as all other the Powers hereby made and given; any Thing in the ſaid former Acts or herein contained to the contrary thereof in anywiſe notwithſtanding.

Overſeers of the Duty appointed.

V. And be it further enacted by the Authority aforeſaid, That at the firſt Meeting of the ſaid Overſeers, the Magiſtrates of the ſaid Borough of *Dundee* ſhall, and are hereby required to lay before the ſaid Overſeers, or any three or more of them, an Account of all the Debts of the Town at that Time due and owing, to be entered in a Book to be kept for that Purpoſe; and that at the ſaid firſt or any ſubſequent Meeting of the Overſeers, they, or any three or more of them, are hereby authoriſed and impowered to make and ſettle ſuch Bye-laws, Rules, Orders, and Regulations, for the better Management and Government of the different Matters and things in the ſaid recited Acts and this preſent Act mentioned, (except as before excepted) as to them ſhall appear to be neceſſary, conſiſtent always with the ſaid former Acts and this preſent Act, and the Laws of *Scotland*: And the ſaid Magiſtrates ſhall, and they are hereby required, from Time to Time, to lay before the Overſeers an Account of all the Debts contracted upon Account or by Reaſon of any of the Matters and Things aforeſaid, (except as before is excepted), together with the Agreements, Covenants, Accounts, and Vouchers relating thereto; which ſaid Account of Debts ſhall be fairly entered in a Book to be kept for that Purpoſe, and an Entry ſhall be made yearly, and every Year, during the Continuance of this preſent Act.

Magiſtrates, at firſt Meeting of Overſeers, to lay before them an Account of the Town Debts, &c.

Overſeers may make Byelaws, Magiſtrates to lay before the Overſeers an Account of Debts contracted, to be entered in a Book annually.

VI. And be it further enacted by the Authority aforeſaid, That this preſent Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch in all Courts of *Great Britain*, and by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

Publick Act.

CAP. XVII.

An Act for building a Bridge acroſs the River *Severn* from *Benthall*, in the County of *Salop*, to the oppoſite Shore at *Madeley Wood*, in the ſaid County; and for making proper Avenues or Roads to and from the ſame.

Preamble.

'WHEREAS a very conſiderable Traffick is carried on at *Coalbrook Dale*, *Madeley Wood*, *Benthall*, and *Broſeley*, in the County of *Salop*, and the Places adjacent, in Iron, Lime, Potters Clay, and Coals, and the Perſons carrying on the ſame are frequently put to great Inconveniencies, Delays, and Obſtructions, by reaſon of the Inſufficiency of the preſent Ferry over the River *Severn* from *Benthall* to *Madeley Wood*, commonly called *Benthall Ferry*, particularly in the Winter Seaſon, in which Time it is frequently dangerous, and ſometimes impaſſable: And whereas the Reverend *Edward Harries* and *Abraham Darby* are Owners of the ſaid Ferry, who, with the ſeveral Perſons herein after named, are willing and deſirous, at their own proper Coſts and Charges, to begin, carry on, complete, maintain, and keep in Repair, a Bridge over the ſaid River from *Benthall* to *Madely Wood* aforeſaid; whereby the Inconveniencies, Delays, and Obſtructions now ſubſiſting will be effectually remedied, and great Benefit will accrue to the Publick by facilitating the Communication and Intercourſe between the ſeveral Places before mentioned and the adjoining Counties, and promoting the ſeveral Trades and Manufactures carried on therein:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Reverend *Edward Harries*, *Abraham Darby*, *John Wilkinſon*, *Edward Blakeway*, *Charles Gueſt*, *Roger Kynaſton*, *Leonard Jennings*, *John Morris*, *John Thurſfield*, *Serjeant Roden*, *John Hartſhorne*, *Thomas Farnolls Pritchard*, and *John Nicholſon*, together with ſuch Perſon or Perſons as they, or ſuch of them as ſhall be preſent at any Meeting to be held for that Purpoſe, ſhall admit, by Writing under their Hands and Seals in Manner herein after mentioned, and their reſpective Executors, Adminiſtrators, and Aſſigns, ſhall be and are hereby appointed Truſtees for carrying on, building, completing, and maintaining, at their own proper Coſts and Charges, a Bridge of Caſt-iron, Stone, Brick, or Timber, acroſs the River *Severn*, from or near a Houſe in the Occupation of *Samuel Barnett* at *Benthall*, in the County of *Salop*, to the oppoſite Shore

Truſtees appointed;

who are impowered to build a bridge acroſs the Severn;

Shore near the Houſe of *Thomas Crumpton* at *Madeley Wood*, in the ſaid County, and for making and keeping in good and ſufficient Repair proper Roads or Avenues to and from the ſame; and for that Purpoſe ſhall have full Power and Authority, by themſelves, and their Agents, Servants, Workmen, and others, to remove any Shelves or other Obſtructions in the ſaid River, and to dig up, take, and carry away, all Beds of Gravel, Sand, Mud, or any other Impediment, and alſo to dig and cut the Banks of the ſaid River in ſuch Manner as ſhall be neceſſary and proper for the building the ſaid Bridge, and to erect and make, in and over the ſaid River and the Lands adjoining or near the ſame, any Campſhots, Trenches, and Landing-Places, and to pull down and remove any Houſes or other Buildings, Wharfs or other Erections, and from Time to Time, and at all Times hereafter, to do all other Matters and Things neceſſary and convenient for erecting, ſupporting, and maintaining the ſaid Bridge, doing as little Damage as may be, and firſt making Satisfaction and Recompence to the Owners, Proprietors, or Occupiers of, and Perſons intereſted in, any Houſes, Buildings, or other Erections, Lands, Tenements, or Hereditaments, that ſhall be made uſe of, pulled down, damaged, or prejudiced, by, for, or upon account of erecting and maintaining the ſaid Bridge, or by, for, or upon account of turning, widening, altering, and making proper Roads or Avenues to and from the ſame, or by, for, or upon account of the doing and performing any other Act, Matter, or Thing hereby authoriſed to be done and performed for carrying the Purpoſes of this Act into Execution.

and to pull down Houſes, &c.

making Satisfaction for the ſame.

Bodies Politick, &c. may ſell and convey Houſes, Lands, &c.

II. And be it further enacted, That it ſhall and may be lawful to and for all Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees for Lunaticks and Idiots, and other Truſtees whatſoever, for and on Behalf of themſelves, their Heirs and Succeſſors, Infants or Iſſue unborn, Lunaticks, Idiots, Femes-covert, or *Ceſtuique* Truſts, and other Perſons whatſoever, and to and for all Femes-covert who are or ſhall be ſeiſed in their own Right, and to and for all and every other Perſon or Perſons whomſoever, who are or ſhall be ſeiſed or poſſeſſed of, or intereſted in, any ſuch Houſes, Buildings, Erections, Lands, Tenements, or Hereditaments, of any Tenure whatſoever, to treat, contract, or agree with the ſaid Truſtees, or any three or more of them, for the Purchaſe thereof, or of any Part thereof, or for their Intereſt therein, or by way of annual Rent for the ſame, and to ſell and convey the ſame as Occaſion ſhall be or require; and all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made, ſhall be valid to all Intents and Purpoſes; any Law, Statute, Uſage, or any other Matter or Thing whatſoever to the contrary thereof in anywiſe notwithſtanding: And all Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, and Truſtees, Corporations Aggregate or Sole, and all other Perſons, are and ſhall be hereby indemnified for what they ſhall do by virtue or in purſuance of this Act.

If Parties cannot agree, Juſtices to ſettle differences.

III. And be it further enacted, That in caſe any Difference or Diſpute ſhall ariſe between ſuch Owners, Occupiers, or Perſons intereſted, and the ſaid Truſtees, concerning the Recompence or Satisfaction to be made for the Purchaſe of any ſuch Houſes, Erections, Lands, Tenements, or Hereditaments, or for any Intereſt therein, or Loſs or Damage as aforeſaid; or in caſe any ſuch Owner, Occupier, or Perſon intereſted as aforeſaid, ſhall neglect or refuſe to treat, for the Space of Fourteen Days after Notice to him, her, or them, given in Writing, or left at the Houſe of the Tenant in Poſſeſſion of the Premiſes reſpectively, it ſhall and may be lawful to and for the Juſtices of the Peace for the County of *Salop*, or any two or more of them, to hear, ſettle, adjuſt, and determine the ſame; and for that Purpoſe it ſhall and may be lawful to and for the ſaid Juſtices, or any two or more of them, to cauſe the Matter in Diſpute to be enquired into by and upon the Oaths of a Jury of twelve indifferent Men, and to aſcertain what Damages will be ſuſtained by, and what Satisfaction and Recompence ſhall be made to, ſuch Owners, Occupiers, and Proprietors of, or other Perſon or Perſons reſpectively intereſted in, any ſuch Houſes, Buildings, Erections, Lands, Tenements, or Hereditaments; and they the ſaid Juſtices, or any two or more of them, are hereby impowered and authoriſed, from Time to Time, to iſſue their Warrant or Warrants, Precept or Precepts, directed to the Sheriff of the County of *Salop*, thereby requiring him to impannel, ſummon, and return a Number of ſubſtantial and diſintereſted Perſons, qualified to ſerve on Juries, not leſs than twenty-four, nor more than forty-eight, which Perſons ſuch Sheriff, or his Deputy or Deputies, is and are hereby required to impannel, ſummon, and return accordingly; and out of the Perſons ſo impanelled, ſummoned, and returned, or out of ſuch of them as ſhall appear according to or upon ſuch Summons, a Jury of twelve ſhall be drawn by ſuch Juſtices, or any two or more of them, or ſome Perſon to be by them appointed, in ſuch Manner as Juries for the Trials of Iſſues joined in his Majeſty's Courts at *Weſtminſter*, by an Act paſſed in the Third Year of his late Majeſty's Reign, (intituled, *An Act for the better Regulation of Juries*), are directed to be drawn; and the Perſons ſo to be impannelled, ſummoned, and returned, are hereby required to appear before the ſaid Juſtices, or any two or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants, Precept or Precepts, ſhall be directed and appointed, (of which Time and Place all Parties intereſted ſhall have fourteen Days Notice given or left in Manner as aforeſaid) and to attend them from Day to Day till they ſhall be diſcharged by ſuch Juſtices, or any two or more of them, and all Parties concerned ſhall and may have their lawful Challenges againſt any of the ſaid Jurymen; and the ſaid Juſtices, or any two or more of them, are hereby authoriſed and impowered, by Precept or Precepts under their Hands, from Time to Time, as Occaſion ſhall require, to call before them any Perſon or Perſons in order to be examined as a Witneſs or Witneſſes upon Oath before the ſaid Juſtices, or any two or more of them, or ſuch Jury, touching and concerning the Premiſſes; and ſuch Juſtices, or any two or more of them, if they ſhall think fit, ſhall and may cauſe the ſaid Jury to view the Place or Places in queſtion, and ſhall have Power to adjourn ſuch Meeting from Day to Day as Occaſion ſhall require, and to order ſuch Jury, Witneſſes, and Parties to attend until all the Matters for which they were ſummoned ſhall be concluded; and the ſaid Jury upon their Oaths (which Oaths, and alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid Juſtices, or any one or more of them, is and are hereby impowered and required to adminiſter) ſhall enquire

Jury to be ſummoned;

and to appear before the Juſtices.

Juſtices may examine Witneſſes on Oath.

Jury to view the Places in queſtion,

quire touching the Value of ſuch Houſes, Buildings, or other Erections, Lands, Tenements, and Hereditaments, and of the reſpective Eſtates and Intereſts of all the Perſons, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, ſeiſed or poſſeſſed, or intereſted therein, or of or in any Part thereof, or the Damages which ſhall or may be done to any Houſes, Buildings, Lands, Tenements, or Hereditaments, by the doing or performing any of the Matters and Things by this Act authoriſed to be done and performed; and ſhall aſſeſs the Sum or Sums, Rent or Rents, to be paid to every ſuch Perſon or Perſons, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, for ſuch their Eſtates and Intereſts, and as a Recompence or Satisfaction for the Damages they ſhall ſuſtain as aforeſaid; and the ſaid Juſtices, or any two or more of them, ſhall give Judgment for ſuch Sum and Sums of Money, Rent or Rents, ſo to be aſſeſſed; and the Verdict or Inquiſition of ſuch reſpective Juries, and the Judgments, Orders, and Decrees of the ſaid Juſtices thereupon, ſhall be final, binding, and concluſive, to all Intents and Purpoſes whatſoever, againſt the King's Majeſty, his Heirs and Succeſſors, and all Parties or Perſons whomſoever, as well abſent as preſent, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt, in, to, or out of ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, or otherwiſe, as well Infants and Iſſue unborn, Lunaticks, Idiots, and Femes-covert, and Perſons under any legal Incapacity or Diſability whatſoever, and all other *Ceſtuique* Truſts, his, her, and their Heirs, Succeſſors, Executors and Adminiſtrators, as againſt all other Perſons whomſoever; and all and every ſuch Owners, Occupiers, and Proprietors, and all and every Perſon and Perſons, intereſted in ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, ſhall thereby, after Payment or Tender, and Refuſal or Neglect, in Manner herein after mentioned, be from thenceforth to all Intents and Purpoſes diveſted of all Right, Claim, Intereſt, or Property, of, in, to, or out of the ſame; and two Tranſcripts of all ſuch Verdicts or Inquiſitions, and Judgments, Orders, or Decrees, and all other Proceedings of the ſaid Juſtices and Juries ſo to be made, given or pronounced as aforeſaid, ſhall be fairly written on Parchment, and ſigned and ſealed by the Juſtices making and pronouncing the ſame, one of which Tranſcripts ſo ſigned and ſealed ſhall be forthwith tranſmitted to the Clerk or Treaſurer to the ſaid Truſtees, and the other of the ſaid Tranſcripts ſo ſigned and ſealed ſhall be forthwith tranſmitted to the Clerk of the Peace for the County of *Salop*, to be preſerved amongſt the Records of the ſaid County; and the ſaid Tranſcripts ſo ſigned and ſealed ſhall be deemed and taken to be Records to all Intents and Purpoſes whatſoever; and the ſame, or true Copies thereof, ſigned and proved to be ſigned by the ſaid Clerk or Treaſurer to the ſaid Truſtees for the Time being, or by the ſaid Clerk of the Peace for the Time being, ſhall be good and ſufficient Evidence in any Court of Law or Equity whatſoever; and all Perſons concerned may have Recourſe to the ſaid Tranſcripts, *gratis*, and take Copies thereof, paying for each Copy, not exceeding the Sum of Sixpence for every two hundred Words, and ſo in Proportion for any greater or leſs Number of Words: And upon Payment of the Sum or Sums of Money ſo aſſeſſed by ſuch Juries, and adjudged or decreed by ſuch Juſtices, to the Party or Parties concerned or intitled thereto as aforeſaid, or to their Agent, or legal Tender thereof made to him or them, and Refuſal to accept the ſame; or in caſe any ſuch Perſon or Perſons, after Fifteen Days Notice given to him, her, or them, or left at the Houſe of the Occupier of the Premiſes, ſhall refuſe or neglect to receive the ſame, then upon Payment thereof into the Hands of ſuch Perſon or Perſons as the ſaid Juſtices, or any two or more of them, ſhall by any Writing under their Hands appoint, for the Uſe of the Party or Parties intereſted as aforeſaid, and to be paid upon Demand to him, her, or them, or to his, her, or their Agent or Agents; or after ſuch annual Rent or Rents ſhall be ſo aſſeſſed, it ſhall and may be lawful to and for the ſaid Truſtees, their Heirs, Executors, Adminiſtrators, and Aſſigns, to have, hold, uſe, and enjoy ſuch Houſes, Buildings, Lands, Tenements, or Hereditaments, to and for the Purpoſes of this Act; and it ſhall be lawful to and for their Agents, Workmen, and Servants, to pull down and diſpoſe of any ſuch Houſes, Buildings, and Tenements, and to make uſe of any ſuch Lands, Hereditaments, and other Premiſes, for the Purpoſes of this Act; and this Act ſhall be ſufficient to indemnify as well the ſaid Juſtices as the ſaid Truſtees, and all and every Perſon and Perſons by them appointed and employed, or acting by Authority under them, againſt ſuch Owners, Proprietors, Occupiers, and Perſons intereſted, their Heirs, Succeſſors, Executors, Adminiſtrators, and Aſſigns, and againſt all and every other Perſon and Perſons whomſoever, to all Intents and Purpoſes whatſoever.

and aſſeſs the Damages.

Verdict of the Jury, &c. to be final.

Two Tranſcripts of Verdicts, &c. to be ſigned by Juſtices;

which ſhall be deemed Records,

Truſtees, upon Payment of Money aſſeſſed by Juries, &c. to hold Houſes, Lands, &c. for the Purpoſes of this Act.

IV. And be it further enacted, That in caſe a ſufficient Number of Jurymen ſhall not attend to be ſworn for the Purpoſes of this Act, the ſaid Sheriff or his Deputy ſhall return ſuch other honeſt and indifferent Men of the Standers-by, or that can be ſpeedily procured to attend that Service, as ſhall be neceſſary to make up the Number of twelve to ſerve on ſuch Jury; and that all Perſons concerned ſhall, from Time to Time, have their lawful Challenges as aforeſaid againſt any of ſuch Jurymen, when they come to be ſworn; and the ſaid Juſtices, or any two or more of them acting in the Premiſes, ſhall have full Power, from Time to Time, to impoſe any reaſonable Fine or Fines on ſuch Sheriff, his Deputy or Deputies, Bailiffs or Agents reſpectively, making Default in the Premiſes, or upon any Perſon or Perſons who ſhall be ſummoned and returned on any ſuch Juries, and ſhall not appear, or who ſhall refuſe to be ſworn on the ſaid Jury or Juries, or being ſo ſworn ſhall not give his or their Verdict, or in any other Manner wilfully neglect his or their Duty in the Premiſes, contrary to the true Intent and Meaning of this Act; and likewiſe upon ſuch Perſon or Perſons ſummoned as aforeſaid to give Evidence, who ſhall neglect or refuſe to appear at ſuch Time or Times, Place or Places, as ſhall be appointed for that Purpoſe as aforeſaid, or appearing ſhall refuſe to be ſworn or give Evidence, or to be examined by or before the ſaid Juſtices, or any two or more of them, and, from Time to Time, to levy ſuch Fine or Fines by Diſtreſs and Sale of the Goods and Chattels of any Perſon or Perſons offending in any of the Matters or Things aforeſaid, by Warrant or Warrants under the Hands and Seals of ſuch Juſtices, to be directed to the Conſtable or other Peace Officer of the Townſhip, Pariſh, or Place, where ſuch Offender or Offenders ſhall

How Sheriff to proceed if a ſufficient Number of Jurymen do not attend.

Juſtices may impoſe a Fine on Sheriff, Jurors, or Witneſſes, for Neglect or Duty,

not exceeding 40 s.

live, which Conſtable or other Peace Officer is hereby required to execute the ſame, ſo as no ſuch Fine exceed the Sum of forty Shillings; which Fine ſhall be paid to the Treaſurer or Clerk to the ſaid Truſtees, or to ſuch Perſon or Perſons as the ſaid Truſtees ſhall appoint to receive the ſame.

Juſtices, &c. not to act where intereſted.

V. Provided always, That no Perſon or Perſons whomſoever ſhall ſit or act as a Juſtice or Juſtices in any Caſe where he or they is or are in any-ways directly or indirectly intereſted or concerned of or in the Matter or Matters in Queſtion; nor ſhall any Perſon whomſoever be ſworn to ſerve on any Jury, or be examined as a Witneſs, where he or ſhe is any-ways directly or indirectly intereſted or concerned.

Truſtees not to take Poſſeſſion of Lands, &c. before Satisfaction made; except for the Purpoſe of ſurveying, &c.

VI. Provided alſo, and be it further enacted, That the ſaid Truſtees ſhall not take Poſſeſſion of or enter into any ſuch Lands, Tenements, or Hereditaments, until ſuch Payment or Depoſit of the Recompence or Satisfaction aſſeſſed and adjudged as aforeſaid ſhall be made, or in caſe of Rent, until the ſame ſhall be aſſeſſed and adjudged as aforeſaid, otherwiſe than for the Purpoſe of ſurveying, taking a Level of and marking out the Ground which they intend to make Uſe of for the Purpoſes aforeſaid, and which it ſhall and may be lawful to and for them the ſaid Truſtees, with Workmen, Surveyors, and other proper Aſſiſtants, to do from Time to Time, and at every convenient Time, doing thereby as little Damage as may be, and giving four Days Notice to the Owner, Proprietor, Occupier, or Poſſeſſor of ſuch Lands, Tenements, or Hereditaments, of the Time of coming to make ſuch Survey, or to take ſuch Levels, or to mark out ſuch Ground, in order that ſuch Owner, Occupier, or Poſſeſſor, may be preſent, if he, ſhe, or they ſhall think fit, and making Satisfaction for all Damages that ſhall be done to any Graſs or Corn by making ſuch Survey, taking ſuch Level, or marking out ſuch Ground, ſo as ſuch Damage exceed the Value of one Shilling.

Damages to be aſcertained by a Jury.

VII. Provided alſo, and be it further enacted, That if any Perſon or Perſons, at any Time after the ſaid Truſtees, their Agents, Workmen, or Servants, ſhall begin to erect the ſaid Bridge, ſhall ſuſtain any Damage or Injury in his, her, or their Houſes, Buildings, Lands, or other Hereditaments, (for which he, ſhe, or they ſhall have had no Recompence) by any Act, Neglect or Default of the ſaid Truſtees, then and in ſuch Caſe the ſaid Juſtices, or any two or more of them, ſhall enquire of and aſcertain ſuch Damage and Recompence by a Jury to be impannelled and returned as aforeſaid, in like Manner and Form as Damages and Recompence are herein before appointed to be aſſeſſed and adjudged; and in Default of Payment thereof by a certain Day to be appointed by the ſaid Juſtices, or any two or more of them, they the ſaid Juſtices, or any two or more of them, ſhall and may, by Warrant under their Hands and Seals, authoriſe and impower ſuch Perſon or Perſons as they ſhall think fit, to levy the ſame by Diſtreſs and Sale of the Goods and Chattels of the ſaid Truſtees, or of any one of them, together with ſuch Coſts and Charges as ſuch Juſtices, or any two or more of them, ſhall in ſuch their Warrant direct, rendering to the ſaid Truſtees or Truſtee the Overplus (if any be) after deducting the Charges of ſuch Diſtreſs and Sale; or otherwiſe ſuch Party or Parties ſo aggrieved ſhall and may have Remedy for the Sum of Money ſo aſſeſſed and not paid, according to the Judgment of ſuch Juſtices as aforeſaid, by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in any other Court of Record, againſt the ſaid Truſtees, or any one of them, or againſt their Clerk or Treaſurer for the Time being.

If Truſtees make Default in Payment, to be levied by Diſtreſs, &c.

Expences of Jury, Witneſſes, &c. how to be paid.

VIII. Provided always, That in caſe any Verdict or Aſſeſſment ſhall be given for more Money as a Recompence or Satisfaction for the Right, Intereſt, or Property, of any Perſon or Perſons in any ſuch Buildings, Lands, Tenements, or Hereditaments, or for any Loſs or Damage, than what ſhall have been agreed to and offered by the ſaid Truſtees before the ſummoning and returning ſuch Jury, then the Coſts and Expences of ſummoning the Jury and Witneſſes, and of the ſaid Juſtices, and all other Expences incident thereto, ſhall be paid by the ſaid Truſtees out of the Tolls ariſing by virtue of this Act, or out of any Money to be borrowed upon the Credit thereof; but in caſe the Verdict or Aſſeſſement given ſhall be for no more or for leſs Money than ſhall have been firſt agreed to and offered by the ſaid Truſtees as aforeſaid, then ſuch Coſts and Expences ſhall be borne and paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute; any Law or Statute to the contrary notwithſtanding.

Truſtees liable to Actions for Rent,

IX. And be it further enacted, That all and every annual Rent or Rents to be agreed for or aſſeſſed as aforeſaid for any Lands, Tenements, or other Hereditaments, ſhall from Time to Time, as the ſame ſhall become due, be paid by the ſaid Truſtees, or by their Clerk or Treaſurer, half-yearly, to the Perſon or Perſons who ſhall be entitled thereto, and ſuch Perſon or Perſon ſhall have the ſame Eſtate and Intereſt in ſuch annual Rent or Rents as they would have had to the ſaid Premiſes in caſe this Act had never been made; and in Default of Payment thereof within Thirty Days after the ſame ſhall become due, (and being lawfully demanded) it ſhall and may be lawful for the Perſon or Perſons who ſhall from Time to Time be entitled to the ſaid annual Rents, or any of them, to commence or proſecute one or more Action or Actions at Law on the Caſe or in Debt againſt the ſaid Truſtees, or any one of them, or againſt their Clerk or Treaſurer for the Time being, and ſhall and may upon ſuch Action or Actions recover the Money then due, together with Coſts of Suit, and have ſuch Remedies for the ſame as are allowed by Law in other Caſes.

Bridge veſted in Truſtees, who may take the following

X. And be it further enacted, That for and in Conſideration of the great Charges the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, will be obliged to defray in erecting the ſaid Bridge, and repairing and ſupporting the ſame, and alſo in doing and performing the ſeveral other Matters and Things neceſſary, and herein before authoriſed to be done and performed, the ſaid Bridge when built ſhall be and is hereby veſted in the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, for ever; and it ſhall be lawful to and for the ſaid Truſtees, from Time to Time, and at all Times hereafter, to aſk, demand, receive, recover, and take, to and for their own proper Uſe, Behoof, and Benefit, at any Turnpike or Toll-houſe to be erected by virtue of this Act, before any Paſſage ſhall be permitted through the ſame, the ſeveral Sums following; that is to ſay,

For

For every Coach, Chariot, Landau, Berlin, Hearſe, Chaiſe, Calaſh, Chair, or other ſuch like Carriage, drawn by Six Horſes, Mares, Geldings, or Mules, the Sum of two Shillings; and drawn by four Horſes, Mares, Geldings, or Mules, the Sum of one Shilling and Sixpence; and drawn by two Horſes, Mares, Geldings, or Mules, the Sum of one Shilling; and drawn by one Horſe, Mare, Gelding, or Mule, the Sum of Sixpence:—For every Horſe, Mare, Gelding, Mule, or Aſs, and for every Pair or Yoke of Oxen or horned Cattle, drawing or harneſſed, or yoked and intended to draw in any Waggon, Wain, Cart, or other ſuch like Carriage, the Sum of Three-pence:—For every Horſe, Mare, Gelding, Mule, or Aſs, laden or unladen, and not drawing, the Sum of one Penny Halfpenny:—For every Horſe, Mare, Gelding, Mule or Aſs, carrying double, the Sum of Two-pence:—For every Drove of Oxen, Cows, or Neat Cattle, the Sum of one Shilling and Eight-pence per Score; and ſo in Proportion for any leſs Number:—For every Drove of Calves, Hogs, Sheep, or Lambs, the Sum of Ten-pence per Score; and ſo in Proportion for any leſs Number:—For every Sledge, Drag, or ſuch like Carriage, the Sum of Sixpence; and for every Foot Paſſenger one Halfpenny: Tolls.

Which ſaid ſeveral and reſpective Sum and Sums of Money ſhall be demanded and taken in the Name of or as a Toll or Duty; and the Money ariſing thereby, and alſo all other Monies to be received by Authority of this Act, are hereby veſted in the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, and ſhall be applied to and for the ſeveral Uſes, Intents, and Purpoſes, and in ſuch Manner as by this Act is directed and appointed; and the ſame and every Part thereof ſhall be paid to them accordingly, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame: And they the ſaid Truſtees by themſelves, or by any Perſon or Perſons by them appointed and employed, ſhall and may erect, or cauſe to be erected, a Turnpike or Toll-houſe upon, acroſs, or near to the ſaid Bridge, and alſo upon, in, or acroſs the Roads or Avenues herein after mentioned leading to and from the ſame, and from Time to Time take down and remove ſuch Turnpikes or Toll-houſes as Occaſion ſhall be or require, and thereat to collect and receive, or cauſe to be collected and received, and to levy the Tolls or Duties hereby made payable upon any Perſon or Perſons who ſhall, after Demand thereof made, neglect or refuſe to pay the ſame; and the Perſon or Perſons from Time to Time appointed to collect and receive the ſaid Tolls or Duties ſhall be, and he and they is and are hereby authoriſed and impowered to ſeize and diſtrain any Horſe, Cattle, or other Thing, upon or in reſpect of which any Toll or Duty is by this Act impoſed, or any other of the Goods and Chattels of any Perſon or Perſons refuſing or neglecting to pay as aforeſaid, and to detain the ſame for any Time not exceeding the Space of four Days; and then, if the Tolls or Duties for which ſuch Diſtreſs ſhall have been made, together with the Charges attending the detaining and keeping the ſame, ſhall not be fully paid and ſatisfied, he or they ſhall and may ſell the ſame, rendering the Overplus (if any be) after deducting the Charges of diſtraining, keeping, and ſelling the Goods or Chattels ſo diſtrained, to the Owner or Owners thereof.

Truſtees may erect Turnpikes and Toll-houſes.

If Payment of Tolls is refuſed, Collector may diſtrain, &c.

XI. Provided always, That the Perſon or Perſons who ſhall have paid any of the ſaid reſpective Tolls, ſhall only be intitled to paſs over the ſaid Bridge and through the ſeveral Gates or Turnpikes to be erected in purſuance of this Act with the ſame Horſe, Beaſt, Cattle, or Carriage, for and in reſpect whereof ſuch Tolls ſhall have been demanded and paid; but that no Foot Paſſenger whatſoever ſhall be liable to pay Toll more than twice in any one Day for paſſing and repaſſing over the ſaid Bridge. Proviſo.

XII. Provided alſo, That the Driver of any Packhorſe, or of any Cart or other Carriage drawn by Horſes or other Cattle, ſhall be permitted to paſs Toll-free through any Gate or Turnpike to be erected in purſuance of this Act, any Thing herein contained to the contrary notwithſtanding; and no Toll ſhall be demanded or taken from any Perſon or Perſons who ſhall have Occaſion to paſs through any Gate or Turnpike to be erected upon any Road or Avenue leading to the ſaid Bridge on Foot, nor for or in reſpect of any Carriage or Beaſt paſſing to any Place or Places between ſuch Gate or Turnpike and any Warehouſe, Quay, or Wharf, on the Banks of the ſaid River *Severn*, on either Side thereof, without going upon or over the ſaid Bridge; nor ſhall any more than one Half of the Tolls or Duties hereby granted be demanded or taken for or in reſpect of any Carriage or Beaſt having Occaſion to paſs through any ſuch Gate or Turnpike to any ſuch Warehouſe, Quay, or Wharf, on either Side of the ſaid River only, without going upon or over the ſaid Bridge. Exemptions from Tolls.

XIII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, at any Meeting to be held for that Purpoſe, (whereof fourteen Days previous Notice ſhall be given and affixed on the Market-houſe at *Broſeley*, and on the Turnpikes or Toll-houſes to be erected in purſuance of this Act) with the Conſent of ſuch and ſo many of the Truſtees as ſhall have advanced the greater Part of the Money borrowed upon the Credit of the Tolls hereby granted, to leſſen or reduce the ſeveral and reſpective Sums by this Act authoriſed to be demanded and taken at any Gate or Turnpike to be erected by virtue hereof, and from Time to Time afterwards to advance and augment the ſame again, ſo as not to exceed the ſeveral Sums herein before ſpecified; and the Tolls ſo leſſened or reduced and raiſed again ſhall be collected and levied in ſuch Manner, and applied for ſuch Uſes and Purpoſes, as the Tolls hereby granted are directed to be collected, levied, and applied. Truſtees may reduce the Tolls, with Conſent of Creditors, &c.

XIV. And be it further enacted, That the ſaid Truſtees ſhall and may, and they are hereby impowered, by Writing under their Hands and Seals, to ſet, demiſe, or to farm-let the Tolls or Duties by this Act granted to any Perſon or Perſons who ſhall be willing to take or farm the ſame, from Year to Year, or for any Term or Time not exceeding three Years, for the beſt Price ſuch Truſtees can get for the ſame, payable at ſuch Times, and under ſuch Reſtrictions and Covenants, as the ſaid Truſtees ſhall think fit; and if the Money which ſhall be agreed to be paid for the ſaid Tolls, or any Part thereof, ſhall not be paid to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint to receive the ſame, within the Space of Five Days next after the ſame ſhall become due and payable, then upon Proof of ſuch Letting and of ſuch Non-payment before any Juſtice of the Peace for the County of *Salop*, on the Oath of one Perſon, (which Oath ſuch Juſtice is hereby impowered to adminiſter) the Money ſo due and owing ſhall Truſtees may leaſe the Tolls:

If Rent not duly paid, may levy the ſame by Diſtreſs.

ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons who ought to pay the ſame, by Warrant under the Hand and Seal of ſuch Juſtice, and the Overplus (if any be) after deducting the reaſonable Charges of ſuch Diſtreſs and Sale, ſhall be returned to the reſpective Owner or Owners of ſuch Goods and Chattels upon Demand; and if ſufficient Goods and Chattels of the Perſon or Perſons neglecting to pay as aforeſaid cannot be found to anſwer and ſatisfy the Money in Arrear as aforeſaid, and the reaſonable Charges of ſuch Diſtreſs and Sale, then ſuch Juſtice of the Peace may, and is hereby required, by Warrant under his Hand and Seal, to cauſe ſuch Perſon or Perſons to be committed to the common Gaol of the County of *Salop*, there to remain until the Money ſo in Arrear and unpaid, and alſo the Charges of ſuch Diſtreſs and Sale, ſhall be fully paid and ſatisfied, or until he or they ſhall have compounded with the ſaid Truſtees for the ſame, and ſhall have paid ſuch Compoſition to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall appoint; which ſaid Compoſition the ſaid Truſtees are hereby impowered to make and receive.

Where ſufficient Diſtreſs cannot be found, Parties to be committed.

Penalty on ferrying for Hire to evade the Tolls.

XV. And be it further enacted, That if any Perſon or Perſons ſhall uſe or employ any Boat, Barge, or other Craft, to ferry or convey any Perſon or Perſons, Cattle, or Carriages, acroſs the River *Severn*, within the Diſtance of Five hundred Yards above or below the Site of the ſaid Bridge, when built, for Gain or Hire, or to evade the Payment of the Tolls hereby granted, or any Part thereof, the Owner or Owners of any ſuch Boat, Barge, or other Craft, and the Perſon or Perſons employing or uſing the ſame as aforeſaid, ſhall reſpectively forfeit the Sum of Twenty Shillings for every Perſon, Horſe, Mare, Gelding, Mule, Aſs, Beaſt, Sheep, Swine, Calf, or Lamb, and for every Coach, Waggon, or other Carriage whatſoever, which ſhall be ferried or conveyed as aforeſaid.

Penalty on Perſons evading the Tolls.

XVI. And be it enacted, That if any Perſon or Perſons ſhall at any Time or Times put or leave in any Houſe or Place any Coach, Waggon, Dray, Drag, Sledge, or any other Carriage, Horſe, or any other Cattle or Beaſt whatſoever chargeable with any of the Tolls hereby granted, at or before the ſame ſhall come to any Gate or Turnpike to be erected by virtue of this Act, with Intent to evade the Payment of Toll, each and every Perſon offending in any of the Caſes aforeſaid ſhall, for every Offence, forfeit and pay the Sum of twenty Shillings.

Property of the Ferry, &c. veſted in the Truſtees.

XVII. And be it further enacted, That the Right and Property of the ſaid Ferry, called *Benthall Ferry*, and the ſaid Bridge, when built, and alſo of all the Turnpikes and Toll-houſes, and the Materials of which the ſame ſhall be made and conſiſt, and all the Poſts and Rails to be ſet up by virtue of this Act, ſhall be and the ſame are hereby ſeverally veſted in the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns; and they are hereby impowered to bring, or cauſe to be brought, any Action or Actions, in the Name of their Clerk or Treaſurer, againſt any Perſon or Perſons who ſhall diſturb or injure them in the Poſſeſſion thereof; which Action or Actions ſhall not abate or be diſcontinued by the Death or Removal of ſuch Clerk or Treaſurer, but ſhall go on and be continued by the ſucceeding Clerk or Treaſurer to the ſaid Truſtees; and all Damages, Satisfactions, and Coſts, which ſhall be recovered in or by ſuch Action or Actions, ſhall be accounted for and paid to the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall direct and appoint, and ſhall be applied to and for the Uſes and Purpoſes of this Act; and all Charges to be incurred in carrying on ſuch reſpective Actions or relating thereto ſhall be paid out of the Monies to be raiſed and received by virtue of this Act.

Commodious Avenues to be made to the Bridge.

XVIII. And be it further enacted, That one proper and commodious Road or Avenue ſhall be made to the ſaid Bridge from the Turnpike Road leading from *Shiffnal* to *Buildwas*, beginning on *Lincoln Hill*, at or near Lands now or late in the Poſſeſſion of *Cornelius Oram*, over a certain waſte Part of the Manor of *Madeley*, to a Bridle Road at or near a Houſe belonging to *Richard Beard*; and one other proper and commodious Road or Avenue ſhall be made from the Turnpike Road leading from *Broſeley* to *Wenlock* along the private Road of and belonging to the ſaid *Edward Harries*, called *Benthall Rail*, leading from *Harper's Hill* to a Houſe of him the ſaid *Edward Harries*, now in the Poſſeſſion of *Samuel Barnett*; which ſaid reſpective Roads or Avenues ſhall be made, repaired, and kept in Repair, by and out of the Tolls hereby granted, or out of any Money to be borrowed on the Credit thereof, in ſuch Manner as the ſaid Truſtees ſhall, from Time to Time, direct and appoint; ſo as not to ſubject the Inhabitants of the reſpective Pariſhes of *Benthall* and *Madeley* to the Repair of either of the ſaid Roads or Avenues, or any Part or Parts thereof; any Law, Statute, or Cuſtom to the contrary in anywiſe notwithſtanding.

After May 1, 1776. Property of Benthall Ferry, and Benthall Rail, veſted in the Truſtees:

In Conſideration whereof, Mr. Harries, his Heirs, &c. exempted from Part of the Tolls, &c.

XIX. 'And whereas the ſaid *Edward Harries* has voluntarily agreed to relinquiſh his Right and Property 'to and in the ſaid Ferry called *Benthall Ferry*, and to and in the ſaid private Road called *Benthall Rail*, 'for the Purpoſes of this Act, immediately upon the procuring and paſſing thereof, upon Condition that he 'the ſaid *Edward Harries*, his Heirs and Aſſigns, and all and every Perſon and Perſons who ſhall, from 'Time to Time, be in the Poſſeſſion or Occupation of his Eſtate at *Benthall*, ſhould for ever after be free 'and exempt of and from the Payment of the Tolls hereby granted, under certain Reſtrictions and Pro-'viſions herein after mentioned;' be it therefore enacted, That from and after the firſt Day of *May*, one thouſand ſeven hundred and ſeventy-ſix, the Right, Property, and Intereſt, of the ſaid *Edward Harries*, his Heirs and Aſſigns, and of all and every other Perſon and Perſons claiming by, from, or under him and them, and every of them, to and in the ſaid Ferry called *Benthall Ferry*, and to and in the ſaid private Road called *Benthall Rail* aforeſaid, ſhall reſpectively ceaſe and determine; and the ſame ſhall from thenceforth and for ever after be, and is and are hereby reſpectively declared to be, veſted in the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, for the ſeveral Purpoſes of this Act; and that for and in Conſideration of the Surrender of ſuch reſpective Right and Property as aforeſaid, he the ſaid *Edward Harries*, his Heirs and Aſſigns, and all and every Perſon and Perſons who ſhall, from Time to Time, be in the Poſſeſſion, or who ſhall rent, hold, or occupy the Eſtate of the ſaid *Edward Harries* at *Benthall*, or any Part or Parts thereof, and his and their and every of their Agents, Servants, and Workmen, reſiding thereon, and all Horſes or other Beaſts, Calves, Hogs, Sheep, and Lambs, to him or them reſpectively belonging and appertaining, and all Carts and Carriages, Horſes or other Beaſts going empty or unladen, or

or carrying or conveying any Coal, Lime-ſtone, Iron-ſtone, Clay Brick, Tile, Potter's-clay, or Goods, and all Mines or Minerals, all Timber, Underwood, Hay, Straw, Corn, Corn in the Straw, or Manure, and whatever elſe ſhall ariſe and grow in or upon the ſaid Eſtate, or any Part thereof, and all Goods, Wares, and Merchandizes, Matters, and Things whatſoever to be uſed or conſumed on the ſaid Eſtate, and not elſewhere, ſhall for ever be free and exempt of and from the Payment of ſo much and ſuch Part of the Tolls or Duties hereby impoſed, as ſhall be collected at any Gate or Turnpike to be erected by virtue of this Act between the Turnpike Road leading from *Broſeley* to *Wenlock* and the River *Severn*; any Thing herein contained to the contrary notwithſtanding: But the Exemptions hereby granted or allowed to the ſaid *Edward Harries*, his Heirs and Aſſigns, as aforeſaid, ſhall not extend, or be conſtrued to extend, to Perſons carrying any Goods, Wares, or Merchandize for Hire, (not being the Produce of the ſaid Eſtate, nor to be uſed thereon) nor ſhall any Perſon or Perſons claiming the ſame be thereby intitled to a free Paſſage over the ſaid Bridge.

First Meeting of Truſtees.

XX. And be it further enacted, That the firſt Meeting of the Truſtees ſhall be at the Houſe of *John Nicholſon* in *Coalbrook Dale* aforeſaid, on *Wedneſday* the fifteenth Day of *May*, one thouſand ſeven hundred and ſeventy-ſix, between the Hours of eleven and one of the Clock; and the Truſtees then preſent ſhall proceed to the Execution of the Powers hereby given and granted, and ſhall then, and from Time to Time afterwards, adjourn themſelves, and the other Truſtees not then preſent, and meet there or at any other Place as often as it ſhall be neceſſary for putting this Act in Execution; of which ſubſequent Meeting, and of every adjourned Meeting to be held in Purſuance of this Act, the Clerk to the Truſtees ſhall cauſe publick Notice to be given in Writing, affixed on the Market-houſe at *Broſeley* aforeſaid, and on the Turnpikes or Toll-houſes to be erected by virtue of this Act, ten Days at the leaſt before the Day appointed for ſuch Meetings reſpectively; and that two Truſtees ſhall be deemed a ſufficient Number for the Purpoſe of Adjournment only; and when and as often as it ſhall happen that there ſhall not appear at any Meeting a ſufficient Number of Truſtees to act or to adjourn to another Day, the Clerk to the ſaid Truſtees ſhall adjourn ſuch Meeting, to be held at the ſame Place upon ſome Day within the Space of fourteen Days from the Day of ſuch Adjournment; and that the ſaid Truſtees ſhall at all their Meetings defray their own Expences; and that all Orders and Determinations of the ſaid Truſtees in the Execution of this Act ſhall be made at Meetings to be held in purſuance thereof, and by the Majority of the Truſtees then preſent, and not otherwiſe; nor ſhall any ſuch Order or Determination be revoked or altered at any ſubſequent Meeting, unleſs ſeven Truſtees ſhall be preſent and conſenting thereto; and that no Truſtee herein named or appointed, or who ſhall be admitted in purſuance of this Act, ſhall act or be impowered to do any Act in Execution of the Powers hereby given, but at a Meeting or Meetings to be held under the Directions of this Act (other than and except ſuch of them as ſhall be in the Commiſſion of the Peace for the County of *Salop*.)

Ten Days Notice to be given of Adjourned Meetings.

Truſtees at Meetings to defray their own Expences.

Truſtees impowered to raiſe 5000 l.

to be divided into Shares of 50 l. each.

XXI. And to the end that the ſaid Truſtees may be enabled to carry on ſo uſeful an Undertaking, and to execute the ſeveral Purpoſes of this Act with Effect, be it enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, to raiſe and contribute amongſt themſelves, or by the Admiſſion of other Truſtees, in ſuch Proportion as to them ſhall ſeem meet and convenient, a competent Sum of Money, not exceeding in the Whole the Sum of five thouſand Pounds, and the ſame to divide into one hundred Shares, or ſuch leſs Number of Shares as the whole Amount of the Sums advanced and paid will admit, reckoning fifty Pounds to each Share; and no Perſon herein before appointed, or who ſhall be admitted a Truſtee in purſuance of this Act, ſhall be qualified to ſit or act as ſuch, who ſhall be a Proprietor of leſs than one Share, or more than fifteen Shares, either in his own or in the Name or Names of any other Perſon or Perſons, in Truſt for him or her, (except the ſame ſhall come to him or her by Deſcent, Bequeſt, Marriage, or Act of Law) upon Pain of forfeiting to the ſaid Truſtees, their Executors, Adminiſtrators, and Aſſigns, all ſuch Shares exceeding fifteen Shares as aforeſaid; and the Money ſo to be raiſed is hereby directed and appointed to be laid out and applied, in the firſt Place, for and towards the Payment, Diſcharge, and Satisfaction of the Coſts, Charges, and Expences of applying for, obtaining, and paſſing this Act; and all the Reſidue and Remainder of ſuch Money ſhall be applied for and towards making, completing, and maintaining the ſaid Bridge, and other the Purpoſes of this Act, and to no other Uſe, Intent or Purpoſe whatſoever; and all and every the ſaid Shares ſhall be deemed to be Perſonal Eſtate, and tranſmiſſible as ſuch, and not of the Nature of Real Property; and all and every Perſon and Perſons, their ſeveral and reſpective Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally advance and pay in the Sum of fifty Pounds, or ſuch Sum or Sums as ſhall be demanded in lieu thereof, towards executing the ſeveral Purpoſes of this Act, ſhall be intitled to receive, and ſhall receive, an entire and nett Diſtribution of a one-hundredth Part, or ſuch greater Share or Proportion of the Profits ariſing from the Tolls or Duties hereby granted or received by the Authority of this Act, as the ſaid Sum of fifty Pounds will bear, in Proportion to the whole Amount of the Money advanced and paid on the Credit thereof; and ſo in Proportion for any Number of Shares, not exceeding fifteen as aforeſaid.

Application of the Money.

Shares to be deemed Perſonal Eſtate.

Every Perſon advancing Money for one Share, deemed a Truſtee, &c.

XXII. And be it further enacted, That all and every Perſon and Perſons who ſhall have advanced and paid, or undertaken to advance and pay, for one Share as aforeſaid, their Executors, Adminiſtrators, and Aſſigns, ſhall be deemed a Truſtee, and ſhall be entitled to vote at any Meeting or Meetings to be held in purſuance of this Act, either perſonally, or by his, her, or their Proxy, duly conſtituted under his, her, or their Hand and Seal or Hands and Seals, (ſuch Proxy or Proxies being a Truſtee or Truſtees); and ſuch Vote or Votes by Proxy or Proxies, ſhall be and are hereby deemed good and ſufficient to all Intents and Purpoſes whatſoever; and ſuch of the ſaid Truſtees as ſhall be poſſeſſed of more than one Share, ſhall have and be entitled to one Vote perſonally for each Share, not exceeding ten Shares; and that no Truſtee or Truſtees ſhall be entitled to vote by his, her, or their Proxy or Proxies for more than five Shares; and whatever Queſtion, Election, Matter, or Thing ſhall be propoſed, diſcuſſed, or conſidered, at any Meeting

No Truſtee to have more than 10 Votes, or 5 Proxies.

ing of the Truſtees to be held by virtue of this Act, the ſame ſhall be finally determined by the Majority of Votes and Proxies then preſent.

Tolls to be aſſigned for Money borrowed.

XXIII. Provided always, and be it further enacted, That the ſaid Truſtees aſſembled at ſuch firſt Meeting, or any three or more of them, or at any ſubſequent Meeting to be held for that Purpoſe (of which ſubſequent Meeting, and of every other ſubſequent Meeting for borrowing Money, fourteen Days previous Notice ſhall be given and affixed upon the Market-houſe at *Broſeley*, and upon the Gates or Turnpikes to be erected in purſuance of this Act) ſhall, and they are hereby authoriſed and impowered to execute proper Aſſignments of the Tolls or Duties hereby granted, or of any Part thereof, (the Coſts and Charges of aſſigning the ſame to be borne and paid out of ſuch Tolls or Duties) as a Security for any Sum or Sums of Money advanced and paid on the Credit thereof, to ſuch Perſon or Perſons as ſhall advance and pay the ſame, under their Hands and Seals, by the following Form of Aſſignment, or by any other Words to the ſame Effect.

Form of Aſſignment.

'BY virtue of an Act, made in the ſixteenth Year of the Reign of his Majeſty King *George* the Third, 'for *building a Bride acroſs the River* Severn *from* Benthall, *in the County of* Salop, *to the oppoſite Shore* 'at Madeley Wood, *in the ſaid County*; *and for making proper Avenues or Roads to and from the ſame*; we 'whoſe Names are hereunto ſet, being three of the Truſtees appointed by and in purſuance of the ſaid 'Act, in Conſideration of the Sum of Fifty Pounds [*or ſuch Sum as ſhall be advanced and paid in lieu thereof*] 'to us in Hand paid by *A. B.* of do aſſign unto the ſaid *A. B.* his [*or* her] Executors, Ad- 'miniſtrators, and Aſſigns, one entire Share or hundredth Part or Proportion of the Nett Produce of the 'Tolls or Duties by the ſaid Act granted [*or ſuch Part or Share as the ſaid Sum of fifty Pounds ſhall bear in* '*Proportion to the whole Amount of the Money borrowed on the Credit of ſuch Tolls*] to be made in equal Pay- 'ments on the Day of and the Day of yearly.'

'Given under our Hands and Seals, the Day of

And all and every Perſon and Perſons to whom ſuch Aſſignment ſhall be made, ſhall be entitled to ſuch Share of the ſaid Tolls or Duties as the reſpective Sums in ſuch Aſſignment mentioned to be advanced and paid ſhall bear in Proportion to the whole Sum borrowed upon the Credit of ſuch Tolls or Duties, in equal Degree one with another, and ſhall have no Preference in reſpect of the Priority of advancing and paying the ſame.

Aſſignments to be entered in a Book;

XXIV. And be it further enacted, That proper Entries or Memorials ſhall be made by the Clerk or Treaſurer to the ſaid Truſtees of all and every Aſſignment or Aſſignments, containing the Dates, Names of the Parties, and Sums of Money therein mentioned, in a Book or Books to be, from Time to Time, provided and kept for that purpoſe, and ſhall mark the ſame in this Manner, [*Entered* N°. C. D. *Clerk to the Truſtees*]; and after ſuch reſpective Entries made, the Truſtees who ſhall have ſigned and executed ſuch Aſſignments reſpectively ſhall alſo ſign their Names to the reſpective Entries of ſuch Aſſignments; and all and every Perſon and Perſons to whom ſuch Aſſignment ſhall be made, or who ſhall be entitled to the Money thereby ſecured, may transfer and aſſign the ſame again, and all his, her, or their Right, Title, and Intereſt therein, to any other Perſon or Perſons whomſoever, by indorſing thereon, before two credible Witneſſes, the following Words, or Words to the like Effect:

and may be transferred.

Form of Tranſfer.

'I DO transfer this Aſſignment, with all my Right, Title, and Intereſt to and in the ſame, unto of his [*or* her] Executors, Adminiſtrators, and Aſſigns.

'Dated this Day of *E. F.*

'Witneſs, *G. H.*

'*I. K.*'

Which ſaid Aſſignment and Transfer ſhall be produced and notified to the Clerk to the Truſtees at ſome Meeting of the ſaid Truſtees, who ſhall cauſe an Entry or Memorial to be made thereof, containing the Date, Names of the Parties, and Sums of Money, in the ſaid Book directed to be provided and kept for entering the original Aſſignments; for which Entry or Memorial the Clerk ſhall be paid the Sum of One Shilling and no more by the Perſon or Perſons producing the ſame: and after ſuch Entries made, (but not till then) ſuch Aſſignment ſhall entitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof and Payment thereon; and every ſuch Aſſignee may in like Manner aſſign again, and ſo *toties quoties*; and it ſhall not be in the Power of any Perſon or Perſons who ſhall have made any ſuch Transfer or Aſſignment to make void, releaſe, or diſcharge the ſame, or any Monies thereby due, or any Part thereof.

Aſſignments not to be made void.

Truſtees not liable to Debts for ſigning Mortgages, &c.

XXV. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to charge, ſubject, or make liable the Real or Perſonal Eſtate of any Truſtee, or the Executors, Adminiſtrators, or Aſſigns of any Truſtee who ſhall have ſigned and executed any Aſſignment or Aſſignments as aforeſaid, or ſhall have ſigned any Entries thereof, to the Payment of any Sum or Sums of Money thereby ſecured, or any Part or Parts thereof.

Writings to be without Stamps.

XXVI. Provided alſo, and be it enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Aſſignment, Transfer, or other Security or Writing whatſoever, under the Hand and Seal or Hands and Seals of any Truſtee or Truſtees, Juſtice or Juſtices of the Peace, or exhibited before them or any of them, touching, concerning, or in Execution of any of the Powers or Authorities hereby veſted in ſuch Truſtees or Juſtices reſpectively, ſhall be charged or chargeable with any Stamp-duty whatſoever.

XXVII. And

XXVII. And be it further enacted, That the ſaid Truſtees ſhall and may elect and appoint a Clerk or Clerks, Treaſurer or Treaſurers, Surveyor or Surveyors, and Collector or Collectors of the ſaid Tolls or Duties, and ſuch other Officer or Officers as they ſhall think neceſſary, and from Time to Time remove ſuch reſpective Officers, and appoint others in their Stead, and in the Stead of ſuch of them as ſhall die or be incapable of performing his or their Duty; and out of the Money ariſing by virtue of this Act, ſhall and may make ſuch Allowances to the reſpective Officers for their Care and Pains, and to ſuch other Perſons as ſhall be aſſiſting in and about the Execution of the ſeveral Purpoſes of this Act, as the ſaid Truſtees ſhall think reaſonable; and ſuch Clerk or Clerks, Treaſurer or Treaſurers, Surveyor or Surveyors, Collector or Collectors, or other Officers, and every of them, ſhall, from Time to Time, at any Meeting of the ſaid Truſtees, when thereunto required by the ſaid Truſtees, deliver in upon Oath (which Oath any one of the Truſtees is hereby impowered to adminiſter) a true, exact, and perfect Account in Writing, under their reſpective Hands, of all Monies which he or they, every or any of them, ſhall to ſuch Time have received, paid, and diſburſed, by virtue of this Act, on account of their reſpective Offices, with proper Vouchers for the Money ſo paid and diſburſed; and in caſe of any Refuſal or Neglect to make and deliver ſuch Account in Manner as aforeſaid, or to pay the Money remaining in his or their Hands unto the ſaid Truſtees, or to ſuch Perſon or Perſons as they ſhall authoriſe and appoint to receive the ſame, then, and in either of the ſaid Caſes, any two or more of his Majeſty's Juſtices of the Peace for the ſaid County of *Salop*, ſhall make Inquiry of and concerning ſuch Neglect or Refuſal in a ſummary Way, either by the Confeſſion of the Parties themſelves, or by the Teſtimony of one or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Juſtices are hereby impowered and required to adminiſter without Fee or Reward), and upon Conviction ſhall commit the Perſon or Perſons neglecting or refuſing to account, or to make Payment as aforeſaid, to the common Gaol of the County of *Salop*, there to remain until he or they ſhall have made a true and perfect Account and Payment as aforeſaid, or ſhall have compounded for the ſame, and paid ſuch Compoſition; which Compoſition the ſaid Truſtees are hereby impowered to make and receive, or authoriſe to be received.

Truſtees may appoint Officers,

and allow them Salaries.

Officers to account, &c. to Truſtees;

or, in Default thereof, to be committed.

XXVIII. And be it further enacted, That the ſaid Truſtees ſhall and may, and they are hereby impowered and required, from Time to Time, to take ſuch Security from the Clerks, Treaſurers, and other Officers, and Perſons by them appointed and employed in the Execution of this Act, for the due and faithful Execution of their ſeveral and reſpective Offices or Employments, as they ſhall think proper.

Officers to give Security.

XXIX. And be it further enacted, That the Surveyor or Surveyors, or ſuch Perſon or Perſons as he or they ſhall employ for that Purpoſe, ſhall and may, and is and are hereby authoriſed and impowered, from Time to Time, by Order of the ſaid Truſtees, to cut, dig, gather, take, lead and carry away, any Gravel, Heath, Sand, Stones, Ballaſt, or any other Materials proper and neceſſary for making and completing the ſaid Bridge, or for repairing and keeping the ſame in Repair when made, or for making, repairing, and keeping in Repair, any Road or Avenue leading thereto, in, upon, out of, or from any Waſte Ground, or out of any River or Brook, in the reſpective Pariſhes of *Benthall*, *Broſeley*, and *Madeley*, aforeſaid; and alſo in, upon, or out of and from the Lands and Grounds of any Perſon or Perſons whatſoever (not being a Yard, Garden, Orchard, Park, Paddock, Lawn, Wood, Coppice, Nurſery, or incloſed Ground planted with any Avenue of Trees for the Ornament of any Houſe), ſuch Surveyor or Surveyors, or other Perſon or Perſons, filling up the Pits and levelling the Ground from which ſuch Materials ſhall be taken, and paying or offering to pay to the reſpective Lord or Lords of the Soil of ſuch Waſte Ground, River, or Brook, and to the Owner or Occupiers of ſuch Lands or Grounds, for the Damages they ſhall and may ſuſtain thereby, ſuch Sum or Sums of Money as ſhall be agreed upon between the ſaid Owners or Occupiers, and the ſaid Truſtees; and in caſe any Difference or Diſpute ſhall ariſe concerning the ſame, ſuch Difference or Diſpute ſhall and may be ſettled and determined by any two or more Juſtices of the Peace for the County of *Salop*; and the Sum or Sums ſo agreed upon or ſettled ſhall be paid to the Perſon or Perſons entitled thereto out of the Monies to be raiſed by virtue of this Act.

Surveyors may take Materials from any Waſte Ground, &c.

making Satisfaction for Damages.

In caſe of Diſpute, to be ſettled by Juſtices.

'XXX. And whereas it may happen that the ſaid Bridge may receive ſuch Damage by unforeſeen Accidents, that the Paſſage thereof may for ſome Time become dangerous and impracticable;' be it therefore enacted, That when and as often as it ſhall ſo happen, it ſhall be lawful for the ſaid Truſtees, or ſuch Perſon or Perſons as they ſhall from Time to Time appoint for that Purpoſe, to provide a proper and convenient Ferry or Ferries acroſs the ſaid River *Severn*, and as near to the Site of the ſaid Bridge as conveniently may be, and to take for Paſſage over the ſaid River by ſuch Ferry or Ferries ſuch Tolls as are hereby authoriſed to be taken for paſſing over the ſaid Bridge.

A Ferry may be uſed while the Bridge is dangerous, &c.

XXXI. Provided always, That ſuch Ferry or Ferries ſhall continue for ſuch Time only as ſhall be neceſſary for repairing and rebuilding the ſaid Bridge, and until the Paſſage over the ſame ſhall be made ſafe and commodious.

Proviſo.

'XXXII. And for preventing any wilful and malicious Damage being done to the ſaid Bridge, or any Part thereof,' be it further enacted, That if any Perſon or Perſons ſhall wilfully or maliciouſly blow up, pull down, burn, or otherwiſe damage or deſtroy, the ſaid Bridge, or any Part thereof, or ſhall wilfully or maliciouſly, and without Authority from the ſaid Truſtees, remove or take away any of the Materials or Works thereto belonging, or in any-wiſe cauſe or procure the ſame to be done, whereby the ſaid Bridge or the Works thereof may be damaged, or the Lives of Paſſengers endangered, the Perſon or Perſons offending in either of thoſe Caſes (being lawfully convicted thereof) ſhall be deemed guilty of Felony, and ſhall be tranſported as a Felon.

Perſons deſtroying or damaging the Bridge,

deemed guilty of Felony.

XXXIII. Provided always, That the Maſter or Owner of any Boat, Barge, Lighter, or other Veſſel, navigated upon the ſaid River *Severn*, ſhall be and is hereby declared ſubject and liable to make Satisfaction for any wilful Damage or Miſchief which ſhall be done to the ſaid Bridge, or any Part thereof, or to any of the Works which ſhall be erected for building the ſame, by the Crew who ſhall navigate or belong to ſuch Boat, Barge, Lighter, or other Veſſel; and in caſe the ſame ſhall not be forthwith paid, the Clerk or

Owners of Boats, &c. made anſwerable for Damage done by the Crew.

Treaſurer for the Time being to the ſaid Truſtees ſhall and may, in his own Name, ſue for ſuch Damage or Treſpaſs in any of his Majeſty's Courts of Record at *Weſtminſter*.

How the Bridge ſhall be rated.

XXXIV. And be it further enacted, That the ſaid Bridge ſhall not be rated or aſſeſſed to the Payment of any public or parochial Rate or Tax whatſoever at any other or higher Rate or Value than the ſaid Ferry called *Benthall Ferry* ſtood rated for the Year one thouſand ſeven hundred and ſeventy-five, nor ſhall the ſaid Bridge be deemed a County Bridge, ſo as to ſubject the County of *Salop* to the Repair or Support of the ſame.

Commencement of this Act. Penalties and Forfeitures how to be recovered and applied.

XXXV. And be it further enacted, That all the Powers hereby given and granted ſhall commence and take Effect upon the firſt Day of *May* one thouſand ſeven hundred and ſeventy-ſix; and all Penalties and Forfeitures hereby inflicted, the Manner of levying and recovering whereof is not otherwiſe by this Act particularly directed, ſhall, upon Proof of the Offences reſpectively before any one Juſtice of the Peace for the ſaid County of *Salop*, either by the Confeſſion of the Offender or Offenders, or by the Knowledge of ſuch Juſtice, or by the Oath of one or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice is hereby impowered and required to adminiſter without Fee or Reward) be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Offender or Offenders, by Warrant or Warrants under the Hand and Seal of ſuch Juſtice (which Warrant he is hereby impowered and required to grant); and the Overplus (if any be) after ſuch Penalties and Forfeitures, and the Charges of ſuch Diſtreſs and Sale, are deducted, ſhall be returned upon Demand to the Owner or Owners of ſuch Goods and Chattels; and the Penalties and Forfeitures, when paid or levied, ſhall, from Time to Time (if not otherwiſe directed to be applied by this Act), be paid to the ſaid Truſtees, or to their Clerk or Treaſurer, and applied to the Purpoſes of this Act; and in caſe ſufficient Diſtreſs ſhall not be found, or ſuch Penalties and Forfeitures ſhall not be forthwith paid, it ſhall be lawful for any ſuch Juſtice of the Peace, by Warrant or Warrants under his Hand and Seal, to cauſe ſuch Offender or Offenders to be committed to the common Gaol of the ſaid County of *Salop* for any Time not exceeding three Months, nor leſs than one Month, unleſs ſuch Penalties and Forfeitures, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

Parties aggrieved may appeal to the Quarter Seſſion;

giving ten Days Notice.

XXXVI. Provided always, and be it enacted, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act (and for which no particular Method of Relief is hereby otherwiſe given), ſuch Perſon may appeal to the Juſtices of the Peace at any General Quarter Seſſion of the Peace to be held for the County of *Salop*, within four Calendar Months after the Cauſe of Complaint ſhall have ariſen (ſuch Appellant firſt giving, or cauſing to be given, ten Days Notice at the leaſt in Writing of his or her Intention to bring ſuch Appeal, and of the Cauſe or Matter thereof, to the Clerk or Treaſurer to the ſaid Truſtees, and within three Days after ſuch Notice entering into a Recognizance before ſome Juſtice of the Peace for the ſaid County, with two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, the ſaid Seſſion); and the Juſtices at ſuch Seſſion, upon due Proof of ſuch Notice being given, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Matter of ſuch Appeal in a ſummary Way, and, if they ſee Cauſe, may by their Order mitigate at their Diſcretion all or any of the ſaid Penalties or Forfeitures, or vacate and ſet aſide any Conviction or Convictions (but not for Want of Form only), or otherwiſe may ratify and confirm the ſame, and award ſuch Coſts as they ſhall think proper; and the Determination of the Juſtices at ſuch Seſſion ſhall be binding and concluſive to all Intents and Purpoſes, and ſhall not be liable to be removed by *Certiorari*, or other Proceſs whatſoever, into any of his Majeſty's Courts of Record.

Determination of Juſtices to be final.

Proceedings to be entered in Books,

which may be read in Evidence.

XXXVII. And be it further enacted, That all Orders and Proceedings of the ſaid Truſtees ſhall be entered in a Book or Books to be kept for that Purpoſe, and the ſame being ſigned by any three or more of them, or by their Clerk, ſhall be deemed and taken to be original Orders; and ſuch Book or Books, and alſo the Book or Books herein before directed to be kept for entering the Mortgages or Aſſignments of the Tolls hereby made payable, and Transfers of ſuch Aſſignments, ſhall and may be produced and read in Evidence in all Caſes of Appeals, and in all Suits or Actions touching or concerning any Thing done in purſuance of this Act.

Penalty on obſtructing Paſſages.

XXXVIII. And be it further enacted, That if any Perſon or Perſons whomſoever ſhall place or ſuffer any Carriage whatſoever to ſtand or remain on the ſaid Bridge, or in any Road or Avenue leading to the ſame, except for the immediate Taking-up or Delivery of any Goods or Merchandiſe, or for the Removal of any Filth, Dung, Aſhes, or Rubbiſh (ſufficient Time being allowed to do the ſame reſpectively), or ſhall in any other Manner wilfully obſtruct the Paſſage over the ſaid Bridge, or the Paſſage leading to or from the ſame, every Perſon ſo offending ſhall forfeit and pay for every ſuch Offence the Sum of twenty Shillings.

Treaſurer, &c. to give Receipts for all Money received,

and to anſwer Demands of Truſtees.

XXXIX. And be it further enacted, That the ſeveral and reſpective Clerks, Treaſurers, and other Officers, from Time to Time appointed and employed by the ſaid Truſtees in the Receipt or Expenditure of any of the Monies ariſing by virtue of this Act, ſhall, and he and they is and are hereby required to give proper Receipts and Vouchers for all and every Sum or Sums of Money which ſhall from Time to Time be paid to them or either of them reſpectively, without Fee or Reward; and ſhall alſo make Entries of ſuch Receipts and Vouchers in a Book or Books to be provided and kept for that Purpoſe; and he and they, and every of them reſpectively, ſhall and is and are hereby required, out of the Money which ſhall be paid into his or their Hands in purſuance and for the Purpoſes of this Act, to anſwer, ſatisfy, and pay all and every Sum and Sums of Money which ſhall be drawn for upon him or them, or either of them, and ordered to be paid, by any three or more of the ſaid Truſtees, for, on account, or in reſpect of any Contract, Work, Matter, or Thing, which ſhall be entered into, made, done, or performed, by virtue or in purſuance of this Act; and that all and every the Clerks, Treaſurers, and other Officers, appointed or employed under the Authority and for the Purpoſes of this Act, ſhall be and is and are hereby ſeverally declared to be anſwerable for any Breach of Truſt, Neglect of Duty, or other Miſdemeanor, of any Clerk or Subſtitute, Clerks or Subſtitutes, by him or them or either of them employed in the Execution of this Act,

Officers to be anſwerable for their Subſtitutes.

Act, and ſhall make full Satisfaction to the ſaid Truſtees; and in caſe any ſuch Clerk, Treaſurer, or other Officer, ſhall refuſe or neglect to make ſuch Satisfaction for the Space of four Days, he ſhall be forthwith diſcharged from his Office, and ſhall and may be ſued for ſuch Satisfaction in ſuch Manner as is herein before directed for the Treſpaſs or other wilful Damage which may be done to the ſaid Bridge by the Crews of Veſſels navigated on the ſaid River *Severn*.

Limitation of Actions.

XL. And be it further enacted, That if any Action or Suit ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this Act, the ſame ſhall be commenced within ſix Months next after the Fact committed, and not afterwards, and ſhall be laid in the County of *Salop*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear ſo to be done, or that ſuch Action or Suit ſhall brought or commenced after the Time before limited, or ſhall be laid in any other County or Place than as aforeſaid, that then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her, or their Action or Suit, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover Treble Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

Public Act.

XLI. And be it further enacted, That this Act ſhall be deemed and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

CAP. XVIII.

An Act for enlarging the Term of Letters Patent granted by his preſent Majeſty to *Elizabeth Taylor*, of the Town of *Southampton*, Widow, for the ſole Uſe and Exerciſe of certain Engines, Tools, Inſtruments, and other Apparatus, for making Blocks, Sheavers, and Pins, uſed in the Rigging of Ships.

Preamble.

'WHEREAS his preſent Majeſty King *George* the Third hath been graciouſly pleaſed to grant his 'Royal Letters Patent, under the Great Seal of *Great Britain*, to *Elizabeth Taylor* Widow, in the 'Words, or to the Effect following; that is to ſay,

His Majeſty's Royal Letters Patent to Elizabeth Taylor of Southampton, Widow.

"*GEORGE* the Third, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender "of the Faith, *&c.* To all to whom theſe Preſents ſhall come, greeting: Whereas *Elizabeth Taylor*, "of Our Town of *Southampton*, Widow, Relict and Executrix of *Walter Taylor*, late of the ſame Place, "Blockmaker, deceaſed, has, by her Petition, humbly repreſented unto Us, that her ſaid late Huſband "had, by his Ingenuity, Labour, and Induſtry, and at a great Expence, invented a Set of Engines, "Tools, Inſtruments, and other Apparatus, for the making of Blocks, Sheavers, and Pins, whereby "ſhe the Petitioner has been enabled to ſupply Our Navy with all Kinds of Ship Rigging and Gun "Tackle, Blocks, Sheavers, and Pins, in Iron, Braſs, and Wood, more certain and efficacious in their "Operation than any ever before uſed, and which will be the Means of a great Saving of the Ships "Cordage and Rigging: That the ſaid Blocks were firſt examined by the Principal Officers of Our Ad- "miralty and Ordnance, in the Year one thouſand ſeven hundred and fifty-nine; and in the Month of "*July* laſt, a Trial was made between them and the beſt Blocks before uſed, in the Preſence of the Prin- "cipal Officers of Our Navy in Our Yard at *Deptford*, on which Trial thoſe made by the Petitioner "were found to be greatly ſuperior to all others: That the Commiſſioners of Our Navy have contracted "with the Petitioner for ſupplying Our Navy with a Quantity of the ſaid Blocks, Sheavers, and Pins, "and are deſirous of having the whole Navy ſupplied therewith; but foraſmuch as the Petitioner is ap- "prehenſive, that by employing a great Number of Workmen under her, the Method of conſtructing the "ſaid Engines, Tools, Inſtruments, and other Apparatus, and of making the ſaid Blocks, will be diſ- "covered, whereby ſhe may be deprived of the Benefit of the ſaid Invention, and hath therefore moſt "humbly prayed Us to grant unto her, her Executors, Adminiſtrators, and Aſſigns, Our Royal Letters "Patent, under the Great Seal of *Great Britain*, for the ſole making and uſing the ſaid Engines, Tools, "Inſtruments, and other Apparatus, ſo firſt invented by her ſaid late Huſband, within that Part of Our "Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed*, "for the Term of fourteen Years, according to the Statute in that Caſe made and provided, in order "thereby to ſecure to the ſaid Petitioner, her Executors, Adminiſtrators, and Aſſigns, the full Benefit "and Advantage of the ſaid Invention: We, taking the Premiſes into Our Royal Conſideration, and "being willing to give Encouragement to all Arts and Inventions which may be for the Public Good, are "graciouſly pleaſed to condeſcend to the Petitioner's ſaid Requeſt: Know ye therefore, that We, of Our "eſpecial Grace, certain Knowledge, and mere Motion, have given and granted, and by theſe Preſents, "for Us, Our Heirs, and Succeſſors, do give and grant unto the ſaid *Elizabeth Taylor*, her Executors, "Adminiſtrators, and Aſſigns, Our eſpecial Licence, full Power, ſole Privilege, and Authority, that ſhe "the ſaid *Elizabeth Taylor*, her Executors, Adminiſtrators, and Aſſigns, and every of them, by herſelf "and themſelves, or by her and their Deputy or Deputies, Servants or Agents, or ſuch others as ſhe the "ſaid *Elizabeth Taylor*, her Executors, Adminiſtrators, or Aſſigns, ſhall at any Time agree with, and no "others, from Time to Time, and at all Times hereafter during the Term of Years herein expreſſed, "ſhall and lawfully may make, uſe, exerciſe, and vend her ſaid Huſband's Invention, within that Part of "Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed*,

" *Tweed*, in ſuch Manner as to her the ſaid *Elizabeth Taylor*, her Executors, Adminiſtrators, and Aſſigns, " or any of them, ſhall in their Diſcretions ſeem meet; and that ſhe the ſaid *Elizabeth Taylor*, her Exe- " cutors, Adminiſtrators, and Aſſigns, ſhall and lawfully may have and enjoy the whole Profit, Benefit, " Commodity, and Advantage, from Time to Time coming, growing, accruing, and ariſing, by reaſon " of the ſaid Invention, for and during the Term of Years herein mentioned; to have, hold, exerciſe, " and enjoy, the ſaid Licence, Powers, Privileges, and Advantages, herein before granted or mentioned " to be granted unto the ſaid *Elizabeth Taylor*, her Executors, Adminiſtrators, and Aſſigns, for and during, " and unto the full End and Term of fourteen Years from the Date of theſe Preſents next and immediately " enſuing, and fully to be compleat and ended, according to the Statute in ſuch Caſe made and provided: " And to the End that ſhe the ſaid *Elizabeth Taylor*, her Executors, Adminiſtrators, and Aſſigns, and " every of them, may have and enjoy the full Benefit, and the ſole Uſe and Exerciſe of the ſaid Invention " according to Our gracious Intention herein before declared, We do by theſe Preſents, for Us, Our " Heirs, and Succeſſors, require and ſtrictly command all and every Perſon and Perſons, Bodies Politic " and Corporate, and all other Our Subjects whatſoever, of what Eſtate, Quality, Degree, Name, or " Condition ſoever they be, within that ſaid Part of Our ſaid Kingdom of *Great Britain* called *England*, " Our Dominion of *Wales*, and Town of *Berwick upon Tweed* aforeſaid, that neither they, nor any of " them, at any Time during the Continuance of the ſaid Term of fourteen Years hereby granted, either " directly or indirectly, do make, uſe, or put in Practice the ſaid Invention, or any Part of the ſame, ſo " attained unto by the ſaid *Walter Taylor* as aforeſaid, nor in any-wiſe counterfeit, imitate, or reſemble " the ſame; nor ſhall make, or cauſe to be made, any Addition thereunto or Subtraction from the ſame, " whereby to pretend himſelf or themſelves the Inventor or Inventors, Deviſor or Deviſors thereof, with- " out the Licence, Conſent, or Agreement of the ſaid *Elizabeth Taylor*, her Executors, Adminiſtrators, " or Aſſigns, in Writing under her or their Hands and Seals firſt had and obtained in that Behalf, upon " ſuch Pains and Penalties as can or may be juſtly inflicted on ſuch Offenders for their Contempt of this " Our Royal Command; and further to be anſwerable to the ſaid *Elizabeth Taylor*, her Executors, Ad- " miniſtrators, and Aſſigns, according to Law, for her and their Damages thereby occaſioned: And more- " over, We do by theſe Preſents, for Us, Our Heirs, and Succeſſors, will and command all and ſingular the " Juſtices of the Peace, Mayors, Sheriffs, Bailiffs, Conſtables, Headboroughs, and all other Officers and " Miniſters whatſoever of Us, Our Heirs, and Succeſſors, for the Time being, that they, or any of " them, do not, nor ſhall at any Time hereafter, during the ſaid Term hereby granted, in any-wiſe " moleſt, trouble, or hinder the ſaid *Elizabeth Taylor*, her Executors, Adminiſtrators, or Aſſigns, or any " of them, or her or their Deputies, Servants, or Agents, in or about the due and lawful Uſe or Exerciſe " of the aforeſaid Invention, or any Thing relating thereto: Provided always, and theſe Our Letters " Patent are and ſhall be upon this Condition, That if at any Time during the ſaid Term hereby granted, " it ſhall be made appear to Us, Our Heirs, or Succeſſors, or any ſix or more of Our or Their Privy " Council, that this Our Grant is contrary to Law, or prejudicial or inconvenient to Our Subjects in " general, or that the ſaid Invention is not a new Invention as to the public Uſe and Exerciſe thereof in " that ſaid Part of Our Kingdom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town " of *Berwick upon Tweed* aforeſaid, or not invented and found out by the ſaid *Walter Taylor* as aforeſaid, " then, upon Signification or Declaration thereof to be made by Us, Our Heirs, or Succeſſors, under " Our or Their Signet or Privy Seal, or by the Lords and others of Our or Their Privy Council, or any " ſix or more of them, under their Hands, theſe Our Letters Patent ſhall forthwith ceaſe, determine, and " be utterly void to all Intents and Purpoſes; any Thing herein before contained to the contrary thereof " in any-wiſe notwithſtanding: Provided alſo, that theſe Our Letters Patent, or any Thing herein con- " tained, ſhall not extend, or be conſtrued to extend, to give Privilege unto the ſaid *Elizabeth Taylor*, her " Executors, Adminiſtrators, or Aſſigns, or any of them, to uſe or imitate any Invention or Work what- " ſoever, which hath been heretofore found out or invented by any other of Our Subjects whatſoever, " and publickly uſed or exerciſed in that ſaid Part of Our Kingdom of *Great Britain* called *England*, Our " Dominion of *Wales*, or Town of *Berwick upon Tweed* aforeſaid, unto whom like Letters Patent or Pri- " vileges have been already granted for the ſole Uſe, Exerciſe, and Benefit thereof; it being Our Will " and Pleaſure that the ſaid *Elizabeth Taylor*, her Executors, Adminiſtrators, and Aſſigns, and all and " every other Perſon and Perſons to whom like Letters Patent or Privileges have been already granted as " aforeſaid, ſhall diſtinctly uſe and practiſe their ſeveral Inventions by them invented and found out, ac- " cording to the true Intent and Meaning of the ſame reſpective Letters Patent, and of theſe Preſents: " Provided likewiſe nevertheleſs, and theſe Our Letters Patent are upon this expreſs Condition, That if " the ſaid *Elizabeth Taylor*, her Executors or Adminiſtrators, or any Perſon or Perſons which ſhall or may " at any Time or Times hereafter, during the Continuance of this Grant, have or claim any Right, " Title, or Intereſt in Law or Equity, of, in, or to the Power, Privilege, and Authority of the ſole Uſe " and Benefit of the ſaid Invention hereby granted, ſhall make any Transfer or Aſſignment, or any pre- " tended Transfer or Aſſignment, of the ſaid Liberty and Privilege, or any Share or Shares of the Benefit " or Profit thereof, or ſhall declare any Truſt thereof to or for any Number of Perſons exceeding the " Number of five; or ſhall open, or cauſe to be opened, any Book or Books for public Subſcriptions to " be made by any Number of Perſons exceeding the Number of five, in order to the raiſing any Sum or " Sums of Money, under Pretence of carrying on the ſaid Liberty or Privilege hereby granted; or ſhall " by her or themſelves, or her or their Agents or Servants, receive any Sum or Sums of Money what- " ſoever, of any Number of Perſons exceeding in the Whole the Number of five, for ſuch or the like " Intents or Purpoſes; or ſhall preſume to act as a Corporate Body, or ſhall divide the Benefit of theſe " Our Letters Patent, or the Liberty and Privileges hereby by Us granted, into any Number of Shares " exceeding the Number of five; or ſhall commit or do, or procure to be committed or done, any Act, " Matter, or Thing whatſoever, during ſuch Time as ſuch Perſon or Perſons ſhall have any Right or " Title,

" Title, either in Law or Equity, in or to the ſaid Premiſes, which will be contrary to the true Intent " and Meaning of a certain Act of Parliament made in the ſixth Year of the Reign of Our late Royal " Great Grandfather, King *George* the Firſt, intituled, *An Act for the better ſecuring certain Powers and " Privileges intended to be granted by his Majeſty, by two Charters, for Aſſurance of Ships and Merchandiſes at " Sea, and for lending Money upon Bottomry, and for reſtraining ſeveral extravagant and unwarrantable Prac- " tices therein mentioned*; or in caſe the ſaid Power, Privilege, or Authority, ſhall at any Time hereafter " become veſted in, or in Truſt for, more than the Number of five Perſons or their Repreſentatives at any " one Time (reckoning Executors or Adminiſtrators as and for the ſingle Perſon whom they repreſent, " as to ſuch Intereſt as they are or ſhall be entitled to in Right of ſuch their Teſtator or Inteſtate), that " then, and in any of the ſaid Caſes, theſe Our Letters Patent, and all Liberties and Advantages what- " ſoever hereby granted, ſhall utterly ceaſe, determine, and become void; any Thing herein before con- " tained to the contrary thereof in any-wiſe notwithſtanding: Provided alſo, that if the ſaid *Elizabeth " Taylor* ſhall not particularly deſcribe and aſcertain the Nature of her ſaid Huſband's Invention, and in " what Manner the ſame is to be performed, by an Inſtrument in Writing under her Hand and Seal, and " cauſe the ſame to be inrolled in Our High Court of Chancery, within four Calendar Months next and " immediately after the Date of theſe Our Letters Patent, that then theſe Our Letters Patent, and all " Liberties and Advantages whatſoever hereby granted, ſhall utterly ceaſe, determine, and become void; " any Thing herein before contained to the contrary thereof in any-wiſe notwithſtanding: And laſtly, " We do by theſe Preſents, for Us, Our Heirs, and Succeſſors, grant unto the ſaid *Elizabeth Taylor*, her " Executors, Adminiſtrators, and Aſſigns, that theſe Our Letters Patent, or the Inrolment or Exemplifi- " cation thereof, ſhall be, in and by all Things, good, firm, valid, ſufficient, and effectual in the Law, " according to the true Intent and Meaning thereof, and ſhall be taken, conſtrued, and adjudged in the " moſt favourable and beneficial Senſe for the beſt Advantage of the ſaid *Elizabeth Taylor*, her Executors, " Adminiſtrators, and Aſſigns, as well in all Our Courts of Record as elſewhere, and by all and ſingular " the Officers and Miniſters whatſoever of Us, Our Heirs, and Succeſſors, in that Part of Our ſaid King- " dom of *Great Britain* called *England*, Our Dominion of *Wales*, and Town of *Berwick upon Tweed* " aforeſaid, and amongſt all and every the Subjects of Us, Our Heirs, and Succeſſors, whatſoever and " whereſoever, notwithſtanding the not full and certain deſcribing the Nature or Quality of the ſaid " Invention, or of the Materials thereto conducing or belonging. In Witneſs whereof, We have cauſed " theſe Our Letters to be made patent. Witneſs Ourſelf at *Weſtminſter*, the ſixth Day of *December*, in " the third Year of Our Reign."

' And whereas the ſaid *Elizabeth Taylor* hath, by an Inſtrument in Writing under her Hand and Seal, ' deſcribed and aſcertained the Nature of the ſaid Invention, and the Manner in which the ſame is to be ' performed, and hath cauſed the ſame to be inrolled in his Majeſty's High Court of Chancery, within ' the Time and in the Manner directed by the ſaid Letters Patent: And whereas, by a Deed of Aſſign- ' ment bearing Date the firſt Day of *February*, in the Year of our Lord one thouſand ſeven hundred and ' ſeventy-five, the ſaid *Elizabeth Taylor* (for the Conſiderations therein mentioned) hath aſſigned all her ' Intereſt, Benefit, and Property, in the ſaid Letters Patent and Invention, unto her Son *Walter Taylor* ' of the ſaid Town of *Southampton*, his Executors, Adminiſtrators, and Aſſigns: And whereas the ſaid ' *Walter Taylor* deceaſed was at very large Expence, Labour, and Pains, in finding out and proſecuting ' the ſaid Invention; and the ſaid *Elizabeth Taylor* his Widow, and *Walter Taylor* their Son, have been at ' great Pains and Labour, and at a large Expence, in improving the ſame; and conſiderable Improvements ' have been made therein by the ſaid *Walter Taylor* the Son; for all which Trouble and Expence the ſaid ' *Walter Taylor* will not be able to receive an adequate Compenſation, unleſs the Term granted by the ſaid ' Letters Patent be prolonged:' May it therefore pleaſe your Majeſty (at the humble Petition of the ſaid *Walter Taylor*) that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every the Powers, Liberties, Privileges, Authorities, Rights, Benefits, and Advantages, which, in and by the ſaid Letters Patent, were originally given and granted to her the ſaid *Elizabeth Taylor*, her Executors, Adminiſtrators, and Aſſigns (and no further or greater than ſhe, or the ſaid *Walter Taylor*, would have been entitled to if this Act had not been made), ſhall be, and the ſame are hereby given and granted to the ſaid *Walter Taylor*, his Executors, Adminiſtrators, and Aſſigns, and ſhall be held, exerciſed, and enjoyed by him the ſaid *Walter Taylor*, his Executors, Adminiſtrators, and Aſſigns, for and during the preſent Term of fourteen Years granted by the ſaid Letters Patent, and, from and after the End and Expiration of the ſaid Term of fourteen Years thereby granted, for and during the further or additional Term of fourteen Years, in as full, ample, and beneficial Manner in all Reſpects, and to all Intents and Purpoſes whatſoever, as he the ſaid *Walter Taylor*, his Executors, Adminiſtrators, or Aſſigns, could have held and enjoyed the ſame, under and by virtue of the ſaid Letters Patent for the Term thereby granted, in caſe the ſaid Letters Patent had been originally granted by his Majeſty to him the ſaid *Walter Taylor*, his Executors, Adminiſtrators, and Aſſigns

All the Powers, Privileges, &c. contained in the before-recited Letters Patent, by this Act granted to Walter Taylor, his Executors, &c. for a further Term of 14 Years.

' II. And whereas the ſaid *Walter Taylor* having made ſeveral conſiderable Improvements in the ſaid ' new Invention, the Public may loſe the Advantage thereof, unleſs the ſame ſhall be ſpecified by an In- ' ſtrument in Writing, and inrolled in the High Court of Chancery,' be it therefore further enacted by the Authority aforeſaid, That if the ſaid *Walter Taylor* ſhall not particularly deſcribe and aſcertain the Nature of the ſaid Invention, with his Improvements thereon, and in what Manner the ſame is to be performed, by an Inſtrument in Writing under his Hand and Seal, and cauſe the ſame to be inrolled in the High Court of Chancery within four Calendar Months after the paſſing of this Act, then this Act ſhall ceaſe, determine, and be abſolutely void; any Thing herein before contained to the contrary notwithſtanding.

Specification of Improvements to be inrolled in the Court of Chancery within four Months, otherwiſe this Act to be void.

' III. And

'III. And whereas ſundry Perſons licenſed by the ſaid *Walter Taylor* are now under Contract to ſupply 'his Majeſty's Navy and Ordnance with ſuch Blocks, Sheavers, and Pins, paying for ſuch Licence cer- 'tain Rates for every hundred Pounds for which ſuch Wares ſhall be ſold, in conſideration of his inſpect- 'ing the Engines, Tools, and Inſtruments uſed therein, and ordering and directing the Repairs thereof: 'And whereas the ſaid Commiſſioners of his Majeſty's Navy, or the Principal Officers of the Ordnance, 'may from Time to Time hereafter think proper to contract with the ſame or other Perſons for the Supply 'of his Majeſty's Navy or Ordnance with the ſaid Articles,' be it further enacted, That it ſhall not be lawful for him the ſaid *Walter Taylor*, his Executors, Adminiſtrators, or Aſſigns, to refuſe ſuch Licence as may be required from him or them, to any Perſon or Perſons for whom the ſame ſhall be demanded or required by the ſaid Commiſſioners of his Majeſty's Navy, or by the principal Officers of Ordnance for the Supply of his Majeſty's Navy or Ordnance, or to demand or take any further Profit or Advantage on granting ſuch Licence, beyond the Rate of three Pounds for every one hundred Pounds for which ſuch Blocks, Sheavers, or Pins, ſhall be ſold, in purſuance of ſuch Contract.

Walter Taylor to grant Licences, &c. on certain Conditions.

IV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be adjudged, deemed, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Public Act.

CAP. XIX.

An Act for defraying the Charge of the Pay and Cloathing of the Militia in that Part of *Great Britain* called *England*, for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-ſix.

CAP. XX.

An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on board Merchant Ships, and other Trading Ships and Veſſels.

'FOR the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on 'board Merchant Ships and other Trading Ships and Veſſels;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, until the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-ſeven, and no longer (except in reſpect to ſuch Merchant Ships, and other Trading Ships or Veſſels, which ſhall be on their Voyage before the ſaid twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-ſeven, who ſhall be and are hereby allowed the Liberty and Benefit of returning home navigated in the Manner as herein after is provided), it ſhall and may be lawful for any Merchant Ship or other Trading Ship or Veſſel, to be navigated by Foreign Seamen or Mariners, not being Natives of *Great Britain*, or of any of the Colonies or Plantations thereto belonging, or his Majeſty's natural or naturalized Subjects, ſo as the Number of ſuch Foreign Seamen or Mariners do not exceed Three-fourths of the Mariners at any one Time employed to navigate ſuch Merchant Ship or other Trading Ship or Veſſel; and that One-fourth at leaſt of the Mariners or Seamen ſo employed be, at all Times, Natives or his Majeſty's naturalized Subjects of *Great Britain* (ſudden Death, and Hazard and Caſualties of War, and the Seas, ſaved and excepted); one Act of Parliament, made in the twelfth Year of the Reign of his late Majeſty King *Charles* the Second (intituled, *An Act for the encouraging and increaſing of Shipping and Navigation*), or any other Statute or Law to the contrary notwithſtanding.

From the paſſing of this Act till March 25, 1777, Merchant Ships, &c. may be navigated with 3-4ths Foreigners.

II. Provided always, That nothing in this Act contained ſhall extend to take away or reſtrain the Effect of any ſuch Royal Proclamation as his Majeſty, his Heirs and Succeſſors, are impowered to make by virtue of an Act paſſed in the thirteenth Year of his late Majeſty's Reign (intituled, *An Act for the better Supply of Mariners and Seamen to ſerve in his Majeſty's Ships of War, and on board Merchant Ships, and other Trading Ships and Privateers*).

This Act not to reſtrain his Majeſty's Royal Proclamation, &c.

CAP. XXI.

An Act to amend an Act, paſſed in the third Year of his late Majeſty's Reign, intituled, *An Act for making navigable the River* Stroud-water, *in the County of* Glouceſter, *from the River* Severn, *at or near* Framiload, *to* Wallbridge, *near the Town of* Stroud, *in the ſame County*; and for giving other Powers, for the Purpoſe of making a Navigation from *Framiload* to *Wallbridge* aforeſaid.

" Act 3 *Geo.* II. for making navigable the River *Stroud-water*, recited. Act 32 *Geo.* II. for amending, " *&c.* the former Act; whereby other Perſons were impowered to make the ſaid Navigation within a " limited Time, or to forfeit all Engines, Machines, *&c.* Article of Subſcription entered into by the " preſent Undertakers, *Dec.* 8, 1774, recited. Commiſſioners under the former Act appointed new Un- " dertakers, to make the Navigation, *&c* who have begun the ſame. Undertakers for completing the " Navigation appointed, and incorporated. Their Name and Powers. The Manner in which the " Navigation ſhall be made. Company of Proprietors may open Drains, *&c.* for carrying off waſte Water. " Trenches not to be made through Dwelling-houſes, Gardens, *&c.* Company to make Arches, *&c.* " to drain the adjoining Lands, and keep them in good Repair. Company to ſeparate the Towing-paths " from adjoining Lands, *&c.* In caſe Company neglect to erect Gates, Bridges, *&c.* on Side of Towing- " path, Occupiers of adjacent Lands may do it, at the Expence of the Company. Penalty if the Com- " pany make Default in Payment. In caſe the Bridges, *&c.* provided by Direction of the Commiſſioners, " are inſufficient, the Land Owners may provide more at their own Expence, ſo as the Navigation be not " obſtructed.

" obſtructed. Powers of Act 3 *Geo.* II. to be in Force, except ſuch as are by this Act repealed. Tolls " to be exempted from Taxes. Company impowered to ſupply the Cuts and Canals with Water, and to " make Dams, *&c.* during the Repairs of Mills, *&c.* Company empowered to ſcour the Canal. Proviſo, " relating to Mr. *Cambridge*'s Mill-pond. Millers to draw up or let down Cloughs or Floodgates when " neceſſary, on Penalty of 20 *l.* Millers to be paid for the ſame. Company to provide Watering-places " for Cattle. Lands may be entered upon to take Surveys, *&c.* Two Parts to be made of a Plan and " Book of Reference, and certified by the Speaker of the Houſe of Commons; which ſhall be deemed " good Evidence. Cuts and Canals to be made purſuant to the Plan. Land Owners being omitted in the " Book of Reference, not to obſtruct the making the Canals, *&c.* Breadth of the Canal and Towing- " paths limited. Small Parcels of Land, not uſed for the Canals, to be purchaſed by the Company, if " Proprietors require it. The River not to be made navigable, except as authoriſed by this Act. The " Turnpike Road not to be turned. Bodies Politic, *&c.* impowered to ſell Lands; and, with Conſent " of the Commiſſioners, may exchange Lands. Contracts to be inrolled; Copies whereof allowed to be " good Evidence. Copyhold Rights to be preſerved. Commiſſioners appointed to ſettle Differences be- " tween the Company and Owners of Lands. If Parties diſſatisfied, a Jury to be impannelled. Value " of Lands, and Damages, to be ſeparately aſcertained. By whom the Expences of the Commiſſioners " and Jury, in aſcertaining Damages, *&c.* ſhall be borne. Perſons requeſting a Jury to enter into Bond " to proſecute, *&c.* Notice of Injury to be given to the Proprietors, before Complaint made thereof to " the Commiſſioners. Purchaſe-money due to Corporations and Truſtees to be laid out to the ſame Uſes, " *&c.* Monies, until Purchaſes made, to be placed in the Public Funds, *&c.* Commiſſioners to ſettle " the Proportion of Money to be paid to the ſeveral Perſons intereſted. In Default of Payment of Damages, " Rates to be liable; or Parties may recover at Law. Annual Rents how recoverable. In caſe Damages " are not paid in four Months, they may be recovered from the Eſtate of the Company. Penalty on Per- " ſons obſtructing the Works. The Undertaking, *&c.* to be divided into 200 Shares, and veſted in the " Company, in due Proportion. No Perſon to have more than fifteen Shares. Application of the Money " remaining to be raiſed. Each 100 *l.* Subſcription to be intitled to a Share in the Navigation. Every " Perſon who ſhall ſubſcribe one Share, ſhall be deemed a Proprietor, and have a Vote, to be given by " himſelf or by Proxy. Manner of voting ſpecified. All Matters to be determined by Majority of Votes " and Proxies. Company impowered to raiſe 10,000 *l.* more, in caſe the 20,000 *l.* ſhall be inſufficient. " Manner of raiſing it. Navigation may be aſſigned over as a Security for Money borrowed. Form of " Aſſignment. No Preference to be given by reaſon of Priority of Aſſignment. Entries of all Aſſign- " ments to be made in Books. Aſſignments may be transferred. Form of ſuch Transfer. Transfers to " be produced to the Clerk, who ſhall enter them in a Book. Intereſt to be paid half-yearly before any " Dividends are made. Firſt General Meeting. A Committee to be choſen. Treaſurer and Clerk to " be appointed. Committee to be choſen annually. Their Proceedings to be entered in a Book. No " Member of the Committee (except the Chairman) to have more than one vote. Committee to make " Reports of their Proceedings, *&c.* Committee impowered to make Calls for Money from the Pro- " prietors, *&c.* All Money to be paid into the Hands of the Treaſurer; to be applied by the Committee, " *&c.* Notice of the Calls to be advertiſed, *&c.* Perſons not paying the Calls purſuant to Notice, *&c.* " to forfeit all Shares and Intereſts in the Navigation. Forfeitures to be declared at a General Aſſembly, " *&c.* General Aſſembly of Proprietors may remove Committee-men, *&c.* and make Bye-laws, *&c.* " Executors, *&c.* of Owners of Shares indemnified for paying Money when called for. If Owners die " without Aſſets, *&c.* Proprietors may admit others in their Stead, upon Payment to Executors, *&c.* the " Sums advanced by ſuch Owners. If Calls not anſwered, how Proprietors are to proceed. How Tickets " or Titles to Shares are to be made out and ſigned. Shares negotiable, how to be entered and paid, *&c.* " Purchaſers of Shares not intitled to vote, till after ſix Months Poſſeſſion. No Perſon ſhall ſell, after " any Call of Monies made, until the ſaid Call is paid. Form of Transfer of a Share. No Buſineſs to " be done in a Committee, unleſs five be preſent. Clerk and Treaſurer to account to the Committee. " Two General Meetings yearly; all Accounts then to be paſſed and ſettled. How a Vacancy in the " Committee to be ſupplied. Maſters of Veſſels to give Account of their Cargoes, *&c.* Penalty on De- " fault thereof. Names of Owners and Steerſmen to be placed on the Outſides of Veſſels, on Penalty of " 5 *l.* What ſhall be deemed a Ton of Timber, *&c.* In caſe of Difference between the Collectors and " Maſters of Veſſels concerning Weight and Quantity, Veſſels to be detained, *&c.* Further Allowance " to be paid for Goods lying upon a Wharf above 24 Hours. Veſſels under 20 Tons not to paſs Locks " (except as excepted) without the Conſent of Proprietors. Penalty on placing any Boat, *&c.* in the " Canals ſo as to obſtruct the Navigation. Veſſels ſunk to be weighed, and detained for Expence. In " caſe of Non-payment, Company may ſell the ſame. Penalty on Perſons floating Timber on the Canal, " or overloading Veſſels, *&c.* Penalty of 5 *l.* for throwing Ballaſt, *&c.* into the Navigation. Boatmen " ſhall not ſuffer Water to remain in the Lock longer than neceſſary. Regulations for paſſing the Locks. " Penalty of 40 *s.* for each Offence. Penalty on Perſons wilfully drawing down the Water, *&c.* In caſe " the Company omit for fifteen Years to make the Canals, the ſame not to be done without Conſent of " Land Owners, *&c.* On what Conditions Land ſhall be reconveyed. If Commiſſioners cannot ſettle " the Price, a Jury to be impannelled. Power to elect new Commiſſioners. Juſtices, in certain Caſes, " impowered to appoint Commiſſioners. Qualifications of Commiſſioners. Any Perſon acting, not duly " qualified, to forfeit 50 *l.* No Meeting to be had without ten Days Notice in ſome *Glouceſterſhire* News- " paper. Commiſſioners may act as Juſtices. Commiſſioners not to hold any Place of Profit, *&c.* " Meetings may be ſummoned at any Time by ſeven Commiſſioners. Writings to be without Stamps. " Proceedings not to be quaſhed for want of Form. Penalties and Forfeitures how to be recovered and " applied. Puniſhments for giving falſe Evidence. Diſtreſs not unlawful for want of Form. Perſons " aggrieved may appeal to the Quarter-Seſſions, whoſe Determination ſhall be final."

CAP.

CAP. XXII.

An Act for rebuilding the Pariſh Church of *Tardebigg*, in the Counties of *Worceſter* and *Warwick*.

'WHEREAS the Pariſh Church of *Tardebigg*, in the Counties of *Worceſter* and *Warwick*, is a very ancient Fabric, and Part thereof hath lately fallen down, and the other Part is in ſo ruinous a Condition that it is dangerous for the Inhabitants of the ſaid Pariſh to attend Divine Service therein, and, in the Opinion of able and experienced Workmen, cannot be effectually repaired; and that, for the Safety and Conveniency of the Inhabitants, it is neceſſary the ſame ſhould be taken down and rebuilt; it is enacted,' &c.

"Truſtees impowered to take down and rebuild the Church. Money to be raiſed veſted in the Truſtees. Penalty on Perſons refuſing to pay the Rates. Truſtees to appoint three Collectors of the Rates. Collectors to pay the Money as the Truſtees ſhall direct, and to enter in Books Accounts of all Money by them received, &c. Penalty on Collectors refuſing or neglecting to account, &c. Any Perſon choſen a Collector and refuſing to act, to forfeit 10*l.* Truſtees impowered to borrow 1100*l.* at 5 *per Cent.* or by way of Annuities, &c. Money lent, &c. to be repaid within twenty Years. A Book to be provided for entering Accounts of Money borrowed, &c. and Proceedings of Truſtees. Payment of the Monies to be borrowed, &c. charged upon the Rates. Annuities, &c. not liable to be taxed. Truſtees to give Receipts to Perſons advancing Money. Upon Payment of the whole Money to be advanced, Truſtees to give Orders in Writing for Repayment. Lenders, &c. impowered to aſſign their Intereſt in the Money advanced. Truſtees may make an Aſſeſſment, not exceeding 1*s.* 6*d.* in the Pound. Tenants to pay the whole Rates, and deduct one Half out of their Rents. How Rates are to be levied upon Houſes occupied by Inmates. Where Tenant is incapable of paying the Rates, Landlord to be accountable. Rates veſted in Creditors, in caſe of Non-payment of Principal, Intereſt, or Annuities. Truſtees to ſettle Differences reſpecting the Rates. Payment of Rates not to intitle Perſons to be Pariſhioners, &c. Collectors may inſpect the Poor's Rates. Overſeers, on Refuſal, to forfeit 10*l.* Truſtees, when their Number is reduced to Twenty, may appoint new ones. After Repayment of Money borrowed, &c. the Rates to ceaſe. Truſtees impowered to ſell the Materials of the old Church. Truſtees to give Notice of their Meetings," &c.

CAP. XXIII.

An Act for the better Regulation and Government of the Pilots conducting Ships and Veſſels into and out of the Port of *Boſton*, in the County of *Lincoln*; and for affixing and ſetting down Mooring-poſts upon the Banks or High Marſhes within or adjoining to the Haven and Harbour of the ſaid Port; and for affixing and laying down Bridges over the Creeks upon the High Marſhes within or adjoining to the ſaid Haven and Harbour; and for preventing Miſchiefs by Fire in the ſaid Haven and Harbour.

Preamble.

'WHEREAS the Borough of *Boſton*, in the County of *Lincoln*, is a very ancient Borough, within the Liberties whereof there are a Port, Haven, and Harbour of the Sea, for importing and exporting Merchandiſe; and the Mayor and Burgeſſes of the ſaid Borough have, as well by Preſcription as Royal Charter, been a Corporation for two hundred Years laſt paſt and upwards; and by virtue and in purſuance of certain Letters Patent, granted them by Queen *Elizabeth*, bearing Date on or about the tenth Day of *February* in the fifteenth Year of her Reign, have and do now uſe and exerciſe Admiralty Juriſdiction within the ſaid Borough and Port of the ſame; and alſo the Roads, and all and ſingular the Deeps, commonly called *The Norman Deeps*; and alſo all and all Manner of Places and Parts and Watercourſes, and the Streams of the Waſhes near and in the Parts of *Holland*, extending to the Haven or Place called *Wainfleet Haven*, and to a certain Place called *Pullye Heads*, and to another Place or Sand called *The Knock*, and to another Place called *The Dog's Head in the Pot*, and to the uttermoſt Limits of the Flowing and Ebbing of the Waters aforeſaid and every of them, and adjoining to the Sea and Floods and Streams of the Borders and Confines of the County of *Norfolk*; and by virtue of the ſame Letters Patent, and others ſince granted to them by the Crown, and by long Uſage have erected and put down proper Buoys and Beacons in the Channel of the ſaid Port: And whereas the Entrance into the ſaid Port is, by the continual Shifting and Alteration of the Sands, become very dangerous without the Aſſiſtance of a ſkilful Pilot, and many Ships have of late Years been endangered, owing to the Negligence and Ignorance of the Perſons who take upon them to conduct Ships and Veſſels into and out of the ſaid Port; and the Prices or Rates of Pilotage there are not at preſent ſettled by any Law or Charter: And whereas a proper Regulation of the Pilots at the ſaid Port, and the aſcertaining of their Rates or Prices, would tend greatly to promote and encourage Trade and Navigation, and be of public Utility: And whereas much Danger and Miſchief may happen to Ships and Trading Veſſels lying in the ſaid Haven and Harbour, occaſioned by Fire made uſe of in heating of Pitch, Tar, Roſin, Oil, or other combuſtible Matters, on board ſuch Ships and Veſſels: And whereas Mooring-poſts, to be affixed and ſet down in proper Places upon the Banks or High Marſhes within or adjoining to the ſaid Haven and Harbour, for the more effectually ſecuring the Ships and Veſſels riding therein, and alſo Bridges of Wood to be affixed and laid down over ſeveral of the Creeks within or adjoining to the ſaid Haven and Harbour, for the Convenience of towing or haling of Ships and Veſſels into and out of the ſaid Port, are much wanted, and

Letters Patent granted to the Corporation by Queen Elizabeth, recited.

'and would be of great public Utility; but whereas the ſaid Inconveniencies cannot be removed, nor 'any of the good Purpoſes propoſed be attained or carried into Execution, without the Authority of Par-'liament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Mayor, Recorder, Deputy Recorder, Aldermen, Town Clerk, and Common Council of the Borough of *Boſton* aforeſaid for the Time being; together with *William Armſtrong*, *John Ambler*, *Robert Barlow*, *Thomas Brotherton*, *Edward Bottrill*, *Samuel Barnard*, *John Colby*, *John Cheyney* the younger, *Bartholomew Claypon*, *Daniel Douglas*, *John Darwin*, *Nicholas Foggon*, *William Garfit*, *William Garfit* the younger, *Matthew Graham*, *Henry Hare Hart*, *John Hill*, *Robert Hallet*, *Henry Hambleton*, *William Jackſon*, *John Jackſon*, *Robert Lancaſter*, *Stephen Long*, *Thomas Lumſley*, *James Meaburn*, *William Munckman*, *Chapman Mountain*, *Joſeph Mountain*, *William Moore*, *William Parker*, *Thomas Pilgrim*, *George Palmer*, *John Palmer*, *William Squire*, *Abraham Sheath* the younger, *Francis Thirkill*, *Triſtram Twell*, *Jeffery Tyſdale*, *Cotton Thompſon*, *William Thompſon*, *John Taylor*, *William Taylor*, *Richard Willerton*, *George Wrightſon*, and *Thomas Yerburgh*, ſhall be, and they are hereby nominated, conſtituted, and appointed Commiſſioners for carrying this preſent Act into Execution, and for the Purpoſes herein after mentioned and expreſſed; and they, or any five or more of them, (whereof the Mayor of the ſaid Borough of *Boſton* for the Time being, or a Deputy, whom the ſaid Mayor is hereby authoriſed from Time to Time to appoint, by any Writing under his Hand for that Purpoſe, ſhall be one) ſhall and may, and they are hereby authoriſed and required, within the Space of Six Weeks from and after the paſſing of this Act, or as ſoon after as conveniently may be, to meet in the Guildhall within the ſaid Borough, upon public Notice to be given by the ſaid Mayor for the Time being of the Day and Hour of ſuch Meeting, by Writing affixed on the Cuſtom-houſe, Guildhall, and Market-croſs, within the ſaid Borough of *Boſton*, at leaſt ſeven Days before ſuch Meeting; and then, and from Time to Time, when and as often as any Meeting ſhall be held in purſuance of this Act, to adjourn themſelves, if they ſhall ſee Occaſion, to any Time and Place within the ſaid Borough, or otherwiſe, in caſe no Adjournment ſhall be then or from Time to Time made or ſubſiſting, or there ſhall be Occaſion to meet previous to the Day of ſuch Adjournment, to meet from Time to Time at ſuch Day, Hour, and Place, within the ſaid Borough, as ſhall be appointed by public Notice to be given as aforeſaid Two Days before every ſuch Meeting, by Five or more of the ſaid Commiſſioners (whereof the ſaid Mayor for the Time being, or his Deputy to be appointed as aforeſaid, ſhall be one).

Commiſſioners appointed.

First Meeting.

II. And be it further enacted, That a General Meeting of the ſaid Commiſſioners ſhall be held on the Firſt *Mondey* in the Month of *February* in every Year, in the Guildhall in the ſaid Borough, for paſſing and ſettling all Accounts of their Treaſurer, Collector, or other Officers: And if at any Meeting the Commiſſioners preſent ſhall be equally divided upon any Queſtion which may come before them, then the Mayor of the ſaid Borough for the Time being, if preſent, or in his Abſence his Deputy as aforeſaid, ſhall have the caſting Vote: And that all Orders, Determinations, and Proceedings, of the ſaid Commiſſioners in the Execution of this Act, ſhall be at Meetings held in purſuance of this Act, and not otherwiſe; and that ſuch of the ſaid Commiſſioners as are Juſtices of the Peace in and for the ſaid Borough, may act as ſuch notwithſtanding their being Commiſſioners; and that the ſaid Commiſſioners, at all ſuch their Meetings, ſhall defray their own Expences.

General Meeting to be held annually.

Mayor to have the caſting Vote.

Commiſſioners to defray their own Expences.

III. Provided always, and be it enacted, That in caſe the Mayor of the ſaid Borough for the Time being, or his Deputy as aforeſaid, ſhall at any Time or Times neglect or refuſe to give Notice of any Meeting to be held for executing this Act as herein mentioned, being thereunto required by any twelve or more of the ſaid Commiſſioners, by Writing under their Hands, it ſhall and may be lawful for any five or more of the ſaid Commiſſioners to give Notice of ſuch Meeting, and to meet without the ſaid Mayor or his Deputy as aforeſaid for the Time being: And at every Meeting to be held in purſuance of this Act, where the Mayor of the ſaid Borough for the Time being, or his Deputy as aforeſaid, ſhall neglect or refuſe to attend, then, and in every ſuch Caſe, the Commiſſioner who at ſuch Meeting ſhall, by the Majority of the Commiſſioners then preſent, be elected Chairman at ſuch Meeting, ſhall in all Things have ſuch Power and Authority at the ſame Meeting, as the Mayor of the ſaid Borough for the Time being, or his Deputy as aforeſaid, would have had, if preſent; and all Orders and Proceedings at ſuch Meetings ſhall be as valid and effectual, as if the ſaid Mayor for the Time being, or his Deputy as aforeſaid, had been preſent.

How to proceed if Mayor neglect his Duty.

IV. And be it further enacted, That as often as any of the ſaid Commiſſioners for the Time being, not being the Mayor, Recorder, or Deputy Recorder, an Alderman, Town Clerk, or a Common Councilman of the ſaid Borough, ſhall die or refuſe to act (ſuch Refuſal to be certified in Writing), or be choſen a Member of the ſaid Corporation, or accept of any Office of Profit under this Act, or reſide out of the ſaid Borough for the Space of Six Calendar Months, then, and in any of the ſaid Caſes, and not otherwiſe, it ſhall and may be lawful to and for the ſurviving or remaining Commiſſioners for the Time being by this Act appointed, or to be appointed in purſuance thereof, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) from Time to Time at any of their Meetings to elect (by Appointment or Order entered in the Minute-book wherein they enter their Orders and Proceedings) ſuch other Perſon, being a Merchant, Owner, Commander of a Ship or Veſſel trading to and from the ſaid Port, or an Inhabitant of the ſaid Borough, to be a Commiſſioner in the Place of each Commiſſioner ſo dying or refuſing to act, or being choſen a Member of the ſaid Corporation, or accepting of any Office of Profit under this Act, or reſiding out of the ſaid Borough as aforeſaid, as they ſhall think fit; and each and every ſuch Commiſſioner ſo from Time to Time elected and appointed ſhall, from and after ſuch Election and Appointment, have the ſame Powers and Authorities in all Things, as if he had been particularly named and appointed by this preſent Act.

New Commiſſioners to be choſen in the Room of thoſe dying, &c.

V. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be

Commiſſioners, after due Exami-

nation to grant Licences to Pilots.

be one) and they are hereby authoriſed and required to examine and enquire into the Skill and Ability of every Perſon who ſhall tender or offer himſelf to be admitted as a Pilot within the ſaid Port, by the Examination of Witneſſes upon Oath, (which Oath the ſaid Commiſſioners, or any one or more of them, is and are hereby impowered to adminiſter) or by ſuch other Ways and Means as to them, or the major Part of them aſſembled at ſuch Meeting, ſhall ſeem proper; and if upon ſuch Examination and Inquiry, the Perſon ſo offering himſelf as a Pilot within ſuch Port ſhall be approved of by the ſaid Commiſſioners, or any five or more of them as aforeſaid, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) he ſhall receive a Licence or Warrant, containing his Name, Age, Stature, Complexion, and Place of Abode, and certifying that he is duly qualified to act as a Pilot to conduct Veſſels into and out of the ſaid Port; which Licence or Warrant ſhall be ſubſcribed with the proper Hand-writing of five or more of the ſaid Commiſſioners (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one); and from thenceforth ſuch Perſon ſhall be deemed duly qualified to exerciſe and follow the Occupation and Buſineſs of a Pilot within the ſaid Port.

Penalty on Perſons acting as Pilots without Licence.

VI. And be it further enacted, That from and after the twenty-fourth Day of *June*, One thouſand ſeven hundred and ſeventy-ſix, if any Perſon or Perſons ſhall take upon him or themſelves to conduct or pilot any Ship, Veſſel, or Barge, into or out of the ſaid Port, without being licenſed ſo to do as aforeſaid by any five or more of the ſaid Commiſſioners, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) which Licences the ſaid Commiſſioners, or any five or more of them (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) are hereby impowered to grant, in Writing under their Hands as aforeſaid; every Perſon ſo offending, for every ſuch Offence, ſhall forfeit and pay any Sum not exceeding three Pounds, nor leſs than twenty Shillings.

Exception, in Favour of Coal Barges, and Veſſels in Diſtreſs.

VII. Provided always, and be it enacted, That this Act ſhall not extend to hinder the Maſter or Commander for the Time being of any Barge not exceeding the Burthen of thirty Chaldrons of Coals, *Boſton* Meaſure, being ſixteen Metts, equal to thirty-ſix Buſhels, agreeable to the Statute of the twelfth Year of the Reign of her late Majeſty Queen *Anne*, or thirty Tons Builders Admeaſurement, from piloting or conducting ſuch Barge to and from the ſaid Port, or to ſubject ſuch Maſter or Commander to the Penalty above-mentioned, or to hinder any Perſon or Perſons from aſſiſting any Ship, Veſſel, or Barge, in Diſtreſs, or to ſubject ſuch Perſon or Perſons to any of the Penalties in this Act for ſo piloting, conducting, or aſſiſting; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Rates of Pilotage aſcertained:

VIII. And be it further enacted, That no greater or other Rates or Prices of Pilotage ſhall be demanded or taken than the following; that is to ſay, For piloting or conducting into or out of the ſaid Port any Ship, Veſſel, or Barge, belonging to his Majeſty's Subjects, drawing when loaded under twelve Feet of Water, from a certain Place within the ſaid Port, commonly called or known by the Name of *High-horn*, or from a certain other Place within the ſaid Port, commonly called or known by the Name of *Boſton and Toft*, to a certain other Place within the ſaid Port, commonly called or known by the Name of *The Scalp* or *Scolf*, or from the *The Scalp* or *Scolf* aforeſaid to *High-horn* aforeſaid, or *Boſton and Toft* aforeſaid, the Sum of one Shilling a Foot for every Foot of Water ſuch Ship, Veſſel, or Barge, ſhall then draw; and from *High-horn* aforeſaid, or *Boſton and Toft* aforeſaid, to *Boſton* aforeſaid, or from *Boſton* aforeſaid to *High-horn* aforeſaid, or *Boſton and Toft* aforeſaid, the Sum of one Shilling and Sixpence a Foot for every Foot of Water ſuch Ship, Veſſel, or Barge, ſhall then draw; and for piloting or conducting into or out of the ſaid Port any Ship, Veſſel, or Barge, belonging to his Majeſty's Subjects, drawing when loaded twelve Feet of Water or upwards, from *High-horn* aforeſaid, or *Boſton and Toft* aforeſaid to *The Scalp* or *Scolf* aforeſaid, or from *The Scalp* or *Scolf* aforeſaid to *High-horn* aforeſaid, or *Boſton and Toft* aforeſaid, the Sum of two Shillings a Foot for every Foot of Water ſuch Ship, Veſſel, or Barge, ſhall then draw; and from *High-horn* aforeſaid, or *Boſton and Toft* aforeſaid, to *Boſton* aforeſaid, or from *Boſton* aforeſaid to *High-horn* aforeſaid, or *Boſton and Toft* aforeſaid, the Sum of three Shillings a Foot for every Foot of Water ſuch Ship, Veſſel, or Barge, ſhall then draw, and ſo in Proportion for Half a Foot of Water, in all and every of the Caſes aforeſaid; but no Allowance ſhall be made for any Number of Inches not amounting to Half a Foot; and for piloting or conducting into or out of the ſaid Port, from or to any of the Places herein before mentioned, any Ship or Veſſel belonging to the Subjects of any Foreign Nation, Double the Rate or Price above limited for piloting or conducting the like Ship or Veſſel belonging to his Majeſty's Subjects: And for piloting or conducting any Ship, Veſſel, or Barge, into or out of the ſaid Port to or from the Buoy called *The Knock-buoy*, or to or from the Buoy called *The Gat-buoy*, or to or from any Place or Places to the ſeaward of the ſaid Buoys; or to or from any Place or Places above the ſaid Buoys and below *High-horn* or *Boſton and Toft* aforeſaid, ſuch additional Sum or Sums of Money, either by the Foot or in Groſs, as the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall from Time to Time, at any of their Meetings, aſcertain, rate, and appoint, as a fixed and certain Payment for the ſame: Provided always, that ſuch additional Pilotage for Ships, Veſſels, or Barges, to or from Places above the ſaid Buoys and below the ſaid *High-horn* or *Boſton and Toft* aforeſaid, ſhall not exceed one Halfpenny *per* Foot *per* Mile; and provided alſo, that no Foreign Ship or Veſſel ſhall be charged with, or pay more of ſuch additional Pilotage *per* Foot or in Groſs, than the Ships or Veſſels of his Majeſty's Subjects of the like Burthen are charged with; and that no Foreign Ship or Veſſel ſhall pay more Pilotage from *Boſton* aforeſaid to *The Knock-buoy* aforeſaid, than is herein before directed and aſcertained for the Pilotage of Ships or Veſſels from *Boſton* aforeſaid to *High-horn* or *Boſton and Toft* aforeſaid; and that the ſaid ſeveral Rates of Pilotage, ſo to become due and payable as aforeſaid, ſhall be paid into the Hands of ſuch Perſon or Perſons as the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall from Time to Time nominate and appoint to receive the ſame, (which Perſon or Perſons they are hereby authoriſed to nominate and appoint) and at ſuch Place or Places as the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being,

Foreign Veſſels to pay double Rates.

Additional Rates.

Additional Rates reſtricted, &c.

being, or his Deputy as aforeſaid, ſhall be one) ſhall for that Purpoſe nominate and appoint for the Receipt thereof.

Extraordinary Allowance for piloting Veſſels from The Knock buoy, &c.

IX. And be it further enacted, That in caſe any Pilot or Pilots, ſo licenſed as aforeſaid, ſhall meet any Ship, Veſſel, or Barge, coming into the ſaid Port, at or beyond the ſaid *Knock-buoy*, or at any intermediate Diſtance between the ſaid *Knock-buoy* and *High-horn* or *Boſton and Toft* aforeſaid, and at the Deſire of the Owner, Maſter, or Commander, of the ſaid Ship, Veſſel, or Barge, ſhall pilot or conduct the ſame to *High-horn* aforeſaid, or *Boſton and Toft* aforeſaid, or other Place of Safety within the ſaid Port between the ſaid *Knock-buoy* and *High-horn* aforeſaid, or *Boſton and Toft* aforeſaid, the ſaid Pilot or Pilots, for piloting or conducting the ſaid Ship, Veſſel, or Barge, as aforeſaid, ſhall have and receive from the Owner, Maſter, or Commander, of the ſaid Ship, Veſſel, or Barge, over and above the ſeveral fixed Rates of Pilotage by this Act ſettled and aſcertained, any Sum of Money not exceeding the Sum of three Pounds and three Shillings, to be aſcertained and allowed by the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) in proportion to the Benefit received, and the Time and Trouble of the ſaid Pilot or Pilots attending the ſame: Provided, that the ſaid Commiſſioners ſhall not have aſcertained and ſettled any fixed Price or Prices to be paid for the ſaid Pilotage beyond *High-horn* aforeſaid, or *Boſton and Toft* as aforeſaid.

Commiſſioners to aſcertain what Part of the Pilotage ſhall be paid for the Hire of Sloops, &c.

X. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall, and they are hereby authoriſed and required to contract and agree with any Perſon or Perſons for the Hire and Uſe of two or more Sloops for carrying and conveying the ſaid Pilots up and down the Channels of the ſaid Port, and to aſcertain, rate, and appoint what Part of the ſaid Rates or Prices of Pilotage ſhall be allowed and paid for the Hire and Uſe of the ſaid Sloops, and for the Maintenance of Men and Boys to aſſiſt on Board, and go in the ſaid Sloops, and for and towards the Maintenance of ſuch Pilots licenſed as aforeſaid, as the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall from Time to Time conſider as having become ſuperannuated in the Execution of their ſaid Office, and for ſatisfying and paying ſuch Perſon or Perſons as the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall from Time to Time nominate and appoint to receive the ſaid Rates and Prices of Pilotage as herein mentioned.

Commiſſioners impowered to make Bye-laws, &c.

XI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) at any Time or Times to make, ordain, and eſtabliſh, ſuch Orders, Rules, and Bye-laws, for the better Regulation and Government of the Maſters and Commanders of Ships, Veſſels, and Barges, trading to and from the ſaid Port, and of the Pilots ſo to be appointed and licenſed as aforeſaid, and alſo from Time to Time, as Occaſion may be, to repeal, add to, amend, or alter ſuch Orders, Rules, and Bye-laws, as to them the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall ſeem meet and convenient; and to fix and appoint reaſonable pecuniary Penalties, not exceeding five Pounds, for the Non-obſervance, Non-performance, or other Breach of ſuch Orders, Rules, or Bye-laws, or any of them, to be recovered by ſuch Ways and Means as are herein after directed for the Recovery of the Penalties by this Act inflicted; and that it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) to ſuſpend any of the Pilots to be appointed and licenſed as aforeſaid, who ſhall break ſuch Orders, Rules, or Bye-laws, or any of them, or omit any Thing required by the ſame, or act in any-wiſe contrary thereto; and if any Pilot, ſo ſuſpended, ſhall, during the Time of ſuch Suſpenſion, after having had due Notice of the ſame, take upon himſelf to pilot or conduct any Ship or Veſſel into or out of the ſaid Port, ſuch Pilot ſhall, as often as he ſhall act as aforeſaid as a Pilot during ſuch Suſpenſion, be liable to the Penalty which is provided by this Act againſt unlicenſed Perſons acting as Pilots.

and to impoſe a Penalty of 5 l. on Aggreſſors.

Pilots may be ſuſpended for Breach of Bye-laws, &c.

Bye laws to be printed, with a Liſt of the Pilots and their Fees.

XII. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall cauſe the ſaid Orders, Rules, and Bye-laws, and alſo a Liſt of the Pilots ſo to be licenſed as aforeſaid, with the Rates or Prices of Pilotage, to be from Time to Time printed and diſtributed, and likewiſe hung up in ſome conſpicuous Place at the Cuſtom-houſe and Market-croſs in *Boſton* aforeſaid; provided always, that the ſaid Orders, Rules, and Bye-laws, or any of them, be not contrary or repugnant to the Laws or Statutes of the Realm of *Great Britain*.

If Pilots miſbehave, Commiſſioners may vacate their Licences, &c.

XIII. And be it further enacted, that in caſe any Pilot or Pilots, to be appointed and licenſed as aforeſaid, ſhall refuſe to take the Charge of any of his Majeſty's Ships, or of any Ship, Veſſel, or Barge, in the Merchant's Service; or in caſe it ſhall appear to the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) that any ſuch Pilot or Pilots ſhall have miſbehaved him or themſelves in the conducting of any Ship, Veſſel, or Barge, or in the Execution of any other Part of his or their Duty as Pilots; or if any ſuch Pilot or Pilots ſhall refuſe to obey the Summons of the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) requiring his or their Appearance, or ſhall break or act contrary to ſuch Orders, Rules, and Bye-laws, as the ſaid Commiſſioners, or any five or more of them, whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall from Time to Time make in the Premiſes, or in any wiſe offend againſt this Act, then the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) upon Examination thereof, are hereby authoriſed to annul the Licence or Licences granted to ſuch Pilot or Pilots, and to declare the ſame to be from thenceforth utterly void; and if any ſuch Perſon or Perſons ſhall, after ſuch Declaration and Notice thereof given to him or them in Perſon, or left at his or their uſual Place

of Abode, act as a Pilot or Pilots within the ſaid Port, he or they ſhall, as often as he or they ſhall act as a Pilot or Pilots within the ſaid Port as aforeſaid, be ſubject to the Penalty inflicted by this Act on unlicenſed Perſons acting as Pilots.

Pilots, though refuſed to be taken on board, to be paid their uſual Fee.

XIV. And be it further enacted, That in caſe the Maſter or Commander of any Ship, Veſſel, or Barge, either inward or outward bound, ſhall refuſe to take on Board and employ a Pilot to be appointed and licenſed as aforeſaid, who ſhall offer his Service, ſuch Maſter or Commander ſhall pay or cauſe to be paid the full Pilotage according to the ſeveral Rates and Prices herein before directed to be paid, as if the ſaid Pilot had been received and employed in conducting or piloting ſuch Ship, Veſſel, or Barge, into or out of the ſaid Port.

Maſter to give the Pilot true Draught of Ship, &c.

on Penalty of 40 s.

Manner of Proceeding in caſe Pilot ſuſpect the Maſter's Account.

XV. And be it further enacted, That the Maſter or Commander of every Ship, Veſſel, or Barge, ſo to be piloted or conducted into the ſaid Port, ſhall, and is hereby required to declare and give a true Account to the Pilot employed in conducting or piloting, or offering to conduct or pilot ſuch Ship, Veſſel, or Barge, of the Draught of Water ſuch Ship, Veſſel, or Barge, ſhall then draw; and in caſe ſuch Maſter or Commander ſhall refuſe ſo to do, or ſhall give an untrue Account of the Draught of Water of ſuch Ship, Veſſel, or Barge, then he ſhall forfeit, for every ſuch Refuſal or untrue Account ſo by him given, the Sum of Forty Shillings; and further, in caſe of ſuch Refuſal, or if the Pilot ſo employed or offering to be employed ſhall ſuſpect the Truth of the Declaration or Account given, then ſuch Pilot ſhall be and he is hereby authoriſed to mark ſuch Ship, Veſſel, or Barge, on her Arrival, and when unloaded to lay her on Shore in ſome proper and convenient Place within the ſaid Port, and there to admeaſure or cauſe to be admeaſured the ſaid Ship, Veſſel, or Barge, in order to find the true Draught of Water ſhe drew on her ſaid Arrival; the Expence whereof, in caſe of ſuch Refuſal, or if upon ſuch Admeaſurement it ſhall appear that the ſaid Declaration or Account ſhall be untrue, ſhall be paid by ſuch Maſter or Commander; but in caſe the ſaid Declaration or Account ſhall upon ſuch Admeaſurement appear to be true, then the ſaid Expences ſhall be paid by the Collector to be appointed by virtue of this Act out of the Money in his Hands ariſing from the Rates herein before directed to be paid for Pilotage; and if any Diſpute ſhall ariſe between the ſaid Maſter or Commander and Pilot, concerning the Expence of laying the ſaid Ship, Veſſel, or Barge, on Shore, and admeaſuring her as aforeſaid, then the ſame ſhall be ſettled and aſcertained by the Mayor of the ſaid Borough for the Time being, or any one or more Juſtice or Juſtices of the Peace for the ſaid Borough; and the ſaid Expences, if refuſed to be paid by ſuch Maſter or Commander, in caſe he ſhall be liable to pay the ſame, ſhall be levied and recovered, with all Charges attending ſuch Levying and Recovery, in the ſame Manner, and by the ſame Means, as are herein after given and directed for the Levying and Recovery of the Pilotage by this Act directed to be paid; and in caſe the Pilot ſhall be liable to pay the ſame, the ſaid Expences ſhall, if refuſed to be paid by ſuch Pilot, be levied and recovered, with all Charges attending ſuch Levying and Recovery, by Diſtreſs and Sale of the Goods of ſuch Pilot, in ſuch Manner as other Penalties and Forfeitures are directed to be levied and recovered by this Act.

Diſputes to be ſettled by the Mayor, &c.

Pilotage of Ships outward bound to be ſecured, or pilot may refuſe to take the Charge.

XVI. And be it further enacted, That if any of the Pilots, ſo to be appointed and licenſed as aforeſaid, ſhall be requeſted by the Maſter, Commander, Owner, Agent, or Conſignee, of any Ship, Veſſel, or Barge, outward bound, to take the Charge or Conduct of ſuch Ship, Veſſel, or Barge, it ſhall and may be lawful to and for ſuch Pilot, previous to his taking ſuch Charge or Conduct, to demand a ſufficient Security from ſuch Maſter, Commander, Owner, Agent, or Conſignee, for the Payment of ſuch Pilotage outward, according to the Rates or Prices herein before directed to be paid; and if ſuch Maſter, Commander, Owner, Agent, or Conſignee, ſhall refuſe to give ſuch Security, then, and in ſuch Caſe, ſuch Pilot may refuſe to conduct or pilot ſuch Ship, Veſſel, or Barge, and ſhall not be ſubject in reſpect thereof to any of the Penalties inflicted by or in purſuance of this Act on Pilots refuſing to take the Charge or Conduct of a Ship, Veſſel, or Barge.

On Nonpayment of Pilots Rates, the Mayor, &c. may diſtrain.

XVII. And be it further enacted, That in caſe any Owner or Maſter, or any other Perſon having or taking upon himſelf, or appearing to have or take, the Command, Charge, Agency, or Conſignment, of any Ship or Ships, Veſſel or Veſſels, Barge or Barges, charged or chargeable with the ſaid reſpective Rates or Prices of Pilotage hereby directed to be paid, ſhall refuſe to pay the ſame, then, and in ſuch Caſe, it ſhall and may be lawful to and for the Mayor of the ſaid Borough for the Time being, or any one or more Juſtice or Juſtices of the Peace for the ſaid Borough, and, preferable to, and notwithſtanding any Right of Hypothecation, Attachment, Arreſtment, or other Right whatſoever, claimable by or due to any Perſon or Perſons whomſoever, to ſeize, take, and diſtrain, any of the Goods, Guns, Ropes, Tackle, Furniture, and Apparel, of or belonging to any ſuch Ship or Ships, Veſſel or Veſſels, Barge or Barges, and the ſame to detain and keep until the Sum or Sums of Money due for piloting or conducting ſuch Ship or Ships, Veſſel or Veſſels, Barge or Barges, into or out of the ſaid Port, according to the ſaid Rates or Prices, and reaſonable Charges previous to and for taking ſuch Diſtreſs, ſhall be paid and ſatisfied; and in caſe of any Neglect or Delay in Payment of ſuch Sum or Sums of Money and Charges, for the Space of three Days next after ſuch ſeizing, taking, or diſtraining, then it ſhall and may be lawful to and for the ſaid Mayor, Juſtice or Juſtices, to cauſe the ſame to be appraiſed by any two ſufficient Perſons or Appraiſers of the ſaid Borough, and afterwards to ſell and diſpoſe of the ſaid Goods ſo taken and appraiſed, and thereout to ſatisfy the ſaid Rates or Prices of Pilotage ſo due and unpaid, with all reaſonable Charges of ſuch Proceedings previous to and attending ſuch taking, ſeizing, diſtraining, appraiſing, and ſelling, rendering the ſaid Rates or Prices ſo due and unpaid to the Pilot or Pilots entitled thereto; and the Overplus (if any there be after the ſaid Charges are deducted) to the Maſters or Owners, Agents or Conſignees, upon Demand.

Penalty for heating Pitch, &c. on Board any Ship in the Port, or the Limits thereof.

XVIII. And be it further enacted, That if any Maſter or Commander, or other Officer, of any Ship, Veſſel, Barge, or Lighter, ſhall, during the Time ſuch Ship, Veſſel, Barge, or Lighter, ſhall lie in that Part of the ſaid Haven and Harbour which is betwixt the Grand Sluice in the ſaid Borough, and the Black Sluice in the Hamlet called *Skirbeck Quarter*, in the Pariſh of *Skirbeck*, in the ſaid County of *Lincoln*,

with, heat, boil, or melt, or cauſe or permit to be heated, boiled, or melted, on board any ſuch Ship, Veſſel, Barge, or Lighter, any Pitch, Tar, Roſin, Greaſe, Tallow, Oil, or any other combuſtible Matter; every Perſon ſo offending, and being thereof convicted on the Oath of one or more Witneſs or Witneſſes, ſhall, for every ſuch Offence, forfeit the Sum of forty Shillings.

Mayor or Juſtice to hear and determine Offences.

XIX. And be it further enacted, That it ſhall and may be lawful to and for the Mayor of the ſaid Borough for the Time being, or any one or more Juſtice or Juſtices of the Peace for the ſaid Borough, to hear and determine any of the Offences which are by this Act made puniſhable by any pecuniary Penalties; and ſuch Mayor, Juſtice or Juſtices of the Peace, ſhall, and are hereby authoriſed and required, upon any Information exhibited, or Complaint made, in that Behalf, within three Calendar Months after ſuch Offence committed, to ſummon the Party or Parties accuſed, and the Witneſſes on either Side, or, if ſuch Information or Complaint ſhall be verified upon Oath, (which Oath the ſaid Mayor and Juſtice or Juſtices is and are hereby authoriſed and required to adminiſter) by one or more credible Witneſs or Witneſſes, to iſſue a Warrant or Warrants for apprehending the Party or Parties ſo offending; and upon the Appearance, or Contempt of the Party accuſed in not appearing, and Proof of Notice given, to proceed to the Examination of the Witneſs or Witneſſes upon Oath, (which Oath the ſaid Mayor, Juſtice or Juſtices, is and are hereby authoriſed and required to adminiſter) and to give ſuch Sentence, Judgment, or Determination, as ſhall be juſt, and conformable to the Tenor and true Meaning of this Act; and where the Party accuſed ſhall be convicted of ſuch Offence upon ſuch Information as aforeſaid, or ſhall confeſs the ſame, and, on Demand, ſhall refuſe or neglect to pay the Penalty or Forfeiture, together with the Coſts and Charges previous to and of the Conviction, it ſhall and may be lawful to and for ſuch Mayor, Juſtice or Juſtices, and he and they is and are hereby required, to iſſue out his or their Warrant or Warrants for levying the Penalty or Forfeiture, ſo adjudged to be incurred, together with the ſaid Coſts and Charges, by Diſtreſs or Diſtreſſes on the Goods and Chattels of the Offender, and to cauſe Sale to be made thereof in caſe they ſhall not be redeemed in three Days, rendering to the Party offending, after Payment of the ſaid Penalties, and all the Coſts previous to and of the Conviction, Diſtreſs and Sale, the Overplus (if any there be) on Demand; and in caſe any Perſon or Perſons ſhall be convicted, in purſuance of this Act, of any Offence puniſhable by pecuniary Penalties as aforeſaid, and no Goods and Chattels of ſuch Perſon or Perſons ſo offending can be found, then, and in ſuch Caſe, it ſhall and may be lawful to and for ſuch Mayor, or ſuch Juſtice or Juſtices of the Peace, before whom ſuch Perſon or Perſons ſhall be convicted as aforeſaid, to commit every ſuch Offender and Offenders to the Houſe of Correction or Common Gaol of the ſaid Borough, there to be kept to hard Labour for any Time not exceeding the Space of three Calendar Months, or until ſuch pecuniary Penalties ſhall be paid; which ſaid pecuniary Penalties, together with the Coſts and Charges aforeſaid, ſo adjudged and paid, or levied in the Manner herein directed, ſhall go and be paid, one Moiety thereof to the Uſe of the Informer, and the other Moiety thereof to the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) to be by them applied and diſtributed to and for the Relief of the ſaid ſuperannuated Pilots, in ſuch Manner as the ſaid Commiſſioners ſhall from Time to Time think meet and neceſſary.

If Penalty not paid on Demand, to be levied by Diſtreſs.

If no Goods can be found, Offender to be committed.

Application of Penalties.

Power to mitigate Penalties.

XX. Provided always, and be it enacted, That it ſhall and may be lawful to and for the ſaid Mayor for the Time being, or ſuch Juſtice or Juſtices of the Peace as aforeſaid for the Time being, or any of them, by whom ſuch Judgment, Sentence, or Determination, ſhall be given, pronounced, or made, from Time to Time, where he or they ſhall ſee Cauſe, to mitigate, compound, or leſſen, any of the pecuniary Penalties or Forfeitures aforeſaid, where the ſame are fixed by this Act, and not left to the Diſcretion of the ſaid Mayor, Juſtice, or Juſtices, as he or they, in his or their Diſcretion, ſhall think fit, ſo as ſuch Mitigation or Compoſition do not extend to remit above one Moiety of the Penalty inflicted and directed to be levied by or in purſuance of this Act; and every ſuch Mitigation or Compoſition ſhall be a ſufficient Diſcharge for the Perſons offending reſpectively, for ſo much of the ſaid Penalties and Forfeitures as ſhall be ſo mitigated, leſſened, or remitted.

Perſons aggrieved may appeal to the Seſſions.

XXI. And be it further enacted, That in caſe any Perſon or Perſons ſhall think himſelf or themſelves aggrieved by any Penalty or Penalties, Conviction or Convictions, in purſuance of this Act, it ſhall and may be lawful to and for him and them to appeal to the Juſtices of the Peace at the next General Seſſions of General Quarter Seſſions of the Peace to be holden for the ſaid Borough, or any Adjournment thereof, or any Adjournment of the then laſt preceding General Seſſions or General Quarter Seſſions of the Peace holden for the ſaid Borough, who are hereby authoriſed and required to take Cognizance thereof, and to hear and determine the Complaint or Complaints of the Perſon or Perſons ſo thinking him or themſelves aggrieved: And the ſaid Juſtices may, by Order of ſuch Seſſions, mitigate or annul, at their Diſcretion, all or any of the Penalties laid on and incurred by the Party or Parties complaining, or alter or vacate the ſaid Conviction or Convictions, and ſet the Party or Parties at Liberty, or otherwiſe may ratify and confirm the ſame, and give ſuch Coſts to the Appellants or Reſpondents as they ſhall think fit; but the Perſon or Perſons ſo appealing as aforeſaid, ſhall previouſly enter into a Recogniſance before the Mayor for the Time being, or any Juſtice of the Peace for the ſaid Borough, with two ſufficient Sureties, to proſecute ſuch Appeal at the next General Seſſions or General Quarter Seſſions of the Peace for the ſaid Borough, or any Adjournment thereof, or any Adjournment of the then laſt preceding General Seſſions or General Quarter Seſſions of the Peace holden for the ſaid Borough; and every ſuch Appeal ſhall, at ſuch General Seſſions or General Quarter Seſſions, or any Adjournment thereof as aforeſaid, be heard and finally determined.

whoſe Determination ſhall be final.

Proceedings not to be quaſhed for Want of Form.

XXII. Provided nevertheleſs, and be it enacted, That no Order or other Proceedings, to be had or made by or before any Mayor, Juſtice or Juſtices of the Peace of the ſaid Borough, in relation to the Premiſes, ſhall be quaſhed or vacated for Want of Form only; and that it ſhall and may be ſufficient for ſuch Mayor, Juſtice or Juſtices, to draw up the Conviction of any Offender againſt this preſent Act in the following Form, or Words to that Effect:

Borough

Form of Conviction.

Borough of Boston, ss. 'BE it remembered, That on the Day of in the Year of our Lord is (*or* are) convicted before of his Majesty's Justices of the Peace for the said Borough, by virtue of an Act, made in the sixteenth Year of the Reign of King *George* the Third, *for the better Regulation and Government of the Pilots conducting Ships and Vessels into and out of the Port of* Boston, *in the County of* Lincoln; *and for affixing and setting down Mooring-posts upon the Banks or High Marshes within or adjoining to the Haven and Harbour of the said Port; and for affixing and laying down Bridges over the Creeks upon the High Marshes within or adjoining to the said Haven and Harbour; and for preventing Mischiefs by Fire in the said Haven and Harbour*; [specifying the Offence, Time and Place when and where the same was committed, as the Case shall be.] Given under Hand and Seal (*or* Hands and Seals) the Day and Year aforesaid.'

Commissioners to affix and set down Mooring-posts, &c. and to lay down Bridges over the Creeks.

XXIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) to affix and set down, or cause to be affixed and set down, within or adjoining to the said Haven and Harbour, a sufficient Number of Mooring-posts for the safe mooring of Ships, Vessels, and Barges, in the said Haven and Harbour; and also to affix and lay down, or cause to be affixed and laid down, Bridges of Wood over the Creeks upon the High Marshes within or adjoining to the said Haven and Harbour, where the same shall, in the Judgment of the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) be deemed necessary, for the Convenience of towing or haling Ships, Vessels, and Barges, into and out of the said Port; the Property and Right of which Mooring-posts and Bridges to be affixed, set, and laid down as aforesaid, and of all Materials of which the same shall consist, are hereby vested in the said Commissioners for ever; and they, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) are hereby impowered from Time to Time to bring, or cause to be brought, any Action or Actions, in the Name of their Treasurer or Clerk, against any Person or Persons who shall wilfully injure or damage the same.

Affixing Mooring-posts and Bridges restricted to certain Places.

XXIV. Provided always, and be it enacted, That nothing herein contained shall impower the said Commissioners to affix or set down any of the said Mooring-posts, except on the Banks of the said Haven, or upon the High Marshes, or to affix or set down any of the said Bridges, but on the said High Marshes; and so as neither the said Mooring-posts, nor the said Bridges, be affixed or set down within a less Distance than twenty Feet from the Edge of the said High Marshes.

No Mooring-posts, &c. to prejudice any Works executed under the Drainage Act of 2 Geo. 3.

XXV. Provided also, and be it enacted, That no Mooring-posts to be set down, and Bridges laid over any of the said Creeks, or any other Works whatsoever to be made and erected by the said Commissioners, shall be constructed or made so as in any-wise to prejudice, obstruct, prevent, or defeat, any Works made or executed by the General Commissioners of Drainage and Navigation, acting under a certain Act of Parliament, passed in the second Year of the Reign of his present Majesty (intituled, *An Act for draining and preserving certain Low Lands, called* The Fens, *lying on both Sides of the River* Witham, *in the County of* Lincoln; *and for restoring and maintaining the Navigation of the said River, from the* High-bridge *in the City of* Lincoln, *through the Borough of* Boston *to the Sea).*

Additional Rates to be taken after June 24, 1776.

XXVI. And be it further enacted, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and seventy-six, it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) or for such Person or Persons as they, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) shall appoint for that Purpose, to demand, collect, receive, and take, as a Tonnage or Duty, over and above the several Rates and Dues paid and payable before the passing of this Act, of and from all and every the Masters or Commanders of every Ship, Vessel, or Barge, belonging to his Majesty's Subjects, arriving at or coming to the said Port laden with Coals, and delivering the same within the Limits thereof, any Sum of Money not exceeding one Penny *per* Chaldron, *Boston* Measure, for each and every Chaldron of Coals on board such Ship, Vessel, or Barge, so delivered as aforesaid; and also of and from all and every the Masters or Commanders of every Ship, Vessel, or Barge, belonging to his said Majesty's Subjects, as well those bound inward as outward, laden with any other Kind of Goods, Wares, and Merchandises, and delivering or lading the same within the Limits aforesaid, any Sum of Money not exceeding one Penny *per* Ton, for each and every Ton of Goods, Wares, and Merchandises, on board such Ship, Vessel, or Barge, so delivered or laden as aforesaid; and also of and from all and every the Masters or Commanders of every Foreign Ship or Vessel any Sum of Money not exceeding double the Duty or Tonnage, in the respective Cases before mentioned, payable by Masters of Ships, Vessels, or Barges, belonging to his Majesty's Subjects.

Coals, &c. to be delivered within the Districts of Wainfleet, &c. exempted from the Tonnage.

XXVII. Provided always, and be it enacted, That this Act shall not extend to subject any Coals, Goods, Wares, or Merchandises, to the Payment of the said Duty of one Penny *per* Chaldron or Ton, which may be delivered or laden within the Districts of *Wainfleet*, on the *Lincolnshire* Coast, or any Coals, Goods, Wares, or Merchandises, coming and going to and from any Place or Places within the Limits of the said Port only.

Commissioners impowered to borrow 2000*l.* and to assign the Duties as a Security.

XXVIII. And be it further enacted, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, (whereof the said Mayor for the Time being, or his Deputy as aforesaid, shall be one) from Time to Time, upon the Credit of the said Tonnage or Duties payable by this Act, to borrow and take up at Interest any Sum or Sums of Money, which they shall think needful, not exceeding the Sum of two thousand Pounds; and they are hereby authorised and impowered, by any Writing or Writings, without Stamp, under their Hands and Seals, to assign over the said Tonnage or Duties, or any Part or Parts thereof, to any Person or Persons for any Term or Number of Years, as a Security or Securities for the Sums of Money that shall be borrowed, and the Interest thereof as aforesaid; and Copies of all such Assignments shall be entered in a Book or Books to be kept for that Purpose by the Clerk

Clerk to the ſaid Commiſſioners; and no Preference ſhall be given to any Perſon or Perſons advancing any Part or Parts of the ſaid groſs Sum of two thouſand Pounds, in reſpect of Priority of advancing his, her, or their Part or Parts thereof; but that all ſuch Lenders and Perſons to whom ſuch Aſſignments ſhall be made as aforeſaid, his, her, or their Executors, Adminiſtrators or Aſſigns, ſhall, ſo far as the groſs Sum ſhall extend, be, and are thereby declared to be, Creditors on the ſaid Tonnage or Duties in equal Degree one with another.

Aſſignments to be entered in a Book, &c.

XXIX. And be it further enacted, That all and every Perſon and Perſons to whom any Aſſignment or Aſſignments of the ſaid Tonnage or Duties ſhall be made by virtue of this Act, his, her, or their Executors or Adminiſtrators, ſhall and may, and he, ſhe, and they is and are hereby authoriſed, from Time to Time, by any Inſtrument in Writing, or by ſigning any Indorſement on his, her, or their Security or Securities, in the following Words, or in Words to the ſame or the like Effect:

Aſſignments may be transferred.

'I *A. B.* do hereby aſſign and transfer all my Title and Intereſt in the principal Sum and Intereſt ſecured by the within Aſſignment to *C. D.* his Executors, Adminiſtrators, and Aſſigns.'

Form of Transfer.

To aſſign and transfer his, her, and their Right, Title, Intereſt, or Benefit, to the principal and Intereſt Money thereby ſecured, or any Part thereof, to any Perſon or Perſons whomſoever; which Inſtrument or Indorſement ſhall be without Stamp; and the ſame, ſo made and ſigned, and entered with the Clerk to the ſaid Commiſſioners, for which he ſhall be paid the Sum of two Shillings and Sixpence, and no more, ſhall intitle the Perſon or Perſons to whom the ſame ſhall be made, his, her, or their Executors, Adminiſtrators, or Aſſigns, to the Benefit thereof; and ſuch Perſon and Perſons, Executors or Adminiſtrators, may in like Manner indorſe and transfer the ſame again, and ſo *toties quoties*; and it ſhall not be in the Power of the Perſon or Perſons who ſhall have made ſuch Inſtrument or Indorſement to make void, releaſe, or diſcharge the ſame.

XXX. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) to chuſe and appoint a Clerk, Treaſurer, Collector, and ſuch other Officers or Perſons as they ſhall judge neceſſary for carrying this Act into Execution, and to ſettle ſuch Fees and Salaries to be taken by ſuch Officers as the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall from Time to Time judge reaſonable; and from Time to Time to remove ſuch Officers, or any of them, and to appoint others in their Stead; and that the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall take of ſuch Treaſurer and Collector, ſo to be choſen and appointed as aforeſaid, ſuch good and ſufficient Security for the due Execution of their reſpective Offices as to them the ſaid Commiſſioners ſhall ſeem meet; and that all ſuch Officers and Perſons ſhall from Time to Time, when thereunto required by the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) deliver to the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) or to ſuch other Perſon or Perſons as they, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall for that Purpoſe appoint, true and perfect Accounts in Writing under their reſpective Hands upon Oath, (which Oath any one of the ſaid Commiſſioners is hereby impowered to adminiſter) of all Monies which he, they, and every of them reſpectively, ſhall to that Time have received by virtue of this Act, and how much thereof hath been paid and diſburſed, and for what Purpoſes, together with the proper Vouchers for ſuch Payments; and ſhall pay all ſuch Monies as ſhall then appear to be in their Hands to the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) or to ſuch Perſon or Perſons as they, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) ſhall appoint to receive the ſame: And if any ſuch Officer or other Perſon ſhall refuſe or neglect to give ſuch Account as aforeſaid, or ſhall refuſe or neglect to deliver up all the Vouchers relating to the ſame, or to verify the Articles thereof upon Oath, or ſhall neglect or refuſe to pay the Money due on ſuch Account in Manner aforeſaid; or if any ſuch Officer or other Perſon ſhall refuſe or neglect to deliver up to the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) or to ſuch Perſon or Perſons as they ſhall appoint, within ten Days next after his or their being required ſo to do by the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) all the Books, Papers and other Writings, in his or their Cuſtody or Power, relating to the Execution of this Act; then, and in all or any of the ſaid Caſes, it ſhall and may be lawful to and for the Mayor, or any one or more Juſtice or Juſtices of the Peace for the ſaid Borough, and he or they is and are hereby required, upon Complaint made thereof, to make Enquiry concerning ſuch Default in a ſummary Way, as well by Confeſſion of the Party, as by the Teſtimony of one or more credible Witneſs or Witneſſes upon Oath (which Oath the ſaid Mayor, or ſuch Juſtice or Juſtices, is and are hereby impowered and required to adminiſter); and if any ſuch Officer or other Perſon ſhall be convicted of any of the Offences aforeſaid, the ſaid Mayor, or ſuch Juſtice and Juſtices, ſhall commit the Offender or Offenders to the common Gaol of the ſaid Borough, there to remain, without Bail or Mainprize, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall have compounded for the ſame with the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint; which Compoſition the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) are hereby impowered to make, and until he ſhall have delivered up ſuch Books, Papers, and Writings as aforeſaid,

Commiſſioners may appoint Officers,

and allow them Salaries.

Treaſurer and Collector to give Security.

Officers to ſettle Accounts, and pay the Balance, when required by Commiſſioners.

Any Officer refuſing to account, &c.

to be committed,

aforeſaid, or given Satisfaction in reſpect thereof to the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one.)

Commiſſioner holding any Office of Profit under this Act, not to act as ſuch.

XXXI. And be it further enacted, That if any Commiſſioner appointed by, or to be elected in purſuance of, this Act, ſhall at any Time accept of any Office of Profit under this Act, ſuch Commiſſioner, if a Member of the ſaid Corporation, ſhall not, during his Continuance in ſuch Office, act as a Commiſſioner in the Execution of this Act; and ſuch Commiſſioner, if not a Member of the ſaid Corporation, ſhall ceaſe to be a Commiſſioner, and another Perſon ſhall be elected a Commiſſioner in his Place, as herein before directed.

How Collector, &c. to proceed in caſe of Veſſels departing without paying Duties.

XXXII. And, 'to the Intent the ſaid Tonnage or Duties may be truly anſwered and paid,' be it further enacted, That in caſe any Ship, Veſſel, or Barge, ſhall depart out of the ſaid Port without the ſaid Tonnage or Duties being paid, then the Collector of the ſaid Tonnage or Duties ſhall give Notice thereof to the Collector of his Majeſty's Cuſtoms, Comptroller, Receiver of Entries, or their reſpective Deputies, at the Port of *Boſton* aforeſaid; and ſuch Collector, Comptroller, Receiver of Entries, or their Deputies, ſhall not after ſuch Notice take or receive any Entry or Cocquet, or Diſcharge or Clearance, or take any Report outwards for ſuch Ship, Veſſel, or Barge, *Britiſh* or Foreign, liable or ſubject to the Payment of the ſaid Tonnage or Duties, until double the Tonnage or Duties ſo left unpaid ſhall be paid to the Collector of the ſaid Tonnage or Duties.

King's Ships of War, &c. exempted from Duties.

XXXIII. Provided nevertheleſs, and be it enacted, That nothing in this Act contained ſhall extend to charge any of the Ships or Veſſels of War belonging to his Majeſty, his Heirs or Succeſſors, or any Veſſel or Wherry employed in the Service of his Majeſty's Revenue, with any of the Duties hereby granted.

Mooring-poſts and Bridges to be kept in Repair. Application of the Duties ariſing by this Act.

XXXIV. And be it further enacted, That the ſaid Mooring-poſts and Bridges ſhall from Time to Time be maintained and kept in good and ſufficient Repair, ſo as the Shipping and Trade of the ſaid Borough and Port may be effectually benefited thereby, according to the true Intent and Meaning of this Act; and that it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, (whereof the ſaid Mayor for the Time being, or his Deputy as aforeſaid, ſhall be one) from Time to Time, out of the ſaid Tonnage and Duties granted by this Act, or out of the Monies to be borrowed on the Credit thereof, to pay all juſt and reaſonable Sums of Money and Charges that ſhall or may be expended and accrue in obtaining this Act, and in buying, fixing, ſetting, laying down, maintaining and repairing, the ſaid Mooring-poſts and Bridges, together with all Salaries and other Charges which ſhall be proper and neceſſary for the ſeveral Purpoſes directed by this Act, and which ſhall be incurred by them in purſuance of this Act; and ſhall apply the Surplus-money ariſing from the ſaid Tonnage and Duties granted by this Act, after all the Intereſt of the Monies to be borrowed on the Credit thereof is paid, towards the Diſcharge of the principal Sum borrowed on the ſame.

Extent of the Harbour and Haven, &c.

XXXV. And be it further enacted, That, for the Purpoſes of this Act, the Harbour and Haven of the ſaid Borough and Port of *Boſton* ſhall be deemed to extend from the Grand Sluice in the Borough aforeſaid, to the Place commonly called or known by the Name of *The Scalp* or *Scolf* aforeſaid; and that the ſaid Port ſhall be deemed to extend throughout and over all the Limits of the Admiralty Juriſdiction of the ſaid Mayor and Burgeſſes of the Borough of *Boſton* aforeſaid.

Writings to be without Stamps.

XXXVI. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, or other Writing whatſoever, under the Hand and Seal, or Hands and Seals, of, or only ſigned by, any Commiſſioner or Commiſſioners for putting this Act in Execution, or any Juſtice or Juſtices of the Peace, or exhibited before them, touching or in Execution of any Power or Authority hereby granted, ſhall be charged or chargeable with any Stamp-duty whatſoever.

This Act not to affect the Trinity-houſe of Kingſton, &c.

XXXVII. Provided always, and be it enacted, That nothing in this Act contained ſhall extend to take away, abridge, defeat, impeach, or interrupt, any Grants, Liberties, Franchiſes, and Privileges, heretofore granted to, or which by any ancient Uſage and Cuſtom have from Time to Time been enjoyed and uſed by, the Pilots of the *Trinity-houſe* of the Town of *Kingſton upon Hull*, or the *Trinity-houſe* of *Newcaſtle upon Tyne*.

Saving of Rights.

XXXVIII. Provided alſo, and be it enacted, That nothing in this Act contained ſhall extend to invalidate, alter, leſſen, take away, impeach, or defeat, any of the Rights, Grants, Liberties, Powers, Franchiſes, Privileges, Dues, Payments, and Revenues, heretofore granted, or which by any Charter, ancient Uſage, Preſcription, or Cuſtom, have from Time to Time been had, enjoyed, received, taken and uſed, by the Mayor and Burgeſſes of the ſaid Borough of *Boſton*, or by any other Perſon or Perſons, Body or Bodies Corporate whatſoever, nor to affect any landed Property adjoining to the ſaid Harbour; but that the ſame ſhall ſtand, remain, and be in their full Force and Effect, in the ſame Manner as if this Act had not been made; any Thing in this Act contained to the contrary thereof in any-wiſe notwithſtanding.

This Act not to prejudice Works of Black Sluice Commiſſioners.

XXXIX. Provided always, and be it further enacted, That nothing herein contained ſhall extend, or be conſtrued to extend, to prejudice, obſtruct, prevent, or defeat, any of the Works made or to be made in purſuance of an Act, made in the fifth Year of his preſent Majeſty's Reign, intituled, *An Act for draining and improving certain Low, Marſh, and Fen Lands, lying between* Boſton *Haven and* Bourn *in the Parts of* Keſteven *and* Holland, *in the County of* Lincoln; and in purſuance of an Act made in the tenth Year of his preſent Majeſty's Reign, for amending and rendering more effectual the ſaid Act made in the fifth Year of his preſent Majeſty's Reign; or to impower the Commiſſioners acting by virtue of this Act to intermeddle with, or to invalidate, leſſen, alter, or take away, any of the Rights, Powers, or Authorities, which by the ſaid two laſt mentioned Acts were veſted in all or any of the Commiſſioners acting under the ſaid Acts, but that the ſame ſhall be and continue as fully, to all Intents and Purpoſes, as if this Act had never been made; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

Diſtreſs not to be deemed unlawful for Want of Form, &c.

XL. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, or the Party or Parties

Parties making the ſame deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, or Warrant of Diſtreſs, or other Proceeding relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the Special Damage in an Action upon the Caſe.

Plaintiff not to recover if Tender of Amends be made.

XLI. Provided nevertheleſs, and be it enacted, That no Plaintiff or Plaintiffs ſhall recover in any Action or Actions for ſuch Irregularity, if ſufficient Tender of Amends ſhall have been made to him, her, or them, by or on Behalf of the Defendant or Defendants, before ſuch Action brought.

Limitation of Actions.

XLII. And be it further enacted, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Matter or Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within ſix Calendar Months next after the Cauſe of Action ſhall ariſe, and ſhall be laid and brought in the County of *Lincoln*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the Matter in queſtion was done in purſuance, and by the Authority of this Act; and if it ſhall appear to have been ſo done, or if any Action or Suit ſhall be brought after the Time herein before limited in that Behalf, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit after the Defendant ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts of Suit, upon Affidavit made, or Certificate of the Judge or Judges before whom ſuch Cauſe ſhall be tried, of all or any of the Circumſtances before mentioned, as the Caſe may happen, and ſhall have the like Remedy for recovering the ſame as any Defendant or Defendants hath or have in other Caſes by Law.

General Iſſue.

Treble Coſts.

No Action ſhall be brought till after one Month's Notice.

XLIII. Provided always, and be it enacted, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Matter or Thing done in purſuance of this Act, until Notice thereof in Writing ſhall have been delivered to him or them, or left at his or their Place or Places of Abode, by the Party intending to commence ſuch Action, or his Attorney or Agent, one Calendar Month at the leaſt, before ſuch Action brought; in which Notice the Cauſe of ſuch Action ſhall be clearly expreſſed, and on the Back thereof ſhall be indorſed the Name of the Plaintiff, his Attorney or Agent; and that no Plaintiff ſhall recover in any ſuch Caſe, unleſs it be proved upon the Trial that ſuch Notice was given as aforeſaid; but in Default thereof, a Verdict ſhall be given for the Defendant or Defendants, together with the like Coſts of Suit as though the Verdict had been given upon the Merits.

Public Act.

XLIV. And be it further enacted and declared, That this Act ſhall be taken and allowed in all Courts of Judicature within this Kingdom as a Public Act; and all Judges and Juſtices are hereby required to take Notice thereof judicially as ſuch, without ſpecially pleading the ſame.

CAP. XXIV.

An Act for veſting certain Eſtates, now held in Truſt for the Benefit of the Royal Hoſpital for Seamen at *Greenwich*, in the Commiſſioners and Governors of the ſaid Hoſpital, incorporated by his Majeſty's Letters Patent.

Preamble.

Recital of Letters Patent of King William and Queen Mary, dated Oct. 25, in the Sixth Year of their Reign, granting to Sir John Somers, and others, a Piece of Ground, &c. in East Greenwich, &c.

'WHEREAS their late Majeſties King *William* and Queen *Mary*, by Letters Patent under the Great Seal of *Great Britain*, bearing Date the twenty-fifth Day of *October* which was in the Sixth Year of their Reign, did give and grant unto Sir *John Somers* Knight, then Keeper of the Great Seal, and ſundry other Perſons therein named, a certain Piece or Parcel of Ground, with a capital Meſſuage erected thereon, ſituate and being within the Pariſh of *Eaſt Greenwich* in the County of *Kent*, in the ſaid Letters Patent particularly mentioned and deſcribed, to hold to the ſaid Sir *John Somers* and the other Grantees, their Heirs and Aſſigns for ever, to be holden of the Crown as of its Manor of *Eaſt Greenwich* in free and common Soccage by Fealty only and without Rent, to the Intent that the Premiſes ſhould be converted into an Hoſpital for the Relief of Seamen of the Royal Navy incapable to maintain themſelves, their Widows and Children, and for the Encouragement of Seamen and Improvement of Navigation; and that ſo ſoon as the Buildings ſhould be finiſhed, and the Crown ſhould eſtabliſh a Corporation for the Government of the ſaid Hoſpital, the ſaid Grantees, and the Survivors of them, his or their Heirs and Aſſigns, ſhould, by Appointment of the Crown, convey the Premiſes unto ſuch Corporation: And whereas their late Majeſties Queen *Anne*, King *George* the Firſt, and King *George* the Second, and his preſent Majeſty, did ſeverally grant unto certain Perſons ſeveral Commiſſions, enabling them to proſecute and complete the Building of the ſaid Hoſpital, and did alſo grant ſeveral Powers for the Management thereof; but no Corporation for the Purpoſe aforeſaid was eſtabliſhed until the Sixth Day of *December* now laſt paſt: And whereas the ſeveral Grantees named in the ſaid Letters Patent have long ſince departed this Life, and it cannot be diſcovered at this Diſtance of Time who was the Survivor of the ſaid Grantees, or in whom the legal Eſtate of and in the ſaid Piece or Parcel of Ground and Capital Meſſuage, in the ſaid Letters Patent mentioned and deſcribed, is now veſted: And whereas, in Proſecution of the Scheme for building the ſaid Hoſpital, and providing ſuitable Accommodations thereto, it became neceſſary to purchaſe ſundry Meſſuages, Lands, Tenements, and Hereditaments, adjoining to the before mentioned Piece or Parcel of Ground and Capital Meſſuage; and ſuch Meſſuages, Lands, Tenements, and Hereditaments, no Corporation being then eſtabliſhed, were conveyed at divers Times to ſundry Perſons, who were then Commiſſioners or Governors of the ſaid Hoſpital, for the Uſe thereof, by Means whereof the legal Eſtates of and in ſuch purchaſed Premiſes became and are now veſted in many Perſons, ſome of whom are wholly unconnected

Recital of Act 22 Geo. II. for veſting the Eſtates of the late Earl of Derwentwater, and Cha. Radcliffe, in Truſtees, for the Benefit of Greenwich Hoſpital, &c.

'with the Affairs of the ſaid Hoſpital, and others of them, from the great Effluxion of Time ſince ſuch 'Purchaſes were ſo made, cannot now be diſcovered: And whereas by an Act of Parliament, made and 'paſſed in the Twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, '*An Act for veſting the ſeveral Eſtates of* James *late Earl of* Derwentwater, *and* Charles Radcliffe, *deceaſed, 'compriſed in ſeveral Settlements therein mentioned, in Truſtees, for an abſolute Eſtate of Inheritance for the 'Benefit of the Royal Hoſpital at* Greenwich, *and for raiſing certain Sums of Money, out of Part of the ſaid 'Eſtates, for the Relief of the Children of the ſaid* Charles Radcliffe; after reciting as therein is recited, it 'was enacted, That the Barony, Manor, or Lordſhip of *Langley*, with the Rights, Members, and Appur-'tenances thereof, in the County of *Northumberland*, and alſo all thoſe the Manors of *Whittingſtall* alias '*Quittingſtall*, and *Newlands*, *Dilſton*, alias *Develſton*, *Aydon-Shields*, *Warke*, *Elrington*, and *Meldon*, and 'every of them, with their and every of their Rights, Members and Appurtenances, in the ſaid County 'of *Northumberland*, and all thoſe Manors or reputed Manors of *Spindleſton*, *Utcheſter*, *Throckley*, *Coaſley*, '*Middleton-hall*, *Eaſt Thornton*, alias *Thornton Eaſt*, *Weſtwood*, and *Thornborough*, and every of them, with 'their and every of their Rights, Members and Appurtenances, in the ſaid County of *Northumberland*; 'and alſo all that the Advowſon of the Church of *Symondburne*, with the Appurtenances, in the ſaid 'County of *Northumberland*; and alſo all thoſe Manors or reputed Manors of *Caſtlerigg* and *Derwentwater* 'alias *Keſwick* and *Thornthwaite*, with their and every of their Rights, Members, and Appurtenances, in 'the County of *Cumberland*; and alſo all that the Manor of *Scremerſton*, with the Rights, Members, and 'Appurtenances, in the County Palatine of *Durham*; and alſo all and ſingular the Meſſuages, Granges, 'Farms, Lands, Meadows, Paſtures, Feedings, Woods, Underwoods, Tenements, and Hereditaments 'whatſoever, late the Eſtates of the ſaid *James* Earl of *Derwentwater*, or whereof he was ſeiſed of any 'Eſtate of Inheritance in Poſſeſſion, Reverſion, Remainder, or Expectancy, ſituate, lying or being in the 'ſaid Counties of *Northumberland* and *Cumberland*, and County Palatine of *Durham*, and every of them, 'with their Appurtenances, which, by certain Indentures of Leaſe and Releaſe therein recited, bearing 'Date the twenty-third and twenty-fourth Days of *June* one thouſand ſeven hundred and twelve, were 'ſettled, limited, and aſſured to the Uſes in the ſaid Indenture of Releaſe of the twenty-fourth Day of '*June* one thouſand ſeven hundred and twelve, mentioned, and the Reverſion and Reverſions, Re-'mainder and Remainders, Rents, Iſſues, and Profits, of all and ſingular the ſame Premiſes ſhould, 'from and immediately after the Death of the ſaid *Charles Radcliffe* in the ſaid Act named, be, and 'be deemed to have been, diveſted out of his then Majeſty, his Heirs and Succeſſors, and ſettled upon 'and veſted in, and the ſame were thereby from thenceforth ſettled upon and veſted in, the Moſt 'Noble *Charles* Duke of *Richmond* and *Lenox*, and the Right Honourable *Henry Fox* Eſquire, their 'Heirs and Aſſigns, freed, acquitted, and abſolutely diſcharged, of, from, and againſt all and every the 'Uſes, Eſtates, and Limitations, in and by the ſaid Indenture of Releaſe or Settlement, dated the twenty-'fourth Day of *June* one thouſand ſeven hundred and twelve, limited and created of and concerning the 'ſame, to and for the firſt and other Sons of the ſaid *Charles Radcliffe*, and the Iſſue Male of ſuch firſt and 'other Sons, and freed and abſolutely diſcharged of and from all ſuch Right, Title, Eſtate, Intereſt, 'Claim, and Demand, as was veſted in his ſaid Majeſty, his Heirs and Succeſſors, by virtue of the ſeveral 'Attainders in the ſaid Act mentioned, or of the ſeveral Acts of Parliament in the ſaid Act recited, or any 'of them; and alſo freed and abſolutely diſcharged of and from all ſuch Right, Title, Eſtate, Intereſt, 'Claim, and Demand, as was veſted, or that might or could accrue or belong to his ſaid late Majeſty, his 'Heirs or Succeſſors, by Reaſon or Means of *James Bartholomew Radcliffe* and *James Clement Radcliffe*, 'in the ſaid Act named, or either of them, having been born out of the Dominions of the Crown of '*Great Britain*, or otherwiſe howſoever, (ſave as therein after was ſaved) to the Uſe of them the ſaid '*Charles* Duke of *Richmond* and *Lenox* and *Henry Fox*, their Executors, Adminiſtrators, and Aſſigns, for 'and during, and unto the full End and Term of five hundred Years, to be computed from the Day of 'the Death of the ſaid *Charles Radcliff*, and from thence next enſuing and fully to be complete and ended, 'without Impeachment of Waſte; and, from and after the End, Expiration, or other ſooner Determina-'tion of the ſaid Term, then to and for the only proper Uſe and Behoof of the Right Honourable *Archi-'bald Hamilton* Eſquire, commonly called *Lord Archibald Hamilton*, *Charles Smith* Eſquire, *James Gunman* 'Eſquire, Sir *John Thompſon* Knight, Sir *James Creed*, Knight, *Peter Burrell* Eſquire, *William Fawkener* 'Eſquire, *William Baxter* Eſquire, *Edward Vernon* Eſquire, *Thomas Ripley* Eſquire, Doctor *David Cock-'burn*, *James Spilman* Eſquire, *William Allix* Eſquire, *Fitzwilliam Plumptre* Eſquire, *William Young* 'Eſquire, and Captain *Francis Danſays*, then being ſixteen of the Commiſſioners or Governors and Di-'rectors of the ſaid Royal Hoſpital for Seamen at *Greenwich*, their Heirs and Aſſigns for ever; in Truſt 'nevertheleſs, for themſelves and the reſt of the Commiſſioners or Governors and Directors for the Time 'being of the ſaid Royal Hoſpital, for the Uſes and Purpoſes following; (that is to ſay,) In the firſt 'Place, for and towards the finiſhing and completing the Building of the ſaid Royal Hoſpital; and after 'the Building of the ſame ſhould be completed and finiſhed, for and towards the Support of the ſaid 'Royal Hoſpital, and for the better Maintenance of the Seamen of the ſaid Hoſpital worn out and be-'come decrepid in the Service of their Country: And it was thereby further enacted, that the Manor and 'Lordſhip of *Alſtone* alias *Alſtone Moore*, and *Garrigill*, and all and every the Rights, Members, and Ap-'purtenances thereunto belonging, in the ſaid County of *Cumberland*, and all thoſe the two Parts (the 'Whole into three parts to be divided) of the Manor and Lordſhip of *Newton Hall* in the ſaid County of '*Northumberland*; and all that the Moiety or one Half Part of the Village or Townſhip of *Buteland*, in 'the Pariſh of *Chollerton* and County of *Northumberland*; and all thoſe the Rectories or Parſonages of '*Kirke-Welpington*, *Harburne* alias *Hartburne*, and *Midford* in the ſaid County of *Northumberland*; and all 'and ſingular the Meſſuages, Tithes, Farms, Lands, Tenements, and Hereditaments whatſoever, ſituate, 'lying, and being in the ſaid County of *Northumberland*, which, by certain other Indentures of Leaſe 'and Releaſe, bearing Date the twenty-third and twenty-fourth Days of *March* one thouſand ſix hun-'dred

'dred and ninety-one, in the ſaid Act mentioned, were ſettled, limited, and aſſured to the Uſes in the 'ſaid Indenture of Releaſe, of the twenty-fourth Day of *March* one thouſand ſix hundred and ninety-'one, mentioned; and which by virtue of the ſeveral Attainders in the ſaid Act mentioned, and of the 'ſeveral Acts of Parliament in the Act now reciting reſpectively recited, or ſome of them, did then re-'main veſted in his ſaid late Majeſty, his Heirs and Succeſſors, ſubject to ſuch Appropriation of the 'Rents and Profits thereof for the Uſe and Benefit of the ſaid Royal Hoſpital at *Greenwich* as in the Act 'now reciting is mentioned; and the Reverſion and Reverſions, Remainder and Remainders, Rents, 'Iſſues, and Profits, of all and ſingular the ſaid laſt-mentioned Premiſes, ſhould from thenceforth be 'diveſted out of his ſaid late Majeſty, his Heirs and Succeſſors; and the ſame ſhould be, and ſhould be 'deemed to be, and they were accordingly from thenceforth ſettled upon, and veſted in, the ſaid *Archibald 'Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompſon*, Sir *James Creed*, *Peter Burrell*, *William 'Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William 'Allix*, *Fitzwilliam Plumptre*, *William Young*, and *Francis Danſays*, their Heirs and Aſſigns, to the Uſe of 'them, their Heirs and Aſſigns, for ever, in Truſt nevertheleſs, for themſelves and the reſt of the Com-'miſſioners or Governors and Directors for the Time being of the ſaid Royal Hoſpital, for and towards 'the finiſhing and completing the Building of the ſaid Royal Hoſpital, and, after the Building of the ſame 'ſhould be completed and finiſhed, for and towards the Support of the ſaid Royal Hoſpital, for the better 'Maintenance of the Seamen of the ſaid Hoſpital worn out and become decrepid in the Service of their 'Country, freed and abſolutely diſcharged of and from all ſuch Right, Title, Eſtate, Intereſt, Claim, 'and Demand, as was veſted in his ſaid Majeſty, his Heirs and Succeſſors, by virtue of the ſeveral At-'tainders in the Act now reciting mentioned, or of the ſeveral Acts of Parliament therein alſo recited, or 'any of them, or otherwiſe howſoever, and freed and abſolutely diſcharged of and from all ſuch Right, 'Title, Eſtate, Intereſt, Claim, or Demand, as any other Perſon or Perſons whatſoever then had, or 'might, or could have had, in or to the ſaid laſt-mentioned Manors, Meſſuages, Lands, Tenements, and 'Hereditaments, or in or to any Part or Parcel thereof, upon any Account whatſoever, ſave as therein 'after is mentioned: And it was thereby alſo enacted, That the ſaid *Archibald Hamilton*, *Charles Smith*, '*James Gunman*, Sir *John Thompſon*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, '*Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, '*William Young*, and *Francis Danſays*, their Heirs and Aſſigns, ſhould, in Truſt as aforeſaid, but ſubject to 'the Term of five hundred Years, (as to the Premiſes compriſed in the ſaid Settlement of the twenty-'fourth Day of *June* one thouſand ſeven hundred and twelve, and as the ſame was therein before created 'and limited,) hold and enjoy all and ſingular the Manors, Lands, Tenements, and Hereditaments, com-'priſed in the ſaid Settlements of the twenty-fourth Day of *March* one thouſand ſix hundred and ninety-'one, and twenty-fourth Day of *June* one thouſand ſeven hundred and twelve; and which are therein 'before veſted, or mentioned to be veſted, in the ſaid *Archibald Hamilton*, *Charles Smith*, *James Gunman*, 'Sir *John Thompſon*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, *Edward Vernon*, '*Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young*, and '*Francis Danſays*, and the ſame ſhould be, and be deemed to be, held of the ſaid late King's Majeſty, 'his Heirs and Succeſſors, as of his ſaid late Majeſty's Manor of *Eaſt Greenwich* in the County of *Kent*, 'by free and common Soccage Tenure; but nevertheleſs the ſaid Manors, Lands, Tenements, and He-'reditaments, ſhould be, and ſhould be deemed to be, ſubject to ſuch Quit-rents, Crown-rents, and 'Dutchy-rents, iſſuing thereout reſpectively, as the ſame were reſpectively liable to on the twenty-third 'Day of *June* one thouſand ſeven hundred and fifteen: And it was thereby alſo enacted and declared, 'That the then preſent or future Commiſſioners or Governors and Directors of the ſaid Royal Hoſpital at '*Greenwich*, or any of them, ſhould not be anſwerable or accountable to any Perſon or Perſons, other 'than to the ſaid Royal Hoſpital, for or in reſpect of all or any Part of the Rents, Iſſues, and Profits, of 'the ſaid Manors, Lands, Tenements, and Hereditaments, compriſed in the Indentures of Leaſe and Re-'leaſe of the twenty-third and twenty-fourth Days of *June* one thouſand ſeven hundred and twelve, in 'the ſaid Act recited, which had accrued or become due from the Death of the ſaid *Charles Radcliffe*, and 'which had then already been, or ſhould thereafter be received by them, or any of them, except by lay-'ing ſuch Accounts before his Majeſty and both Houſes of Parliament, as by a certain Act, of the eighth 'Year of his ſaid late Majeſty's Reign, is directed; but that all ſuch Rents, Iſſues, and Profits, and all 'Fines and Sums of Money which had accrued or become due or payable from the Death of the ſaid '*Charles Radcliffe*, ſhould be appropriated and applied to the Uſes and for the Purpoſes in the ſaid Act, of 'the eighth Year of his ſaid late Majeſty's Reign, mentioned, and in the Act now reciting mentioned; 'nevertheleſs, that they the ſaid Commiſſioners or Governors and Directors for the Time being, ſhould 'from Time to Time lay the Accounts of their Receipts, Payments, and Diſburſements, before his Ma-'jeſty and both Houſes of Parliament, as by the ſaid recited Act, of the eighth Year of his ſaid late 'Majeſty, is directed, as well with reſpect to the Manors, Lands, and Hereditaments, compriſed in the 'ſaid Settlement of the twenty-fourth Day of *June* one thouſand ſeven hundred and twelve, as with re-'ſpect to the Manors, Lands, and Hereditaments, compriſed in the ſaid Settlement of the twenty-fourth 'Day of *March* one thouſand ſix hundred and ninety-one; and after reciting, that by reaſon of the Li-'mitation therein before made to the ſaid *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John 'Thompſon*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas 'Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young*, and *Francis 'Danſays*, of the ſaid Manors, Lands, Tenements, and Hereditaments, in Manner aforeſaid, a Doubt 'might be made whether the Tenants of the ſaid Eſtates ought from thenceforth to do ſuch Acts and 'Services, and pay ſuch Fines and Sums, as, by the Nature and Tenure of their Eſtates, founded upon 'immemorial Uſage and Cuſtom or otherwiſe, they would be to have done and performed and paid on the 'Death of any Lord thereof, in caſe the Limitation of the ſaid Manors, Lands, Tenements, and Heredi-

Commiſſioners or Governors accountable to the Hoſpital only for Profits of Lands, &c.

Exception.

' taments, was made to a particular Perſon only and his Heirs; in order to make the like Proviſions as
' were made by the Act of the eleventh Year of his ſaid late Majeſty's Reign, for obliging the Tenants of
' the ſaid Eſtates to do ſuch Acts and Services, and to pay ſuch Fines and Sums of Money as aforeſaid, it
Upon the Death of his late Majeſty, &c. enacted, that Services be done, and Fines paid, by the Tenants, agreeable to ancient Tenure.
' was further enacted, That upon the Death of his ſaid late Majeſty, and alſo upon the Death of every
' ſucceſſive King and Queen of this Realm, all ſuch Acts and Services ſhould be done and performed, and
' all ſuch Fines and Sums of Money ſhould be paid by the reſpective Tenants of the ſaid Eſtates to the ſaid
' Commiſſioners or Governors and Directors for the Time being of the ſaid Royal Hoſpital at *Greenwich*,
' as by the ancient Tenure thereof, or by any Contract, Law, Uſage, or Cuſtom, ought to be done,
' performed, and paid by them, in caſe the ſaid Manors, Lands, Tenements, and Hereditaments, had
' continued to be, or were actually veſted in his ſaid late Majeſty, his Heirs and Succeſſors; and that he
' and they were to be conſidered as private Perſons only, and not in their Politic Capacity; and for De-
' fault of Performance of ſuch Acts and Services which ought ſo to be done and performed, and for De-
' fault of Payment of any ſuch Fines and Sums of Money which ought ſo to be paid, ſuch Forfeitures
' and Penalties ſhould accrue and become due, and it ſhould be lawful for the ſaid Commiſſioners or
' Governors and Directors for the Time being of the ſaid Royal Hoſpital, in the Name of any one of them,
' to uſe and take all ſuch Ways and Means for recovering and taking Advantage of the ſaid Forfeitures
' and Penalties as might be lawfully uſed or taken by his Majeſty, his Heirs and Succeſſors, in caſe the
' ſaid Manors, Lands, Tenements, and Hereditaments, had continued to be or were actually veſted in his
' ſaid Majeſty, his Heirs and Succeſſors, and that he and they were to be conſidered as private Perſons
' only, and not in their Politic Capacity; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding:
' And it was thereby alſo further enacted, That the ſaid *Archibald Hamilton*, *Charles Smith*, *James Gunman*,
' Sir *John Thompſon*, *William Fawkener*, and *William Baxter*, and the Survivors and Survivor of them,
' and the Executors and Adminiſtrators of ſuch Survivor, ſhould ſtand poſſeſſed of and intereſted in the
' Barony, Manors, Lands, and Hereditaments, by two ſeveral Indentures, both bearing Date the ſixteenth
' Day of *February*, one thouſand ſeven hundred and forty-eight, in the Act now reciting particularly
' mentioned, reſpectively bargained, ſold, and aſſigned unto the ſaid *Archibald Hamilton*, *Charles Smith*,
' *James Gunman*, Sir *Edward Bellamy*, Sir *John Thompſon*, *William Fawkener*, and *William Baxter*, their
' Executors, Adminiſtrators, and Aſſigns, for and during all the Reſt, Reſidue, and Remainder then to
' come and unexpired, of the ſeveral Terms of five hundred Years and five hundred Years in the ſame
' Indentures mentioned; and that they the ſaid *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir
' *John Thompſon*, *William Fawkener*, and *William Baxter*, and the Survivors and Survivor of them, and the
' reſpective Heirs, Executors, and Adminiſtrators, of ſuch Survivor, ſhould ſtand ſeiſed and poſſeſſed of
' and intereſted in the Sum of three thouſand Pounds in the Act now reciting mentioned, and the Barony,
' Manors, Lands, and Hereditaments, charged with the Payment thereof, in Truſt, for the Commiſ-
' ſioners or Governors and Directors, for the Time being, of the ſaid Royal Hoſpital at *Greenwich*, and
' to the Intent that the ſaid laſt-mentioned Terms of five hundred Years and five hundred Years might
' attend and wait upon the Freehold and Inheritance of the Premiſes therein reſpectively compriſed, and
' by the Act now reciting limited to the ſaid *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John*
' *Thompſon*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas*
' *Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young*, and *Francis*
' *Danſays*, and to protect the ſame from all meſne Incumbrances, if any ſhould happen to be; but ſubject
' nevertheleſs, and without Prejudice, to the ſaid Term of five hundred Years therein before limited to the
' ſaid *Charles* Duke of *Richmond* and *Lenox* and *Henry Fox*, their Executors, Adminiſtrators and Aſſigns, as
Commiſſioners or Governors impowered to appoint Stewards, Receivers, &c.
' aforeſaid: And it was thereby further enacted, That it ſhould and might be lawful to and for the Com-
' miſſioners or Governors and Directors, for the Time being, of the ſaid Royal Hoſpital at *Greenwich*, or
' any ſeven or more of them, from Time to Time, and at all Times thereafter, to appoint Stewards,
' Receivers, or Bailiffs, of the ſaid Manors, Lands, Tenements, and Hereditaments, and to inveſt them
' with full Power to receive and get in the Rents, Iſſues, and Profits thereof, and to give Receipts, Diſ-
' charges and Acquittances for the ſame, and to hold Courts, and to do and perform all Acts, Matters,
' and Things, neceſſary for the managing the ſaid Premiſes, uſually done and performed by Stewards,
' Receivers, and Bailiffs, and alſo to aſſign and allow ſuch Salaries and Rewards to the ſaid Stewards, Re-
' ceivers, and Bailiffs, as the ſaid Commiſſioners or Governors and Directors of the ſaid Royal Hoſpital
' for the Time being, or any ſeven or more of them, ſhould think requiſite and neceſſary in that Behalf;
and to ſell Timber.
' and alſo that it ſhould and might be lawful to and for the ſaid Commiſſioners or Governors and Directors
' of the ſaid Hoſpital for the Time being, or any ſeven or more of them, from Time to Time, and at
' all Times thereafter, to contract for the Sale of, and accordingly to make Sale and diſpoſe of, all or any
' ſuch Part or Parts of the Timber or Timber Trees on the ſaid Eſtates, as they the ſaid Commiſſioners
' or Governors and Directors, or any ſeven or more of them, ſhould think fit, and to authoriſe and ap-
' point any Perſon or Perſons to make any Contract or Contracts for the Sale of all or any Part or Parts
' of ſuch Timber and Timber Trees, and to receive the Purchaſe-money for the ſame, without being
' obliged to make any Application for all or any of thoſe Purpoſes to his Majeſty's Court of Exchequer,
' or to any Perſon or Perſons whatſoever: And it was thereby alſo further enacted, That the Money to
' ariſe by the Sale of the ſaid Timber ſhould be applied to the Uſe of the ſaid Hoſpital; but ſo neverthe-
' leſs as that no Perſon or Perſons who ſhould purchaſe any Part of ſuch Timber ſhould be anſwerable for
' the Application of ſuch Purchaſe-money; and that it ſhould and might be lawful to and for the ſaid
' Commiſſioners or Governors and Directors of the ſaid Hoſpital, or any ſeven or more of them, to direct
' the cutting down, from Time to Time, ſuch Timber and Timber Trees from off the ſaid Eſtates as they
' ſhould at any Time adjudge neceſſary or fitting to be uſed in the repairing any Houſes, Tenements,
' Buildings, or Erections, on the ſaid Eſtates, or to be uſed in the building any new Houſes, Tenements,
' Edifices, Buildings, or Structures, as they ſhould judge fitting to be erected on the ſaid Eſtates, or

' ſhould

ſhould think it neceſſary or reaſonable to build or erect for any Tenants of the ſaid Eſtates, or for the Benefit or Improvement of the Premiſes, or any Part thereof: And it was thereby further enacted, That it ſhould and might be lawful to and for the Commiſſioners or Governors and Directors for the Time being of the ſaid Royal Hoſpital at *Greenwich*, or any ſeven or more of them, from Time to Time, and at all Times thereafter, to demiſe and grant all and every or any of the Mines of Lead, Coal, and other Minerals, as well opened as not opened, within and under any of the aforeſaid Lands and Premiſes, to any Perſon or Perſons, for any Term or Number of Years not exceeding twenty-one Years, and to grant Leaſes of all or any of the aforeſaid Manors, Lands, Tenements, and Hereditaments, unto any Perſon or Perſons for any Term or Number of Years not exceeding twenty-one Years, to take Effect in Poſſeſſion, and not in Reverſion, reſerving in every Leaſe, Demiſe, or Grant of Mines, ſuch Dues, Rent or Rents, and Profits, as they ſhould judge moſt reaſonable; and reſerving on every other Leaſe and Demiſe the beſt yearly or other Rents or Dues which can be reaſonably gotten for the ſame, without taking any Fine, Premium, or Foregift; and that it ſhould be lawful for the ſaid Commiſſioners or Governors and Directors of the ſaid Hoſpital, or any ſeven or more of them, to grant in every ſuch Leaſe, Demiſe, and Grant of Mines and Minerals, to the reſpective Adventurers, Leſſee or Leſſees of ſuch Mines and Minerals, full Power and Liberty to win and work the ſame Mines and Minerals, and to do every other reaſonable Act and Thing requiſite and neceſſary for that Purpoſe; but it was thereby enacted, That in every ſuch Demiſe and Leaſe there ſhould be contained a Condition of Re-entry for Non-payment of the Rent and Rents thereby reſpectively to be reſerved; and it ſhould be requiſite for the reſpective Leſſees to execute Counterparts of all ſuch Demiſes and Leaſes; and no Clauſe ſhould be contained in any of the ſaid Demiſes or Leaſes, other than in the Demiſes or Leaſes of the ſaid Mines or Minerals, whereby to give Power to any Leſſee to commit Waſte, or to exempt him, her, or them, from Puniſhment for committing the ſame: And after reciting that the Fines, Cuſtoms, and Services, by and under which ſeveral of the Tenants held their Farms, Lands, Tenements, and Eſtates, lying and being within ſeveral of the aforeſaid Manors, were agreed, aſcertained, or expreſſed, in ſome Articles, Indenture, Deed or Writing, then or late in the Cuſtody or Power of ſome of the ſaid Tenants, which, if produced, might be a Means to prevent Diſputes, Differences, and Suits, concerning the ſaid Fines, Cuſtoms, and Services, and for the Quiet and Benefit both of the Lord and Tenants; and it might happen that ſuch Tenants might refuſe to produce or ſhew ſuch Articles, Indenture, Deed, or Writing, it was therefore enacted, That it ſhould and might be lawful, to and for any ſeven or more of the Commiſſioners or Governors and Directors of the ſaid Hoſpital for the Time being, to apply to his Majeſty's Court of *Exchequer* at *Weſtminſter*, by a Motion in a ſummary Way, againſt any Tenant or Tenants holding any Farms, Lands, Tenements, or Eſtates, lying and being within the ſaid Manors, or any of them, of whoſe having in his, her, or their Cuſtody or Power any ſuch Articles, Indenture, Deed or Writing, probable Evidence ſhould be ſhewed to the Satisfaction of the ſaid Court, for ſuch Tenant or Tenants to produce and ſhew forth the ſame; upon which Motion it ſhould and might be lawful to and for the ſaid Court of *Exchequer* to examine and inquire into the ſaid Matter, and make ſuch Order or Orders with reſpect to the producing and ſhewing forth any ſuch Articles, Indenture, Deed, or Writing, by any ſuch Tenant or Tenants appearing to the ſaid Court to have the ſame in his, her, or their Cuſtody or Power, and with reſpect to any Copy or Copies to be had and made thereof, and ſuch other Order or Orders concerning the ſame, as the ſaid Court ſhould think proper and juſt: And it was thereby further enacted, That ſo ſoon as it ſhould happen that ſo many of them the ſaid *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompſon*, Sir *James Creed*, *Peter Burrel*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young*, and *Francis Danſays*, the Truſtees nominated and appointed in and by the ſaid Act, for and on Behalf of the ſaid Commiſſioners or Governors and Directors of the ſaid Royal Hoſpital at *Greenwich*, ſhould happen to die, ſo as that the Number of ſuch Truſtees ſhould be reduced to eleven, or to any leſſer Number, that then, and in that Caſe, it ſhould and might be lawful to and for the Commiſſioners or Governors and Directors of the ſaid Hoſpital for the Time being, or any ſeven or more of them, and they were thereby authoriſed and impowered at any Time thereafter, by any Deed or Inſtrument in Writing under their reſpective Hands and Seals, to be inrolled in his Majeſty's High Court of *Chancery*, to nominate ſuch other Perſons as they the ſaid Commiſſioners or Governors and Directors of the ſaid Hoſpital, or any ſeven or more of them, ſhould think fit, in the Place of ſuch of the ſaid Truſtees as ſhould ſo happen to die; and that it ſhould and might be lawful to and for the ſaid Commiſſioners or Governors and Directors of the ſaid Hoſpital for the Time being, or any ſeven or more of them, and they were thereby authoriſed and impowered, from Time to Time, and at all Times afterwards, when and ſo often as any other of the ſaid Truſtees, or when and ſo often as any of ſuch other Perſons as ſhould be ſo nominated as aforeſaid, or any other Perſons to be afterwards nominated in purſuance of the ſaid Act (which they were thereby authoriſed and impowered to nominate accordingly) ſhould happen to die, by any ſuch Deed or Inſtrument in Writing as aforeſaid, to nominate ſuch other Perſons as they the ſaid Commiſſioners or Governors and Directors, or any ſeven or more of them, ſhould think fit, in the Place of all and every the Perſon and Perſons ſo dying: And it was thereby alſo enacted and declared, That from and immediately after every ſuch Nomination, all and ſingular the Manors, Lands, Tenements, and Hereditaments, and Powers, therein before limited and given to the ſaid *Archibald Hamilton*, *Charles Smith*, *James Gunman*, Sir *John Thompſon*, Sir *James Creed*, *Peter Burrell*, *William Fawkener*, *William Baxter*, *Edward Vernon*, *Thomas Ripley*, *David Cockburn*, *James Spilman*, *William Allix*, *Fitzwilliam Plumptre*, *William Young*, and *Francis Danſays*, and their Heirs as aforeſaid, ſhould be well veſted in the Perſons who from Time to Time ſhould be ſo nominated as aforeſaid, jointly with the Survivors of the ſaid Truſtees, or ſuch other Perſons as aforeſaid, and in their Heirs, in Truſt, for the ſaid Commiſſioners or Governors and Directors of the ſaid Hoſpital, as fully and

Commiſſioners, &c. impowered to grant Leaſes of Mines, Lands, &c. for 21 Years.

Truſtees impowered, ſo ſoon as their Number ſhould be reduced to 11, to chuſe new ones, &c.

and effectually to all Intents and Purpoſes as if the Perſons ſo to be nominated as aforeſaid had been actually named in the Act now reciting, and the ſaid Manors, Lands, Tenements, and Hereditaments, and Powers, had been thereby limited and given to them and the Survivors of the ſaid Truſtees, or ſuch other Perſons as aforeſaid, and their Heirs: And whereas the Perſons, in whom the ſaid Manors, Meſſuages, Lands, Tenements, and Hereditaments were, by or by virtue of the ſaid Act of Parliament, veſted, have been ſeveral Times reduced to eleven or a leſs Number, and thereupon Appointments of New Truſtees have been from Time to Time made, executed, and inrolled in his Majeſty's High Court of *Chancery*, purſuant to the ſaid Act of Parliament: And whereas the Commiſſioners and Governors of the ſaid Hoſpital, ſince the paſſing of the ſaid Act of Parliament, have made ſome ſmall Purchaſes of Lands, Tenements, Tithes, and Hereditaments, in the Counties of *Northumberland* and *Cumberland*, and County Palatine of *Durham*, for the better Accommodation of the Tenants of the Manors, Meſſuages, Lands, Tenements, and Hereditaments, compriſed or mentioned in the ſaid recited Act of Parliament; and ſuch purchaſed Premiſes have been conveyed to ſuch Perſons as, at the ſeveral Times of making ſuch Purchaſes, were Truſtees of the Eſtates lately belonging to the ſaid Earl of *Derwentwater* and *Charles Radcliffe*, for the Uſe of the ſaid Hoſpital: And whereas his late Majeſty King *Charles* the Firſt, by his Letters Patent, bearing Date on or about the thirteenth Day of *February* which was in the twelfth Year of his Reign, did appoint that certain Light-houſes, which had been erected by Sir *John Meldrum* on the *North* and *South Foreland*, ſhould be continued, and that he might alter, renew, remove, or change them, and that there ſhould be collected from every Veſſel, whether belonging to Subjects or Strangers, paſſing by ſuch Light-houſes, certain Duties *per* Ton, and gave ſeveral Directions for collecting and getting in the ſame, and granted the ſaid Duties to the ſaid Sir *John Meldrum*, his Executors, Adminiſtrators, and Aſſigns, for fifty Years from the Date of the ſaid Letters Patent, under the Rent of twenty Pounds, payable into the *Exchequer* by half-yearly Payments: And whereas his late Majeſty King *Charles* the Second, by his Letters Patent, bearing Date on or about the twenty-firſt Day of *July* which was in the twenty-third Year of his Reign, did grant the ſaid Duties to *John Smith* Eſquire, for the further Term of thirty Years, to commence from the Expiration of the former Grant to the ſaid Sir *John Meldrum*: And whereas the ſaid Duties afterwards became the Property of *Robert Oſbolſton* Eſquire: And whereas her late Majeſty Queen *Anne*, by her Letters Patent, bearing Date on or about the firſt Day of *June* which was in the third Year of her Reign, did grant the ſaid Duties to the ſaid *Robert Oſbolſton*, for the further Term of ſeventeen Years, to commence from the Expiration of the former Grant to the ſaid *John Smith*; and the ſaid Duties, together with three Meſſuages or Tenements ſituate on *Saint Peter's Hill* in the City of *London*, by virtue of the Will of the ſaid *Robert Oſbolſton*, bearing Date on or about the tenth Day of *October* which was in the Year of our Lord one thouſand ſeven hundred and ſeven, became the Property of the ſaid Hoſpital: And whereas his late Majeſty King *George* the Second, by his Letters Patent, bearing Date on or about the fourteenth Day of *July* which was in the third Year of his Reign, did give and grant unto Sir *John Jennings*, *Joſeph Soanes*, *Philip Cavendiſh*, Sir *Garrard Conyers*, Sir *Edward Bellamy*, Sir *John Thompſon*, Sir *Thomas Colby*, *Samuel Holden*, *William Fawkener*, *Baltzar Lyell*, *John Hanbury*, *Ralph Radcliffe*, *Nicholas Clarke*, *William Baxter*, *Sidney Godolphin*, *Charles Chamberlain*, *Edward Vernon*, *John Guy*, *William Collier*, *Jayes Sewell*, *Richard Moreton*, *Colin Campbell*, *Charles Vanburgh*, and *Joſeph Bell*, their Executors, Adminiſtrators, and Aſſigns, full Power and Authority, at their own Charges, with the Advice of ſkilful Seafaring Men, to continue, maintain, erect, alter, renew, and change, the reſpective Light-houſes and Lights upon the *North* and *South Foreland*; and did give and grant unto them, their Executors, Adminiſtrators, and Aſſigns, certain Duties payable for Ships and other Veſſels having the Benefit of the ſaid Light-Houſes and Lights, with Powers to collect the ſame, to hold to them, their Executors, Adminiſtrators, and Aſſigns, for Ninety-nine years, from the Expiration, Surrender, Forfeiture, or other ſooner Determination, of the Letters Patent therein recited, and the Grant thereby made to the ſaid *Robert Oſbolſton*, in Truſt, for the ſole Uſe, Benefit, and Behoof, of the poor Seamen of the ſaid Hoſpital: And whereas his preſent Majeſty, by his Letters Patent, bearing Date on or about the ſixth Day of *December* now laſt paſt, after reciting the Letters Patent granted by King *William* and Queen *Mary*, Queen *Anne*, King *George* the Firſt, and King *George* the Second, for the founding, erecting, and managing the ſaid Hoſpital, as herein before mentioned; and alſo reciting, that it had been found that the Powers contained in the ſaid recited Letters Patent had not been competent for the collecting, receiving, and applying, the Revenues, Rents, Profits, and Emoluments, given, appropriated, and belonging, or which might thereafter be given, appropriated, or belong to, or to the Uſe of the ſaid Hoſpital, and had alſo been found inſufficient for other neceſſary and beneficial Purpoſes, whereby great Inconveniencies and Loſſes had happened to the ſaid Hoſpital, did ordain, appoint, and eſtabliſh, That certain Perſons, in the Letters Patent now reciting named and deſcribed, ſhould for ever thereafter be, by virtue of the ſaid Letters Patent, one Body Politic and Corporate, in Deed and in Name, by the Name of *The Commiſſioners and Governors of the Royal Hoſpital for Seamen at* Greenwich *in the County of* Kent; and did alſo give ſundry Powers to ſuch Corporation for the better Regulation and Management thereof: And whereas great Inconveniencies will ariſe to the ſaid Corporation in caſe the legal Eſtates of and in the Piece or Parcel of Ground, Capital Meſſuage, and other Meſſuages, Lands, Tenements, and Hereditaments, herein before mentioned to be ſituate, lying, and being at *Greenwich* and on *Saint Peter's Hill* aforeſaid, and of and in the ſaid Barony, Manors, Meſſuages, Lands, Tenements, and Hereditaments, herein before mentioned to be ſituate, lying and being in the Counties of *Northumberland* and *Cumberland*, and County Palatine of *Durham*, veſted by the ſaid recited Act of Parliament or purchaſed as aforeſaid, and of and in the ſaid Light-houſe Duties, ſhall continue and remain in ſo many Perſons as the ſame are now veſted in, and which Inconveniencies will be wholly removed by veſting ſuch legal Eſtates in the ſaid Corporation, who are now capable by Law of taking and holding the ſame;' may it pleaſe your Majeſty that it may be enacted; and

Various Letters Patent recited: Granted 12 Car. I.

23 Car. II.

3 Annæ.

3 Geo. II.

And 16 Geo. III.

Certain Perſons, in the reciting Patent deſcribed, incorporated. Their Name.

and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every the Barony, Manor, Meſſuages, Lands, Tenements, Tithes, and Hereditaments, and Light-houſe Duties, with their ſeveral Rights, Members, and Appurtenances, heretofore given, granted, deviſed, ſettled upon, or veſted in, or conveyed or limited or demiſed or aſſigned to, any Perſon or Perſons whomſoever, in Truſt for, or for the Uſe or Benefit of the ſaid Hoſpital, or given, granted, or deviſed to the ſaid Hoſpital, by any Gift, Grant, Letters Patent, Will, Letters of Adminiſtration, Act of Parliament, Indentures, Deed Poll, or other Deed in Writing, or otherwiſe howſoever, and the Reverſion and Reverſions, Remainder and Remainders, Rents, Iſſues, and Profits thereof, ſhall, from and after the firſt Day of *May* one thouſand ſeven hundred and ſeventy-ſix, be diveſted out of all and every ſuch Perſon and Perſons, his, her, and their Heirs, Executors, and Adminiſtrators, and the ſame ſhall be, and ſhall be deemed to be, and they are accordingly from thenceforth ſettled upon and veſted in the ſaid Corporation, being the Commiſſioners and Governors of the Royal Hoſpital for Seamen at *Greenwich* in the County of *Kent*, their Succeſſors and Aſſigns, to the Uſe of the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital, their Succeſſors and Aſſigns, for ever, freed and abſolutely diſcharged of and from all ſuch Right, Title, Eſtate, Intereſt, Claim, and Demand, as any Perſon or Perſons whatſoever hath or have, or may or can have, in or to the ſaid Barony, Manors, Meſſuages, Lands, Tenements, Tithes, and Hereditaments, and Light-houſe Duties, or in or to any Part or Parcel thereof, upon any Account howſoever, ſave as herein after is mentioned.

After May 1, 1776, all Lands, Tenements, &c. heretofore given or granted to, or for the Uſe of, Greenwich Hoſpital, veſted in the Corporation of the Commiſſioners and Governors, &c.

II. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and ſeventy-ſix, all and every the Clauſes and Powers herein before recited to be contained in the ſaid Act of the twenty-ſecond Year of the Reign of his late Majeſty King *George* the Second; and alſo ſo much of the Act paſſed in the eighth Year of the Reign of his ſaid late Majeſty King *George* the Second, as relates to laying the Accounts of the Commiſſioners or Governors of the ſaid Hoſpital before his Majeſty and both Houſes of Parliament; ſhall be, and the ſame are hereby repealed

Act 22 Geo. II. &c. repealed.

III. And be it further enacted, That the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital, their Succeſſors and Aſſigns, ſhall hold and enjoy all and ſingular the ſaid Barony, Manors, Meſſuages, Lands, Tenements, Tithes, and Hereditaments, and the ſame ſhall be and be deemed to be held of the King's Majeſty, his Heirs and Succeſſors, as of his Majeſty's Manor of *Eaſt Greenwich* in the County of *Kent*, by free and common Soccage Tenure; but nevertheleſs the ſaid Barony, Manors, Meſſuages, Lands, Tenements, Tithes, and Hereditaments, ſhall be, and ſhall be deemed to be, ſubject to ſuch Quit-rents, Crown-rents, and Dutchy-rents, iſſuing thereout reſpectively, as the ſame are now reſpectively liable to.

In what Manner the Barony, Lands, &c. are to be held.

'IV. And whereas, by reaſon of the ſettling of the ſaid Barony, Manors, Meſſuages, Lands, Tenements, Tithes, and Hereditaments, in the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital in Manner aforeſaid, a Doubt may be made whether the Tenants of the ſaid Eſtates ought from henceforth to do ſuch Acts and Services, and pay ſuch Fines and Sums as, by the Nature and Tenure of their Eſtates, founded upon immemorial Uſage and Cuſtom or otherwiſe, they would be to have done and performed and paid on the Death of any Lord thereof, in caſe the Settlement of the ſaid Barony, Manors, Meſſuages, Lands, Tenements, Tithes, and Hereditaments, was made to a particular Perſon only and his Heirs: Now, in order to make the like Proviſions as were made by an Act of Parliament, made and paſſed in the eleventh Year, and of the ſaid Act paſſed in the twenty-ſecond Year of his late Majeſty's Reign, for obliging the Tenants of the ſaid Eſtates to do ſuch Acts and Services, and to pay ſuch Fines and Sums of Money as aforeſaid,' be it further enacted by the Authority aforeſaid, That upon the Death of his preſent Majeſty (whom God long preſerve for the Benefit of his People), and alſo upon the Death of every ſucceſſive King or Queen of this Realm, all ſuch Acts and Services ſhall be done and performed, and all ſuch Fines and Sums of Money ſhall be paid, by the reſpective Tenants of the ſaid Eſtates, to the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital, as by the ancient Tenure thereof, or by any Contract, Law, Uſage, or Cuſtom, ought to be done, performed, and paid by them, in caſe the ſaid Manors, Lands, Tenements, and Hereditaments, had continued to be or were actually veſted in his Majeſty, his Heirs and Succeſſors, and that he and they were to be conſidered as private Perſons only, and not in their politic Capacity; and for Default of Performance of ſuch Acts and Services which ought ſo to be done and performed, and for Default of Payment of any ſuch Fines and Sums of Money which ought ſo to be paid, ſuch Forfeitures and Penalties ſhall accrue and become due; and it ſhall be lawful for the ſaid Commiſſioners and Governors of the ſaid Royal Hoſpital to uſe and take all ſuch Ways and Means for recovering and taking Advantage of the ſaid Forfeitures and Penalties as might be lawfully uſed or taken by his Majeſty, his Heirs and Succeſſors, in caſe the ſaid Manors, Lands, Tenements, and Hereditaments, were actually veſted in his Majeſty, his Heirs and Succeſſors, and that he and they were to be conſidered as private Perſons only, and not in their politic Capacity; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

Services to be performed, and Fines paid, by the Tenants, agreeable to the ancient Tenure, &c.

How Forfeitures and Penalties may be recovered.

V. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, in whoſe Name or Names any Stock Annuities, or other Monies, is or are now ſtanding or being in Truſt for, or for the Uſe or Benefit of the ſaid Hoſpital, or in whom any Stock Annuities, or other Monies, hath or have been inveſted for, or for the Uſe or Benefit of the ſaid Hoſpital, and the Survivors and Survivor of them, or the Executors and Adminiſtrators of ſuch Survivor, ſhall, as ſoon as conveniently may be after the paſſing this Act, aſſign and transfer ſuch Stock Annuities, or other Monies as aforeſaid, unto the ſaid Corporation.

All Stock Annuities, &c. inveſted for the Uſe of the Hoſpital, to be transferred to the Corporation.

'VI. And whereas divers Penalties, Forfeitures, Gifts, Duties, and other Benefits, have been given, granted, ſettled, appropriated, and eſtabliſhed, for the Uſe and Benefit of the ſaid Royal Hoſpital, and the Maintenance thereof, in and by divers Statutes heretofore made and now in Force; and divers Modes

'have

'have been preſcribed by ſuch Statutes for the Recovery of ſuch Penalties, Forfeitures, Gifts, Duties, 'and other Benefits; and Inconveniencies have ariſen in purſuing ſuch Modes for the Recovery thereof;' be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *May* one thouſand ſeven hundred and ſeventy-ſix, all and every Penalties, Forfeitures, Gifts, Duties, and other Benefits, given, granted, ſettled upon, or veſted in, any Perſon or Perſons whomſoever, in Truſt for, or for the Uſe or Benefit of, the ſaid Hoſpital, or given, granted, or appropriated to the ſaid Hoſpital, ſhall be deemed to be, and they are accordingly from thenceforth ſettled upon, veſted in, and appropriated to, the Commiſſioners and Governors of the Royal Hoſpital for Seamen at *Greenwich* in the County of *Kent*, their Succeſſors and Aſſigns, for the Uſe and Benefit of the ſaid Royal Hoſpital; and that all ſuch Suits as ſhall or may be neceſſary to be brought for the Recovery of any ſuch Penalties, Forfeitures, Gifts, Duties, or other Benefits as aforeſaid, or any Parts of them, or either of them, ſhall and may be brought, commenced, and proſecuted, by and in the Name of *The Commiſſioners and Governors of the Royal Hoſpital for Seamen at* Greenwich *in the County of* Kent,' in ſuch and the ſame Manner as if ſuch Penalties, Forfeitures, Gifts, Duties, and other Benefits as aforeſaid, had accrued to the ſaid Commiſſioners and Governors of the ſaid Hoſpital in their Corporate Capacity; any Law, Statute, Uſage, or Cuſtom, to the contrary thereof in any-wiſe notwithſtanding.

All Penalties, Gifts, &c. given to or veſted in any Perſons for the Benefit of the Hoſpital, ſhall, after May 1, 1776, be veſted in the Commiſſioners, &c.

Proviſo.

VII. Provided always, That all and every the Suits, Bills, Plaints, Informations, or Actions, which are now depending in any of his Majeſty's Courts of Record, ſhall and may be proſecuted and carried on in ſuch and the ſame Manner as if this Act had not been made.

This Act not to invalidate Leaſes, &c.

VIII. Provided alſo, That all and every Leaſe and Demiſe of all or any the Lands, Tenements, Mines, and Hereditaments, of or belonging to the ſaid Royal Hoſpital, ſhall and may be, and are hereby deemed to be valid and effectual, to all Intents and Purpoſes, in ſuch and the ſame Manner as if this Act had not been made.

Part of an Act 33 Geo. II. repealed.

IX. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *May* one thouſand ſeven hundred and ſeventy-ſix, ſo much and ſuch Part of an Act, made and paſſed in the thirty-third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the more effectual ſecuring the Payment of ſuch Prize and Bounty Monies as were appropriated to the Uſe of* Greenwich *Hoſpital, by an Act made in the twenty-ninth Year of the Reign of his preſent Majeſty, intituled,* "An Act for the Encouragement of Seamen, and the more ſpeedy and effectual manning his Majeſty's Navy," as relates to the Manner of levying and recovering Penalties and Forfeitures, and Parts of Penalties and Forfeitures, given or granted to or for the Benefit of the ſaid Hoſpital, ſhall be, and the ſame is hereby repealed.

Public Act.

X. And be it further enacted by the Authority aforeſaid, That this Act ſhall be, and the ſame is hereby declared to be a Public Act; and all Judges, Juſtices, and others, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. XXV.

An Act for lighting and watching the Streets, Lanes, and other public Paſſages and Places, within the Borough of *Boſton*, in the County of *Lincoln*; and for removing and preventing Nuiſances, Annoyances, and Obſtructions therein.

CAP. XXVI.

An Act for lighting and watching the Villages of *Camberwell* and *Peckham*, in the County of *Surrey*, and certain Roads therein mentioned leading thereto; and for eſtabliſhing a Foot Patrole between *Peckham* and *Blackman ſtreet* in the Borough of *Southwark*.

Preamble.

'WHEREAS the Villages of *Camberwell* and *Peckham*, within the Pariſhes of *Camberwell* and *Lambeth*, in the County of *Surrey*, are large and populous, and daily increaſing in Houſes and Inhabitants, and are not properly lighted and watched; and it would be a great Benefit to the Inhabitants thereof, and to all Perſons reſorting thereto, if the ſaid Villages, and certain Roads herein after deſcribed (being within the ſaid Pariſhes), were properly lighted and watched; and if a Foot Patrole was employed in the Night-time on the Road or Path which leads from the ſaid Village of *Peckham*, over certain Fields, called *The North Fields*, to *Blackman-ſtreet* in the Borough of *Southwark:* And whereas the Inhabitants and Owners of Houſes within the ſaid Villages, and on or near the Sides of the ſeveral Roads herein after deſcribed, are willing and deſirous that a Rate ſhould be raiſed upon themſelves for the ſeveral Purpoſes aforeſaid; but the ſame cannot be done without the Aid of Parliament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That Sir *Joſeph Mawbey* Baronet, *James Scawen*, *Claud Champion Creſpigny* Doctor of Laws, *William Shard*, *Thomas Jephſon*, *Iſaac Heaton*, *Thomas Hooke*, *John Baker*, *Robert Serrell*, *George Jeffrey*, *Henry Hilton*, *John Faſſett*, *James Woodbridge*, *Henry Revely*, *Thomas Fraſer*, *Robert Shank*, *Thomas Naſh*, *Henry Maundy*, *Samuel Maſon*, *Thomas Smith*, *Richard Henſhaw*, *Robert Franklin*, *Francis Hahn*, *Charles Bartrum*, *James Mill*, the Reverend *Richard Jones*, *Joſeph Sill*, *Miles Stringer*, *Philip King*, *John Wells*, *Henry King*, *George Brucker*, the Reverend *Richard Dodd*, *William Oſborn*, *Nicholas Nixon*, *Edward Clark*, *Joſiah Monnery*, *Thomas Preſton*, *Richard Laurence*, *John Maſon*, *John Wright*, *William Tanner*, *Edward Shewell*, *John Caſtle*, *Samuel Goodman*, *Ono Titchiner*, *Edward Gardner*, *Oſwald Strong*, *John Daniels*, *Samuel Payne*, *Henry Ferguſſon*, and the Vicar of the Pariſh of *Camberwell* for the Time being, ſhall be, and they are hereby appointed Truſtees for putting this Act in Execution.

Commiſſioners appointed.

II. And

When Truſtees die, or refuſe to act, &c. others to be choſen.

II. And be it further enacted, That when any of the ſaid Truſtees, herein named or hereafter to be elected, ſhall die, reſign, or refuſe to act, or ſhall remove out of the Limits of this Act, or otherwiſe ſhall become diſqualified to act, that then, and in any of the Caſes aforeſaid, it ſhall and may be lawful for the ſurviving or remaining Truſtees, or any five or more of them, at any of their Meetings, from Time to Time to elect and appoint one other fit Perſon reſiding within the Limits of this Act to be a Truſtee, in the Stead of every Truſtee ſo deceaſed, reſigning, refuſing to act, removing, or becoming any-wiſe diſqualified as aforeſaid; and every ſuch Perſon, ſo from Time to Time elected and appointed, ſhall be joined with the ſurviving or remaining Truſtees, and is hereby impowered to act in the Execution of this Act, to all Intents and Purpoſes, in as full and ample Manner as if ſuch Perſon had been particularly named and appointed in and by this Act.

Qualification of Truſtees.

III. Provided always, That no Perſon ſhall be capable of acting as a Truſtee in any Caſe in the Execution of this Act, unleſs, at the Time of his acting therein, he ſhall be reſident within the Limits of this Act, and ſhall be ſeiſed in his own Right, or in Right of his Wife, and be in the actual Poſſeſſion or Receipt of Rents and Profits of a real Eſtate in Law or Equity of the clear yearly Value of twenty Pounds above Repriſes; or unleſs ſuch Perſon ſhall rent or occupy Tenements or Hereditaments within the ſaid Villages, or either of them, of the yearly Value of twenty Pounds: And if any Perſon or Perſons hereby made incapable to act, ſhall preſume to act in the Truſts aforeſaid, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of fifty Pounds, to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*; and every Perſon ſo proſecuted, or againſt whom ſuch Action ſhall be brought, ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, without any other Proof given on the Part of the Plaintiff or Plaintiffs in ſuch Action, than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act; and the Money to be recovered in ſuch Action ſhall, after Payment of the Coſts and Expences attending ſuch Action, be applied to the Purpoſes of this Act.

Penalty on Perſons acting if not qualified.

Time and Place of the firſt Meeting of Truſtees.

IV. And be it further enacted, That the ſaid Truſtees, or any five or more of them, are hereby authoriſed and impowered to meet at the *Golden Lion* in *Camberwell*, on the third *Monday* next after the paſſing of this Act, and ſhall proceed to the Execution of this Act; and ſhall then, and from Time to Time afterwards, adjourn themſelves, and meet there, or at ſuch other Place or Places within the ſaid Villages of *Camberwell* or *Peckham*, as the ſaid Truſtees, or any five or more of them, ſhall think moſt convenient, as often as it ſhall be neceſſary for putting this Act in Execution.

Streets, Squares, Roads, &c. to be lighted and watched.

V. And be it further enacted, That the ſaid Truſtees, or any five or more of them, are hereby authoriſed and impowered to cauſe the ſeveral Streets, Squares, Lanes, Yards, Alleys, Paſſages, and Places, within the ſaid Villages of *Camberwell* and *Peckham*, and likewiſe the ſeveral Roads herein after mentioned and deſcribed, to be properly lighted and watched; (that is to ſay,) The Road from the North End of the ſaid Pariſh of *Camberwell* next the Turnpike at *Walworth* to the Village of *Camberwell* aforeſaid; and alſo a Road called *Coal Harbour Lane*, leading from *Camberwell* aforeſaid to a Place called *Coal Harbour*, in the ſaid Pariſh of *Lambeth*; and alſo the Road leading from the South End of *Camberwell* aforeſaid to a Houſe known by the Name of *The Fox under the Hill*; and alſo the Road leading from *Camberwell* aforeſaid to the Village of *Peckham* aforeſaid, and from the ſaid Village of *Peckham* to the Eaſt End of the ſaid Pariſh of *Camberwell*; and alſo any other Road or Place, ſituate or being within the Diſtance of a Furlong from the Sides of any of the Roads herein before mentioned and deſcribed within the ſaid Pariſhes, whereon there now are, or may hereafter be, any Houſes or Buildings erected or built.

Truſtees not compellable to light or watch certain Places.

VI. Provided always, That nothing in this Act contained ſhall be conſtrued to compel the ſaid Truſtees to light or watch any of the Places within the Limits aforeſaid, called *Little Orchard Row*, and *Smith's Row*, or beyond the *Grove-houſe*, in *Grove-lane*, *Camberwell*, or certain Places called *Dowdals*, otherwiſe *Dowlas-lane*, *Wincheſter-yard*, and *Cow-walk*, or beyond the Houſe of *Iſaac Heaton* Eſquire in *South-ſtreet*, and the Houſe of *Elizabeth Shard* in *Shard's Lane*, in the ſaid Village of *Peckham*; or the Road beyond the Houſe in the Occupation of *Barnard Turner*, called *The Mince-pie-houſe*, on the South Side of the ſaid Lane, leading to *Coal Harbour* from *Camberwell* aforeſaid; or the Road beyond the Houſe in the Occupation of *James Mill*, leading from *Camberwell* aforeſaid to *Dulwich*; or the Road beyond the Houſe in the Occupation of *Thomas Hodgſon*, at the Eaſt End of *Peckham* aforeſaid, unleſs the ſaid Truſtees, or any five or more of them, ſhall at any Time hereafter think it neceſſary and proper that thoſe Places, or any Part or Parts thereof, ſhould be lighted and watched.

Truſtees may appoint Officers,

and make them Allowances for their Trouble.

Treaſurer to account every three Months.

VII. And be it further enacted, That the ſaid Truſtees ſhall cauſe all their Proceedings relating to the Execution of this Act from Time to Time to be entered in a Book to be kept by them for that Purpoſe, and may (if they ſhall think fit) appoint a Clerk or Clerks for that Purpoſe; and the ſaid Truſtees, or any five or more of them, may alſo from Time to Time appoint ſuch Collector or Collectors, and ſuch other Officer or Officers as they ſhall think proper to employ in the Execution of this Act; and ſhall and may from Time to Time make ſuch Allowances to all ſuch Clerks, Collectors, and other Officers, for their Trouble and Attendances in the Execution of this Act, as the ſaid Truſtees, or any five or more of them, ſhall, at any of their General Meetings, from Time to Time think fit; and ſhall and may alſo (if they think fit) appoint a Treaſurer or Treaſurers, for the Receipt of the Money to be raiſed and collected by the Rates or Aſſeſſments to be made by virtue of this Act; and every ſuch Treaſurer or Treaſurers, ſo to be appointed, is and are hereby directed and required to account to the ſaid Truſtees, at the End of every three Months (or oftener, if required by the ſaid Truſtees, or any five or more of them), for all Monies by him or them received and diſburſed by virtue of this Act, and to pay ſuch Money as upon the ſaid Account ſhall appear to be remaining in his or their Hands, to ſuch Perſon or Perſons as the ſaid Truſtees, or any five or more of them, ſhall appoint to receive the ſame, to be applied to and for the ſeveral and reſpective Uſes and Purpoſes for which the ſame ſhall be raiſed or levied.

Officers to give Security.

VIII. Provided always, That the ſaid Truſtees ſhall take ſuch Security from their Treaſurer or Treaſurers, and other Officers, for the due Execution of their reſpective Offices, as the ſaid Truſtees, or any

No Victualler, &c. to hold the Place of Clerk, &c.

five or more of them, ſhall think fit; but no Salary or Allowance whatſoever ſhall be made to any Treaſurer or Treaſurers upon any Account or Pretence whatſoever; but no Victualler, or Retailer of Ale, Beer, or Spirituous Liquors, ſhall be capable of holding the Place of Clerk, or any Place or Office under this Act.

Meetings to be held annually.

'IX. And, in order that a ſufficient Sum of Money may from Time to Time be raiſed for the Purpoſes 'of this Act,' be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, ſhall, and they are hereby authoriſed and required to meet in ſome convenient Place within the Villages of *Camberwell* or *Peckham*, upon the third *Monday* next after the paſſing of this Act, and ſhall alſo meet annually upon the firſt *Monday* next after the Feaſt of *Saint John the Baptiſt*, or within ſeven Days afterwards, at ſuch Time and Place as they, or any five or more of them, ſhall think fit; Notice of the Time and Place of every ſuch annual Meeting being firſt given in the Pariſh Church of *Camberwell* aforeſaid on the *Sunday* next before every ſuch Meeting; and the ſaid Truſtees, or any five or more of them, ſhall, and are hereby authoriſed and required, at their firſt Meeting to be holden as aforeſaid, and alſo at all ſubſequent annual Meetings which ſhall be held in purſuance of this Act, to make a Pound-rate, to be equally aſſeſſed (towards defraying the Expences attending the watching and lighting the ſaid Villages and the ſeveral Roads and Places aforeſaid, and of employing the ſaid Foot Patrole, and all other the Charges and Expences attending the obtaining of this Act, and the Execution thereof) upon all and every Perſon and Perſons who do or ſhall inhabit, hold, uſe, occupy, or enjoy, any Houſe, Shop, Warehouſe, or other Building, Garden, Tenement, or Hereditament, ſituate within the ſaid Villages of *Peckham* and *Camberwell*, or either of them, or within or upon any of the Roads to be lighted and watched as aforeſaid, within the Diſtance of a Furlong from each Side of any of the ſaid Roads; and alſo upon all and every other Perſon or Perſons who by Law is, are, or ſhall be, chargeable and aſſeſſable for and towards the Relief of the Poor within the Limits of this Act, according to the real improved Rent or Value of every ſuch Houſe, Shop, Warehouſe, or other Building, Garden, Tenement, or Hereditament aforeſaid (except as herein after is excepted), for ſuch Sum and Sums of Money as the ſaid Truſtees, or any five or more of them, aſſembled at their firſt Meeting, or at any of their annual Meetings, ſhall order, direct, and appoint; and the ſaid Rates or Aſſeſſments ſhall be ſigned by any five of the ſaid Truſtees, and ſhall be paid quarterly

Truſtees, at annual Meetings, to make a Pound-rate, to be aſſeſſed on the Inhabitants.

Rates not to exceed 2s. in the Pound.

X. Provided always, That no Rate or Aſſeſſment directed to be made as aforeſaid, ſhall exceed in the Whole the Sum of two Shillings in the Pound in any one Year, of the yearly Rent of ſuch Houſes, Shops, Warehouſes, or other Buildings, Gardens, Tenements, or Hereditaments, as aforeſaid.

Perſons under 10l. yearly Rent, &c. exempted from Rates.

XI. Provided alſo, That all Perſons who do or ſhall occupy Tenements under the yearly Sum of ten Pounds improved Rent, and who ſubſiſt only by their manual Labour, and do not keep an open Shop for the Sale of Goods, Wares, or Merchandiſes, ſhall be freed and exempted from the Payment of the ſaid Rates, or any Part thereof; any Thing contained in this Act to the contrary notwithſtanding.

Truſtees to appoint Collectors:

XII. And be it further enacted, That ſuch Perſon or Perſons as the ſaid Truſtees, or any five or more of them, ſhall by Writing under their Hands and Seals appoint for that Purpoſe, ſhall be, and they are hereby appointed Collector or Collectors of the ſaid Rates or Aſſeſſments; and the ſaid Collector or Collectors is and are hereby authoriſed, impowered, and required, to collect and levy the ſame accordingly:

Their Powers.

And for the better enabling ſuch Collector or Collectors to collect and levy the ſaid Rates or Aſſeſſments, it ſhall and may be lawful to and for the ſaid Collector or Collectors to execute all ſuch Warrants of Diſtreſs as ſhall be granted from Time to Time by any Juſtice of the Peace of the ſaid County of *Surrey*, againſt any Perſon or Perſons who ought to pay the ſaid Rates or Aſſeſſments, and who ſhall neglect or refuſe to pay the ſame, in the ſame Manner, and as effectually to all Intents and Purpoſes, as Overſeers of the Poor, by any Law or Laws now in being, can or may execute Warrants of Diſtreſs granted by Juſtices of the Peace.

Collectors to account to Truſtees,

XIII. And be it further enacted, That the ſaid Collector or Collectors, and each of them, ſhall, and he and they is and are hereby required to make up, and render upon Oath to the ſaid Truſtees, or any five or more of them, at ſome public Meeting to be held in purſuance of this Act, as often as thereunto required by the ſaid Truſtees, or any five or more of them, a full, true, and perfect Account in Writing, of all Monies collected and received by him or them by virtue of this Act, and of all Monies rated or aſſeſſed and not received; and to pay over the Monies ſo by him or them collected and received, and remaining in his or their Hands, to ſuch Perſon or Perſons as the ſaid Truſtees, or any five or more of them, preſent at any ſuch public Meeting, ſhall, by Writing under their Hands, appoint to receive the ſame, to be applied for the ſeveral Purpoſes of this Act, according to the true Intent and Meaning thereof: And if the ſaid Collector or Collectors ſhall refuſe or neglect to give in a juſt Account as aforeſaid, or to pay the Monies remaining in his or their Hands in Manner as aforeſaid, he and they ſhall be ſubject and liable to ſuch and the like Puniſhment as Overſeers of the Poor are for Offences of the like Sort ſubject and liable to.

and pay all Monies collected to Perſons appointed to receive the ſame.

Penalty.

Rates not paid within three Days after Demand, may be levied by Diſtreſs.

XIV. And be it further enacted, That in caſe any Perſon or Perſons ſo rated or aſſeſſed, or charged or chargeable, and made liable as aforeſaid, ſhall refuſe or neglect to pay any ſuch Rates or Aſſeſſments to the Collector or Collectors for the Space of three Days after perſonal Demand thereof made, or demanded in Writing left at the laſt or uſual Place of Abode of ſuch Perſon or Perſons, it ſhall and may be lawful to and for any one or more Juſtice or Juſtices of the Peace acting for the ſaid County of *Surrey*, upon the Oath of one or more credible Witneſs or Witneſſes (all which Oaths he and they is and are hereby impowered and required to adminiſter without Fee or Reward) of ſuch Demand and Non-payment, by Warrant under his or their Hand and Seal or Hands and Seals (all which Warrants he and they is and are hereby impowered and required to grant), to authoriſe and direct the ſaid Collector or Collectors to levy ſuch Rate or Money ſo in Arrear, together with the Coſts and Charges attending the ſame, to be aſcertained by ſuch Juſtice or Juſtices, by Diſtreſs and Sale of the Goods and Chattels of every ſuch Perſon and

and Perſons ſo in Arrear, and neglecting or refuſing to pay as aforeſaid, rendering the Overplus (if any be) to the Owner or Owners of ſuch Goods and Chattels, on Demand.

'XV. And, for the more effectual levying the Money rated and aſſeſſed for the ſeveral Purpoſes of this 'Act,' be it further enacted by the Authority aforeſaid, That the Goods and Chattels of any Perſon rated or aſſeſſed as aforeſaid, and neglecting or refuſing to pay the ſame, ſhall and may be diſtrained in Manner aforeſaid, not only within the Limits of this Act, but in any other Place in the County of *Surrey*; and if ſufficient Diſtreſs cannot be found within the ſame County, then upon Oath thereof made before any one or more Juſtice or Juſtices of the Peace of any other County, City, Liberty, or Place (which Oath ſhall be certified under the Hand of the ſaid Juſtice or Juſtices on the Warrant made for ſuch Diſtreſs), the Goods and Chattels of the Perſon ſo refuſing or neglecting to pay ſhall be ſubject and liable to ſuch Diſtreſs in ſuch other County, City, Liberty, or Place, where the ſame ſhall be found, and may, by virtue of ſuch Warrant and Certificate, be diſtrained and ſold in the ſame Manner, as if the ſame had been found within the Limits of this Act.

Goods, &c. may be diſtrained in any Place for Non-payment of Rates.

XVI. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, from Time to Time, as they ſhall judge fit and neceſſary, at any of their Meetings to be held in purſuance of this Act, to compound with, or in Part or wholly to remit to, any Perſon or Perſons ſo rated or aſſeſſed as aforeſaid, and who ſhall or may at any Time hereafter be exempted from or excuſed the Payment of the Church and Poor's Rates, or either of them, within the Limits of this Act, all ſuch Sum or Sums of Money which he or they ſhall be ſo rated or aſſeſſed as aforeſaid.

Truſtees may compound, &c. with Perſons unable to pay.

XVII. And be it further enacted, That in caſe any Collector of the ſaid Rates and Aſſeſſments ſhall embezzle, detain, or miſapply, any Sum or Sums of Money which ſhall be ſo collected by him, ſo that the ſame cannot be recovered from him, or ſhall be poſſeſſed of any Sum or Sums of Money by him collected by virtue of this Act, and which ſhall not be paid or recovered from his Executors or Adminiſtrators for the Space of forty Days after his Death; then, and in every ſuch Caſe, all ſuch Sums of Money ſhall be raiſed by a new Rate or Aſſeſſment to be made for that Purpoſe on the Inhabitants of the ſaid Villages and other Places within the Limits of this Act; and ſhall be collected and levied in ſuch Manner, and under ſuch Penalties, as are herein before provided for the collecting and levying the Rates and Aſſeſſments which ſhall be made in purſuance of this Act.

If Collectors embezzle Money collected, Deficiency to be raiſed by a new Rate.

'XVIII. And, in order that a ſufficient Sum of Money may be forthwith raiſed to defray the Expences 'of lighting and watching the ſaid Villages, and the ſeveral Roads and Places aforeſaid,' be it further enacted, That it ſhall and may be lawful for the ſaid Truſtees, or any five or more of them, from Time to Time to borrow any Sum or Sums of Money for the Purpoſes of this Act, not exceeding in the Whole the Sum of five hundred Pounds, at Intereſt not exceeding five Pounds *per Centum per Annum*; and to aſſign over by Writing, ſigned by any five or more of the ſaid Truſtees, all or any Part of the ſaid Rates or Aſſeſſments, as a Security for the Repayment of the Principal and Intereſt of the Money ſo to be borrowed; and all ſuch Aſſignments or Securities as aforeſaid ſhall be in Words to the following Effect:

Truſtees impowered to borrow 500 l.

and to aſſign the Rates as a Security.

'BY virtue of an Act, made in the ſixteenth Year of the Reign of his Majeſty King *George* the Third, 'for *lighting and watching the Villages of* Camberwell *and* Peckham, *in the County of* Surrey, *and* 'certain *Roads therein mentioned leading thereto*; *and for eſtabliſhing a Foot Patrole between* Peckham *and* 'Blackman-ſtreet *in the Borough of* Southwark; we of the Truſtees 'for putting the ſaid Act in Execution, do aſſign to his Executors, Adminiſtrators, 'and Aſſigns, in conſideration of the Sum of from this Day 'of in the Year of our Lord until the Sum of 'with Intereſt, at the Rate of *per Centum per Annum*, ſhall be repaid, ſuch Proportion of the Rates 'or Aſſeſſments to be rated or aſſeſſed by virtue of the ſaid Act, as the ſaid Sum of 'ſhall bear to the whole Sum advanced on the Credit of the ſame.'

Form of Aſſignment.

And Copies of all ſuch Securities ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk to the ſaid Truſtees; but no Money ſhall be borrowed after ſuch firſt Meeting, unleſs Notice for that Purpoſe be given in Writing, to be affixed upon the Church Door of *Camberwell* aforeſaid, at leaſt fourteen Days before the borrowing thereof; and all and every Perſon and Perſons to whom any ſuch Security or Securities ſhall be made as aforeſaid, or who ſhall be entitled to the Money thereby ſecured, may, from Time to Time, by Writing under his, her, or their Hand and Seal or Hands and Seals, aſſign or transfer his, her, or their Right, Title, Intereſt, or Benefit, to the Principal and Intereſt thereby ſecured, to any Perſon or Perſons whomſoever, by Indorſement on the Back of ſuch Security in the Preſence of one credible Witneſs; which Transfer or Aſſignment ſhall be to the following Effect:

Copies of Securities to be entered in a Book.

Securities may be transferred.

'I DO transfer this Aſſignment, with all my Right and Title to the Principal and Intereſt thereby ſecured, unto his (*or* her) Executors, Adminiſtrators, and Aſſigns. In Witneſs 'whereof, I have hereunto ſet my Hand and Seal, this Day of

'Witneſs, *C. D.* *A. B.*'

Form of Transfer.

Which ſaid Transfers or Aſſignments ſhall be produced and notified to the Clerk to the ſaid Truſtees (in caſe a Clerk ſhall be appointed), or, if no Clerk ſhall be appointed, then to any one or more of the ſaid Truſtees, to the End an Entry or Memorial may be made of ſuch Aſſignment or Transfer in the Books of the ſaid Truſtees; which Entry ſhall contain the Dates, Names of the Parties, and Sums of Money, for which the ſaid Clerk (in caſe a Clerk ſhall be appointed) ſhall be paid ſuch Sum as the ſaid Truſtees, or any five or more of them, ſhall appoint, not exceeding the Sum of two Shillings and Sixpence; and after

All Transfers to be entered in Books.

ſuch Entry made, and not till then, ſuch Aſſignment ſhall entitle ſuch Aſſignee, his or her Executors, Adminiſtrators, and Aſſigns, to the Benefit thereof, and Payment thereon; and every ſuch Aſſignee may, in the like Manner, aſſign again, and ſo *toties quoties*; and it ſhall not be in the Power of the Perſon or Perſons making ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any Monies thereby due, or any Part thereof; and all and every Perſon and Perſons to whom any ſuch Security or Securities ſhall be made as aforeſaid, ſhall be, in proportion to the Sum or Sums therein mentioned, Creditors on ſuch Rates or Aſſeſſments in equal Degree one with another, and ſhall have no Preference with reſpect to the Priority of advancing ſuch Monies, or the Dates of ſuch Aſſignments.

All Aſſignees Creditors in equal Degree.

Money borrowed to be charged on the Rates.

XIX. And be it further enacted, That all and every the Sum and Sums of Money to be advanced and lent, and the Intereſt thereof, ſhall be and are hereby charged upon, and ſhall be paid and payable from Time to Time out of, the Monies ariſing from the Rates and Aſſeſſments to be rated and aſſeſſed by virtue and for the Purpoſes of this Act.

Truſtees may cauſe the Villages, &c. to be lighted; and may appoint Watchmen,

XX. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, may and are hereby impowered from Time to Time to cauſe the ſaid Villages and the ſaid Roads and Places herein before deſcribed to be lighted for ſuch Time and Times, and in ſuch Manner and by ſuch Ways and Means, as they, or any five or more of them, ſhall judge proper and convenient; and ſhall and may alſo appoint ſuch Number of able-bodied Men (to be armed and cloathed in ſuch Manner as the ſaid Truſtees, or any five or more of them, ſhall direct) to be employed as Watchmen in the Night-time, for the Safety of the Inhabitants reſiding within the Limits of this Act; and to patrole and guard the Road and Foot Path which leads from *Peckham* over the ſaid North Fields to *Blackman-ſtreet* aforeſaid, for the Security of Paſſengers in the Night-time; and all ſuch Watchmen and Patrole ſhall attend from Time to Time, and at ſuch Times and Places, and perform ſuch Duty as the ſaid Truſtees, or any five or more of them, ſhall order, direct, and appoint; and may cauſe to be erected Watch-boxes for ſuch Watchmen at ſuch Places as they ſhall judge neceſſary; and the ſaid Truſtees, or any five or more of them, may alſo appoint two proper Perſons to be Superviſors of ſuch Watchmen and Patrole; which Perſons ſo to be appointed Superviſors ſhall be and are hereby impowered to act as Conſtables for the Purpoſe of carrying this Act into Execution; and the ſaid Truſtees, or any five or more of them, may remove any or all ſuch Watchmen and Superviſors from Time to Time as they ſhall ſee Cauſe, and appoint others in the Room of ſuch of them as ſhall be ſo removed; and ſhall and may apply ſo much of the ſaid Rates or Aſſeſſments, or of the Money to be borrowed or raiſed on the Credit thereof, as ſhall be neceſſary for the ſeveral Purpoſes aforeſaid.

and two Superviſors of the Watchmen, &c.

Expences of Patrole not to exceed 32 l. 10 s. in any one Year.

XXI. Provided always, That no more ſhall be paid in any one Year, out of the Rates and Aſſeſſments to be raiſed by virtue of this Act, than the Sum of thirty-two Pounds ten Shillings, towards defraying the Expence which will attend the employing a Patrole between *Peckham* and *Blackman-ſtreet* as aforeſaid.

Two Committees to be appointed, who are to meet weekly.

XXII. And be it further enacted by the Authority aforeſaid, That for the better regulating the ſaid nightly Watch and Patrole, the ſaid Truſtees, at all their annual Meetings, may elect and chuſe a Committee from among themſelves of ten Truſtees, to ſerve for the following Year, five of whom ſhall act as a Committee, to meet at ſome convenient Place in the ſaid Village of *Camberwell* weekly on every *Wedneſday* Evening, and the other five of them ſhall act as a Committee, to meet at ſome convenient Place in the ſaid Village of *Peckham* on the ſame Day; and any two or more of them, at each or any of ſuch weekly Meetings, ſhall and may, as they ſhall ſee Cauſe, remove, diſcharge, or ſuſpend, any of the Watchmen or the ſaid Patrole to be appointed and employed by virtue of this Act; and ſhall and may, at any ſuch weekly Meetings, appoint others in the Room of ſuch of them as ſhall be ſo removed or ſuſpended.

Perſons wilfully breaking Lamps, &c. to forfeit 20 s. for each Offence, and make good the Damage;

XXIII. And be it further enacted, That if any Perſon or Perſons ſhall wilfully break, throw down, or damage, any of the Lamps that ſhall be ſet up for lighting the ſaid Villages, and the ſeveral Roads and other Places within the Limits of this Act, or ſhall wilfully extinguiſh the Light or Lights thereof, or damage the Irons, Poſts, or other Furniture belonging to ſuch Lamps; it ſhall and may be lawful to and for any Perſon or Perſons whomſoever, who ſhall ſee ſuch Offence committed, to ſeize, and alſo for any other Perſon or Perſons to aſſiſt in ſeizing the Offender or Offenders, and by the Authority of this Act, and without any other Warrant, to cauſe him, her, or them, to be conveyed before ſome Juſtice of the Peace for the County of *Surrey*; and ſuch Juſtice ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall appear or be produced to give Information touching ſuch Offence (which Oath ſuch Juſtice is hereby authoriſed and required to adminiſter); and if the Party or Parties accuſed ſhall be convicted of all or any of the Offences aforeſaid, either by his, her, or their own Confeſſion, or upon ſuch Information as aforeſaid, he, ſhe, or they, ſo convicted, ſhall forfeit and pay, for every ſuch Offence, to the Truſtees for the Time being, the Sum of twenty Shillings (whereof One Moiety ſhall be paid to the Informer, and the other Moiety be applied for the Purpoſes of this Act), and ſhall alſo make Satisfaction to the ſaid Truſtees, or to ſuch Perſon or Perſons as they, or any five or more of them, ſhall appoint to receive the ſame, for the Damage ſo by him, her, or them done as aforeſaid; and in caſe ſuch Offender or Offenders ſhall not upon Conviction pay ſuch Forfeitures, and make Satisfaction as aforeſaid, ſuch Juſtice is hereby required to commit him, her, or them, to the Bridewell or Houſe of Correction for the ſaid County of *Surrey*, there to be kept to hard Labour for any Space of Time not exceeding one Calendar Month; and ſuch Offender or Offenders ſhall not be diſcharged before the Expiration of the Time for which he, ſhe, or they, ſhall have been ſo committed, unleſs ſuch Penalty or Forfeiture and Satisfaction ſhall be ſooner paid and given.

or to be committed.

Penalty on Perſons accidentally breaking Lamps, &c.

XXIV. And be it further enacted, That in caſe any Perſon or Perſons ſhall careleſsly or accidentally break, throw down, or damage, any of the Lamps ſo to be ſet up as aforeſaid, or the Irons, Poſts, or other Furniture thereof, and ſhall not immediately, upon Demand, make Satisfaction to the ſaid Truſtees for the

the Damage done thereto; then, and in every ſuch Caſe, it ſhall and may be lawful for any one Juſtice of the Peace for the ſaid County of *Surrey*, upon Complaint made to him by one or more credible Witneſs or Witneſſes, to ſummon before him the Perſon or Perſons who ſhall be complained of for doing ſuch Damage; and ſuch Juſtice may thereupon award ſuch Sum or Sums of Money by way of Satisfaction for ſuch Damage as to him ſhall appear reaſonable; and in caſe of Neglect or Refuſal of the Party or Parties to pay ſuch Sum or Sums of Money ſo awarded, within three Days after Demand thereof, ſuch Juſtice may cauſe the ſame to be levied by Diſtreſs and Sale of his, her, or their Goods and Chattels, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of ſuch Diſtreſs and Sale.

'XXV. And, for the better carrying the Purpoſes of this Act into Execution,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, and they are hereby authoriſed and impowered from Time to Time (if they think fit) to contract with any Perſon or Perſons for lighting the ſaid Villages, and the Roads and other Places within the Limits of this Act; all which Contracts ſhall ſpecify the Number of Lamps to be ſet up, and how long and in what Manner the ſame ſhall be kept burning, and the Prices to be paid for the ſame, and the Penalties to be ſuffered in caſe of Non-performance of ſuch Contract or Contracts; and the ſame ſhall be ſigned by the ſaid Truſtees, or any five or more of them, and by the Perſon or Perſons contracting to perform ſuch Works; and the ſaid Truſtees, or any five or more of them, are hereby authoriſed and impowered to pay ſuch Sum or Sums of Money for ſuch reſpective Works, as they ſhall ſo contract and agree for, out of any of the Rates or Aſſeſſments which ſhall be made, raiſed, or collected, by virtue of this Act.

Truſtees may contract for lighting the Villages, &c.

XXVI. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons who ſhall enter into ſuch Contract with the ſaid Truſtees, or any five or more of them, for performing any of the Works before mentioned, and who ſhall not well and ſufficiently perform the ſame, according to the true Intent and Meaning of ſuch Contract or Contracts, and within the Time limited thereby, that then it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, in the Name of their Clerk or Treaſurer, to bring an Action of Debt in any of his Majeſty's Courts of Record at *Weſtminſter* againſt any Perſon or Perſons ſo contracting and making Default as aforeſaid, for the Penalty or Penalties which ſhall be contained in ſuch Contract or Contracts; and the ſaid Truſtees, or any five or more of them (upon Proof of ſuch Contract or Contracts having been entered into and not performed), ſhall be intitled to and ſhall recover ſuch Penalty or Penalties; and the ſame, when recovered, ſhall be applied towards the Purpoſes of this Act.

If Contracts not duly fulfilled, Contractors may be ſued, &c.

XXVII. And be it further enacted, That the Right and Property of all Lamps, Lamp-irons, Poſts, and other Furniture thereof, which ſhall be erected or fixed by virtue of this Act, and of the Arms and Accoutrements for the Watchmen and Patrole, and alſo of the Watch-boxes to be erected as aforeſaid, ſhall be, and the ſame are hereby veſted in the ſaid Truſtees; and they, or any five or more of them, are hereby authoriſed and impowered to bring, or cauſe to be brought, any Action or Actions in the Name of their Treaſurer or Clerk for the Time being, or to prefer any Bill or Bills of Indictment (as the Caſe may require), againſt any Perſon or Perſons who ſhall break, ſpoil, injure, damage, ſteal, take, or carry away, any of the ſaid Lamps, Lamp-irons, Poſts, or other Furniture, or any of the Watch-boxes, or the Arms or Accoutrements of any of the ſaid Watchmen.

Property of Lamps, &c. veſted in the Truſtees.

XXVIII. And be it further enacted, That in all Caſes where the ſaid Truſtees, or any five or more of them, are impowered to do any Act whatſoever by virtue of this Act, other than and except the Weekly Meetings for the Purpoſes aforeſaid, the ſame ſhall be done at ſome public Meeting of the ſaid Truſtees to be held in purſuance of this Act, and not otherwiſe; and whenever it ſhall happen, at any ſuch Meeting, that there ſhall be an Equality of Votes of the ſaid Truſtees then preſent, the Chairman in every ſuch Caſe ſhall have the Caſting-vote.

All Buſineſs (except as excepted) to be done at public Meetings.

XXIX. Provided always, That two Truſtees ſhall be ſufficient to meet for the Purpoſe of Adjournment only; and in caſe it ſhall at any Time happen that no Adjournment of the Truſtees ſhall be made according to the Directions of this Act, that then, and in every ſuch Caſe, as often as it ſhall ſo happen, it ſhall and may be lawful for the ſaid Truſtees, or any five or more of them, to meet at any Houſe or Place within the ſaid Villages, or either of them (ten Days Notice in Writing being firſt affixed upon the Church Door of *Camberwell*, appointing the Time and Place of ſuch Meeting); and the ſaid Truſtees, or any five or more of them, ſhall, and they are hereby authoriſed and impowered to meet purſuant to ſuch Notice, and ſhall proceed to the Execution of this Act, and afterwards from Time to Time adjourn to ſuch Time and Place as they ſhall think fit.

How to proceed in caſe of no Adjournment.

XXX. And be it further enacted, That it ſhall and may be lawful for any Truſtee appointed, or to be appointed, to put this Act in Execution, who is or ſhall be in the Commiſſion of the Peace for the County of *Surrey*, to act as a Juſtice of the Peace within his Juriſdiction for putting in Execution the ſeveral Powers and Authorities granted by this Act, notwithſtanding his being a Truſtee.

Truſtees who are Juſtices, may act as ſuch for the Purpoſes of this Act.

XXXI. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Aſſignment, Transfer, or other Security for the borrowing of Money, or other Writing whatſoever, relating to the Execution of this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Writings to be without Stamps.

XXXII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved, by any Rate or Aſſeſſment to be made as aforeſaid, he, ſhe, or they, ſhall notwithſtanding be obliged to pay ſuch Rate or Aſſeſſment, and then, upon an Appeal to the General Quarter Seſſions of the Peace to be holden for the ſaid County of *Surrey* next after the Payment of ſuch Rate or Aſſeſſment, or next after the making the Diſtreſs for ſuch Rate or Aſſeſſment (fourteen Days Notice of ſuch Appeal being firſt given to the ſaid Truſtees), it ſhall and may be lawful for the Juſtices of the Peace,

Perſons aggrieved may appeal to the Quarter Seſſions,

Peace, or the major Part of them then aſſembled, to cauſe ſo much Money to be returned to the Appellant or Appellants, as ſhall appear to the ſaid Juſtices to have been overpaid by ſuch Appellant or Appellants reſpectively, and to make ſuch Order therein as to them ſhall ſeem meet, which Order ſhall be final and concluſive to all Parties: And alſo if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by any other Thing done in purſuance of this Act, he, ſhe, or they, may appeal as aforeſaid, within ſix Calendar Months next after the Cauſe of Complaint ſhall ariſe; and it ſhall and may be lawful for the ſaid Juſtices, or the major Part of them, aſſembled in ſuch Seſſions, to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order therein, and award ſuch Coſts, as to them in their Diſcretion ſhall ſeem reaſonable; and by their Order or Warrant to levy the Coſts which ſhall be ſo awarded by Diſtreſs and Sale of the Goods and Chattels of the Party or Parties liable to pay the ſame, rendering the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattels, after deducting the reaſonable Charges of every ſuch Diſtreſs and Sale; all which Determinations of the ſaid Juſtices ſhall be final and concluſive to all Parties concerned.

Whoſe Determination ſhall be final.

Proceedings not to be quaſhed for Want of Form, nor removeable by Certiorari, &c.

XXXIII. And be it further enacted, That no Order, Conviction, Judgment, or other Proceeding to be had or made in purſuance of this Act, ſhall be quaſhed or vacated for Want of Form only, or be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*, any Law or Statute to the contrary notwithſtanding: And when any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Notice, Warrant of Diſtreſs, or other Proceeding relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining, but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the Special Damages in an Action upon the Caſe.

No Plaintiff to recover, if Tender of Amends ſhall be made.

XXXIV. Provided always nevertheleſs, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity as aforeſaid, Treſpaſs, or other wrongful Proceeding, by virtue of this Act, if Tender of Amends ſhall be made by or on Behalf of the Party or Parties who ſhall or may commit, or cauſe to be committed, any ſuch Irregularity, Treſpaſs, or other wrongful Proceeding, before ſuch Action brought.

Limitation of Actions.

XXXV. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Action ſhall be commenced within ſix Calendar Months after the Fact committed, and not afterwards, and ſhall be laid and brought in the County of *Surrey*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act: And if it ſhall appear to be ſo done, or if any ſuch Action or Suit ſhall not be brought within the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his, her, or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Treble Coſts.

Public Act.

XXXVI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons, without ſpecially pleading the ſame.

CAP. XXVII.

An Act for better cleanſing, lighting, and watching the Streets, Lanes, and other public Paſſages, within the Borough of *Dorcheſter*, in the County of *Dorſet*, and in the Tithing of *Colliton-row*, in the Town of *Dorcheſter* aforeſaid; for paving the Footways and repairing certain Horſeways of ſuch Parts thereof as are Turnpike; and for paving the Footways and repairing the Horſeways of ſuch Parts thereof as are not Turnpike; for removing Nuiſances, Annoyances, and Obſtructions therein; and for preventing Houſes or Buildings, hereafter to be erected in the ſaid Borough and Tithing, from being thatched.

CAP. XXVIII.

An Act for making and maintaining a navigable Canal from or near the Town of *Stourbridge*, in the County of *Worceſter*, to join the *Staffordſhire* and *Worceſterſhire* Canal, at or near *Stourton*, in the County of *Stafford*; and alſo two collateral Cuts, one from a Place called *The Fens*, upon *Penſnet-chace*, to communicate with the intended Canal near the Junction of *Wordeſley-brook* with the River *Stour*; and the other from a Place called *Black Delph*, upon the ſaid Chace, to join the firſt-mentioned collateral Cut at or near certain Lands called *The Lays*, in the Pariſh of *Kingſwinford*, in the ſaid County of *Stafford*.

Preamble.

'WHEREAS the making a Canal for the Navigation of Boats, Barges, and other Veſſels, from or near the Town of *Stourbridge*, in the County of *Worceſter*, through the ſeveral Pariſhes of *Old-ſwinford*, *Kingſwinford*, and *Kinfare*, in the Counties of *Stafford* and *Worceſter*, to join the *Staffordſhire* and *Worceſterſhire* Canal, at or near a Place called *Stourton*, in the ſaid County of *Stafford*; and alſo the making two collateral Cuts, one from a Place called *The Fens*, upon *Penſnet-chace*, through the ſaid Pariſh of *Kingſwinford*, to communicate with the ſaid intended Canal near the Junction of *Wordeſley-brook* with the

'the River *Stour*; and the other from a Place called *Black Delph*, upon other Part of *Penſnet-chace*, to or 'near *Bague's* Glaſs-houſes in *Brettel-lane*, and from thence to certain Collieries called *The Moors*, and to 'or near certain Lands called *The Lays* in the ſaid Pariſh of *Kingſwinford* in the ſaid County of *Stafford*, 'there to join and communicate with the ſaid firſt-mentioned collateral Cut, will render the Carriage of 'Coal, Ironſtone, and Limeſtone, from ſeveral Mines in that Part of the Country, much eaſier and 'cheaper than at preſent, which will be of great Advantage to the Trade and Manufactures of the ſaid 'Town of *Stourbridge* and Parts adjacent, and to the ſeveral Counties of *Worceſter*, *Glouceſter*, *Hereford*, 'and *Warwick*, and alſo to other Parts of the Kingdom, and will be of public Utility: And whereas the 'ſeveral Perſons herein after named are deſirous, at their own proper Coſts and Charges, to make and 'maintain the ſaid Canal and collateral Cuts, but cannot effect the ſame without the Authority of Par-'liament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Right Honourable *George Harry* Earl of *Stamford*, the Right Honourable *John* Lord Viſcount *Dudley* and *Ward*, the Right Honourable Lady Viſcounteſs Dowager *Dudley* and *Ward*, the Honourable *William Ward*, Sir *John Wrotteſley* Baronet, *John Foſter*, *John Foſter* junior, *Edward Ruſſell*, *John Becher*, *Oliver Dixon*, *John Pidcock*, *Joſeph Robins*, *Thomas Hill* junior, *George Enſell*, *Sampſon Freeth*, *William Moſeley*, *Abiather Hawkes*, *Thomas Barnſley*, *Charles Harris*, the Executors of *Thomas Raybould* deceaſed, *Thomas Raybould*, *Samuel Ray*, *William Scott*, *Benjamin May*, *Jonathan Stokes*, *Benjamin Pratt*, *Robert Honeyborne*, *Richmond Aſton*, *John Southwell*, *Thomas Smallman*, *Walter Bradley*, *Dioniſius Bradley*, *George Crow*, *Thomas Dudley*, *Richard Croft*, *Benjamin Brettell*, *Francis Homfray*, *Frances Homfray*, *Rachel Vernon*, *Elizabeth Cardale*, *John Keelinge*, *John Iddins*, *John Parker*, *Suſanna Brettell*, *Joſeph Harper*, *John Francis*, *Francis Witton*, *Mary Gill*, *Thomas Hornblower*, *George Jellicoe*, *Martha Nicholls*, *Edward Hickman*, *Frances Dovey*, *Other Philpott*, *John Gibbons*, *Edward Dixon*, *Iſaac Pratt*, *Jeremiah Brettell*, *Joſiah Ruſton*, *Thomas Talbot Foley*, *Frances Henzey*, *John Richards*, *Daniel Winwood*, *Thomas Savage*, *Robert Morgan*, *William Jones*, *James Keir*, *John Watſon*, *Thomas Foley*, *Wilſon Ayleſbury Roberts*, *James King*, and *Thomas Robinſon*, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, together with ſuch Perſon or Perſons as they, or the major Part of them, aſſembled at any General Meeting, to be held as herein after mentioned, ſhall nominate and appoint under their Hands and Seals, are and ſhall be united into a Company, for the better carrying on, making, and maintaining, the ſaid Canal, and collateral Cuts, according to the Rules, Orders, and Directions, herein after preſcribed; and ſhall for that Purpoſe be one Body Politic and Corporate, by the Name of *The Company of Proprietors of the* Stourbridge *Navigation*; and by that Name ſhall have perpetual Succeſſion, and ſhall have a Common Seal; and by that Name ſhall and may ſue and be ſued; and alſo ſhall have Power and Authority to purchaſe Lands, to them and their Succeſſors and Aſſigns, for the Uſe of the ſaid Navigation, without incurring any of the Penalties or Forfeitures of the Statute of *Mortmain*: And the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and may, and they are hereby authoriſed and impowered, from and after the paſſing of this Act, by themſelves, their Deputies, Agents, Workmen, and Servants, to make and complete a Canal navigable and paſſable for Boats, Barges, and other Veſſels, from or near the ſaid Town of *Stourbridge*, to join and communicate with the ſaid *Staffordſhire* and *Worceſterſhire* Canal, at or near *Stourton* aforeſaid; and which ſaid Canal ſhall be made and carried in the Line and Direction herein after mentioned; (that is to ſay) That the ſaid Canal ſhall begin and be made upon ſome Part of the Lands belonging to the Right Honourable *George Harry* Earl of *Stamford*, ſituate in *Amblecoat*, in the Pariſh of *Oldſwinford*, in the County of *Stafford*, which adjoin to the Turnpike-road leading from *Stourbridge* to *Wolverhampton*, and be continued through other Part of the Lands belonging to the ſaid Earl in *Amblecoat* aforeſaid; and through or near to certain Lands belonging to *Thomas Foley*, *Edward Ruſſell*, Eſquires, and *John Addenbrooke Homfray* Gentleman, reſpectively in *Amblecoat* aforeſaid; and from thence on the North-eaſt Side of the River *Stour* through certain Lands lying in the Pariſh of *Kingſwinford*, in the County of *Stafford* aforeſaid, to or near a Brook called *Wordeſley-brook* in the ſaid Pariſh of *Kingſwinford*; and from thence on the South Side of a certain Cut or Aqueduct leading to *Wire mills* belonging to *John Hodgetts* Eſquire, at *Hafcut*, in the Poſſeſſion of *John Ryland*, through the ſaid Pariſhes of *Oldſwinford* and *Kinfare*, to or near *Stourton*, in the ſaid Pariſh of *Kinfare*, in the County of *Stafford* aforeſaid, there to join and communicate with the ſaid *Staffordſhire* and *Worceſterſhire* Canal; and the ſaid Company of Proprietors, their Succeſſors and Aſſigns, Deputies, Agents, Workmen, and Servants, ſhall, and are hereby alſo authoriſed and impowered to make and complete two collateral navigable Cuts; (that is to ſay) One from a Place called *The Fens*, upon *Penſnet-chace*, through the ſaid Pariſh of *Kingſwinford* on the South Side of *Wordeſley-brook*, to communicate with the ſaid intended Canal near the Junction of the ſaid Brook with the River *Stour*; and the other collateral Cut from a Place called *Black Delph* upon other Part of *Penſnet-chace*, to or near *Bague's* Glaſs-houſes in *Brettell-lane*, and from thence through Land of *Robert Honeyborne* Gentleman, to certain Collieries called *The Moors*, and through Lands called *Meep Lands*, belonging to *John Foſter* Eſquire, to or near certain Lands called *The Lays*, in the ſaid Pariſh of *Kingſwinford*, in the ſaid County of *Stafford*, there to join and communicate with the ſaid firſt-mentioned collateral Cut; and to ſupply the ſaid Canal, and collateral Cuts, whilſt the ſame ſhall be making, and when made, with Water from all ſuch Brooks, Springs, Streams, and Watercourſes (except as herein after mentioned), as ſhall be found in making the ſaid Canal and collateral Cuts, or within the Diſtance of one thouſand Yards from any Part of the ſaid collateral Cuts, or from any Reſervoir or Reſervoirs to be made, as is herein after mentioned, for ſupplying the ſaid Canal and collateral Cuts with Water; and the ſaid Company of Proprietors, their Succeſſors and Aſſigns, are hereby alſo authoriſed and impowered, by themſelves, and their Deputies, Agents, Servants, and Workmen, to make one or more Reſervoir or Reſervoirs at or near the Summit of the ſaid collateral Cuts, and to erect one or more Engine or Engines, or other Machines, for the Purpoſe of ſupplying

Names of the Proprietors;

who are incorporated:

Their Powers.

Courſe of the Canal and Cuts deſcribed.

Company of Proprietors impowered to ſupply the Canal with Water from the adjoining Brooks, &c.

plying the ſaid Canal and collateral Cuts with Water, and ſuch and ſo many Feeders and Aqueducts for ſupplying the ſaid Reſervoirs and collateral Cuts with Water, as to them ſhall ſeem neceſſary or proper; and for the Purpoſes aforeſaid, the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and their Agents, Servants, and Workmen, are hereby authoriſed and impowered to enter into and upon the Lands and Grounds of or belonging to the King's Majeſty, his Heirs or Succeſſors, or of any other Perſon or Perſons, Bodies Politic, Corporate, or Collegiate whatſoever (not being, upon the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-five, the Ground whereon a Houſe ſtood, or a Garden, Yard, Park, Paddock, planted Walk, or Avenue to a Houſe, Lawn incloſed or adjoining to a Manſion-houſe, unleſs with the Conſent of the Owners and Occupiers thereof reſpectively), and to ſurvey and take Levels of the ſame, or any Part thereof, and to ſet out and aſcertain ſuch Parts thereof as they ſhall think neceſſary and proper for making the ſaid Canal and collateral Cuts, and all ſuch other Matters and Conveniences as they ſhall think proper and neceſſary for making, effecting, preſerving, improving, completing, and uſing the intended Navigation; and alſo to bore, dig, cut, trench, ſough, remove, take, carry away, and lay, Earth, Soil, Clay, Stone, Rubbiſh, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters or Things which may be dug or got in the making of the ſaid Canal and collateral Cuts, or in the making of any Reſervoir or Reſervoirs, Feeders or Aqueducts, or out of any Lands or Grounds of any Perſon or Perſons adjoining, or lying contiguous thereto, and which may be proper, requiſite, or convenient, for carrying on, continuing, or repairing, the ſaid Canal and collateral Cuts, or which may hinder, prevent, or obſtruct, the making, uſing, completing, and maintaining the ſame; and alſo to make, build, erect, and ſet up, in or upon the ſaid intended Canal or collateral Cuts, or upon the Lands adjoining or near to the ſame reſpectively, ſuch and ſo many Bridges, Tunnels, Aqueducts, Sluices, Locks, Weirs, Pens for Water, Stanks, Reſervoirs, Drains, Wharfs, Quays, Landing-places, Weigh-beams, Cranes, Fire-engines, or other Machines, and other Works, Ways, Roads, and Conveniencies, as and where the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall think requiſite and convenient for the Purpoſes of the ſaid Navigation; and alſo from Time to Time to alter, repair, amend, widen, or enlarge the ſame, or any other of the Conveniencies above mentioned, as well for the carrying or conveying Goods, Commodities, and other Things, to or from the ſaid Canal and collateral Cuts, as for the carrying or conveying of all Manner of Materials neceſſary for the making, erecting, finiſhing, altering, repairing, amending, widening, or enlarging the Works of and belonging to the ſaid Navigation; and alſo to place, lay, work, and manufacture the ſaid Materials on the Grounds near to the Place or Places where the ſaid Works, or any of them, ſhall be or are intended to be made, erected, repaired, or done; and alſo to make, maintain, repair, and alter, any Fences or Paſſages over, under, or through, the ſaid Canal or collateral Cuts, or the Reſervoirs, Tunnels, Aqueducts, Soughs, Trenches, Paſſages, Gutters, Watercourſes, and Sluices, reſpectively which ſhall communicate therewith; and alſo to make, ſet up, and appoint, ſuch Roads, Towing-paths, Banks, and Ways, convenient for towing, haling, or drawing, of Boats, Barges, or other Veſſels, paſſing in, through, or upon, the ſaid Canal and collateral Cuts, as they the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall think convenient; and to conſtruct, erect, and keep in Repair, any Piers, Arches, or other Works, in, upon, and acroſs, any Rivers or Brooks, for making, uſing, maintaining, and repairing, the ſaid Canal and collateral Cuts, and the Towing-paths on the Sides thereof; and alſo to conſtruct, erect, make, and do, all other Matters and Things which they ſhall think neceſſary and convenient for the making, effecting, preſerving, improving, completing, and uſing the ſaid Navigation, in purſuance and within the true Meaning of this Act; they the ſaid Company of Proprietors, their Succeſſors and Aſſigns, doing as little Damage as may be in the Execution of the ſeveral Powers to them hereby granted; and making Satisfaction in Manner herein after mentioned for all Damages to be ſuſtained by the Owners or Proprietors of ſuch Lands, Tenements, or Hereditaments, Waters, Watercourſes, Brooks, or Rivers, reſpectively, as ſhall be taken, uſed, removed, diverted, or prejudiced, in or by the Execution of all or any of the Powers of this Act; and this Act ſhall be ſufficient to indemnify the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and their Servants, Agents, and Workmen, and all other Perſons whomſoever, for what they or any of them ſhall do by virtue of the Powers hereby granted.

to enter Lands or Grounds to take Surveys, &c.

and to dig and carry away Stone, Gravel, &c.

Company may build Bridges, Sluices, &c.

make Fences,

and Towing-paths, &c.

doing as little Damage as poſſible, and making Satisfaction for the ſame.

II. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower or authoriſe the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their Agents, Servants, or Workmen, or any of them, on any Account or Pretence whatſoever, to dig or get any Earth, Stone, Clay, or Soil, in any of the Lands or Grounds of or belonging to *John Hodgetts* Eſquire, without the Conſent of the ſaid *John Hodgetts*, his Heirs or Aſſigns, firſt had and obtained, in Writing under his or their Hand or Hands (except what ſhall be neceſſary to be dug or gotten out of the Bed of the ſaid Canal in cutting and making the ſame), or to make any Towing-path on the North Side of the ſaid intended Canal, below the lowermoſt Lock to be erected and made on the ſaid Canal, without ſuch Conſent as aforeſaid.

Company not to dig Clay, &c. in any Lands of Mr. Hodgetts.

III. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower or authoriſe the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their Servants, Agents, or Workmen, to carry or make the ſaid Canal on the North or North-weſt Side of the aforeſaid Cut or Aqueduct leading to the *Wire-mills* in the Poſſeſſion of the ſaid *John Ryland*, below the ſaid Brook called *Wordeſley-brook*.

Proviſo.

IV. And be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower or authoriſe the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their Servants, Agents, or Workmen, to lay any Earth or Soil (except Stone to be afterwards taken away) on the Ground lying between the ſaid intended Canal and the ſaid *Wire-mill Trench*, from the Watering-place below Miſtreſs *Tilley*'s Farm-houſe, for the Diſtance of three hundred and thirty Yards towards *Bell's Mill*, without the Conſent of the ſaid *John Hodgetts* in Writing firſt had and obtained.

Proprietors not authoriſed (without the Conſent of Mr. Hodgetts) to lay Earth, &c. on certain Places;

V. Provided

nor to carry the Canal within 30 Yards of his Plantation at Hafcut;

V. Provided always, and be it further enacted and declared by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower or authoriſe the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their Agents, Servants, or Workmen, or any of them, to make any Part of the ſaid intended Canal, or to join or communicate the ſame with the *Staffordſhire* and *Worceſterſhire* Canal Navigation, within the Diſtance of thirty Yards of any Part of the Plantation that ſurrounds the Piece of Water belonging to the ſaid *John Hodgetts* at *Hafcut*; but that the ſaid Canal ſhall be carried, and the ſaid Junction ſhall be made, at no leſs Diſtance than thirty Yards below any Part of the ſaid Plantation, without the Conſent of the ſaid *John Hodgetts*, his Heirs and Aſſigns, firſt had and obtained in Writing, under his or their Hand or Hands.

nor to leave Spoil or Earth on his Land near the Road from Hafcut to Stewponey.

VI. Provided alſo, and it is hereby enacted and declared by the Authority aforeſaid, That it ſhall not be lawful for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or their Agents, Servants, or Workmen, or any of them, without the Conſent in Writing of the ſaid *John Hodgetts*, his Heirs or Aſſigns, to leave any Spoil or Earth on the Land of the ſaid *John Hodgetts*, lying on the North-weſt Side of the Road leading from *Hafcut* to *Stewponey*, but the ſame ſhall be taken away by the ſaid Company, their Succeſſors and Aſſigns, at their own Expence, within twelve Months after the ſaid Canal ſhall be made navigable as aforeſaid; except ſuch Part of the Spoil or Earth as ſhall be neceſſary for making the Locks, Towing-paths, and Banks, of the ſaid Canal.

Proprietors not to extend Canal within one Mile and a Half of Birmingham Canal, &c.

VII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to authoriſe or impower the Company of Proprietors therein named, or their Succeſſors or Aſſigns, or the ſaid *John* Lord Viſcount *Dudley* and *Ward*, his Heirs or Aſſigns, or any or either of them, or any other Perſon or Perſons whomſoever, to extend, on the contrary, they are hereby reſtrained from extending, at any Time, the Canal hereby authoriſed to be made, or the collateral Cuts thereto belonging, or any or either of them, to any Place or Places whatſoever, lying or being within the Diſtance of one Mile and an Half of the *Birmingham* Canal Navigation, or the collateral Cuts thereto belonging, or within the Diſtance of one Mile and an Half of any Part of them, or either of them, either by a Canal, Cut, Sluice, Tunnel, or otherwiſe howſoever; and alſo from making or extending, at any Time, any Cut, Sluice, Trench, or Tunnel, from the ſaid *Birmingham* Canal or collateral Cuts, to the ſaid Canal and Cuts hereby authoriſed to be made, or to any Part of them, or either of them, or within the Diſtance of one Mile and an Half of the ſaid Canal and Cuts hereby authoriſed to be made, or any Part of them, or either of them, without the Conſent of the Company of Proprietors of the ſaid *Birmingham* Canal, or their Succeſſors or Aſſigns, under their Common Seal, for that Purpoſe firſt had and obtained.

No Water to be taken out of Birmingham Canal Navigation, &c.

VIII. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to enable, authoriſe, or impower the Proprietors herein named, or their Succeſſors or Aſſigns, or any other Perſon or Perſons whomſoever, to take any Water from the ſaid *Birmingham* Canal Navigation, or the collateral Cuts to the ſame belonging, or any Water from any Brooks, Springs, Streams, or Watercourſes, that are now taken into, and which ſupply the ſaid *Birmingham* Canal or collateral Cuts, or the Reſervoirs made, or to be made, for the Accommodation of the ſame, or which the Proprietors of the ſaid *Birmingham* Canal, their Succeſſors or Aſſigns, have a Right to take into the ſaid Canal and collateral Cuts or Reſervoirs, under and by virtue of the Acts of Parliament made and paſſed with reſpect to ſuch *Birmingham* Canal, or to divert or otherwiſe to intermeddle with any ſuch Water, Brooks, Springs, Streams, or Watercourſes.

Proprietors not to take or divert certain Waters.

IX. Provided alſo, That it ſhall not be lawful for the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their Agents, Servants, or Workmen, or any of them, or any other Perſon or Perſons whomſoever, who ſhall at any Time hereafter make any Cut, Sluice, or Communication whatſoever, with the ſaid intended Canal or collateral Cuts, by virtue of the Powers contained in this Act, on any Account or Pretence whatſoever, to divert or take, for the Uſe or Supply of the ſaid intended Canal, any Water from or out of any Part of the Rivers *Stour* or *Smeſtow*, or from or out of a certain Brook or Rivulet running by a Place called *Withymore-mill*, into the *New Pool*, or a certain other Brook or Rivulet running into the ſaid *New Pool*, by a Place called *Salt-water Spring*, or a certain other Brook or Rivulet, running into the ſaid *New Pool*, by the *Level Coal-work* on *Penſnet-chace*, or a certain other Brook or Rivulet, called *Holbeche-brook*, running into the ſaid River *Smeſtow*, or from or out of any other Rivulet, Brook, Stream, Watercourſe, or Spring whatſoever, running into or communicating with the ſaid Rivers *Stour* or *Smeſtow*; but they and every of them are hereby expreſsly forbidden and reſtrained from ſo doing.

Reſervation of Waters for the Uſe of the Navigation.

X. Provided nevertheleſs, That nothing herein contained ſhall hinder or prevent the ſaid Company of Proprietors, their Succeſſors or Aſſigns, from having or taking, for the Uſe of the ſaid Navigation, any Waters to be raiſed or got by means of any Fire-engine or Fire-engines, or other Machine, erected or to be erected upon or near to any Part of *Penſnet-chace*, or near to the ſaid collateral Cuts for draining the Water from any of the Coal or other Mines there; nor from taking or intercepting any Rain-water or Land-floods, by means of any Reſervoir or Reſervoirs to be made on *Penſnet-chace*, or on the Summit of the ſaid Navigation, for the Purpoſe of ſupplying the ſame with Water; nor from taking or diverting into the Summit of the ſaid collateral Cuts, certain Springs, Streams, or Rivulets, riſing on *Penſnet-chace*, and which at preſent flow into *Wordeſley-brook*; as alſo certain other Springs, Streams, or Rivulets, which at preſent flow into *Audnam-brook*, as well as any other Springs, which will be neceſſarily intercepted in the making of the ſaid collateral Cuts.

'XI. And whereas a Bill is now depending in Parliament for making and maintaining a Navigable 'Canal, and which is intended to be called *The Dudley Canal Navigation*, within and from certain Lands 'belonging to *Thomas Talbot Foley* Eſquire, in the Pariſh of *Dudley* in the County of *Worceſter*, to 'join and communicate with the ſaid *Stourbridge* Navigation hereby authoriſed to be made at the *Black 'Delph* aforeſaid: Therefore, in order to preſerve a Supply of Water for the ſaid *Dudley* Canal,' be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall authoriſe or impower the ſaid

Proprietors not to make Reſervoirs on the South-eaſt Side of the Turnpike road between Dudley and Brierly-hill, &c.

Company of Proprietors, their Succeſſors or Aſſigns, to make or uſe any Reſervoir or Reſervoirs on the South-eaſt Side of the Turnpike-road leading between the Town of *Dudley* and *Brierly-hill* Chapel, on *Penſnet-chaſe* aforeſaid; or to take any Water to be raiſed by any Fire-engine, Machine or Level, already erected or made, or to be erected or made, on the South-eaſt Side of the ſaid Turnpike-road, unleſs with the Conſent of the intended Company of Proprietors of the ſaid *Dudley* Canal Navigation firſt had and obtained in Writing under their Common Seal; but that nothing herein contained ſhall hinder or prevent the ſaid Company of Proprietors of the ſaid *Stourbridge* Canal Navigation from making any ſuch Reſervoir or Reſervoirs, or taking the Water to be raiſed from the Coal Mines by any Fire-engine, Machine, or Level, upon or near any Part of *Penſnet-chaſe*, in caſe the ſaid *Dudley* Canal Bill ſhall not paſs into a Law, or the ſaid Canal ſhall not be made in conſequence thereof, or be hereafter diſcontinued.

Waſte Water to be conveyed to Mr. Foſter's Leather-mill.

XII. 'And whereas *John Foſter* Eſquire is Owner of a certain Leather-mill, ſituate near *Wordeſley*, in 'the Pariſh of *Kingſwinford* aforeſaid, and it is apprehended that ſome of the Water which now runs to 'the ſaid Mill, may be taken for the Uſe of the ſaid Canal and collateral Cuts: Therefore, in order that 'as little Injury may be done to the ſaid Mill as may be,' be it enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, and their Succeſſors and Aſſigns, ſhall, and they are hereby required, at their own Coſts and Charges, to erect, and at all Times thereafter ſupport and maintain, one or more Weir or Weirs upon that Part of the ſaid collateral Cuts which lies between the Reſervoir to be made on *Penſnet-chaſe*, and the *Black Delph*, ſo as to turn and convey to the ſaid Leather-mill all the waſte and ſuperfluous Water ariſing from the Summit of the ſaid Navigation, and which ſhall not be wanted for the Uſe thereof: But nothing herein contained ſhall hinder or prevent the ſaid Company of Proprietors, their Succeſſors and Aſſigns, from erecting one or more Weir or Weirs on the ſaid collateral Cuts for the Purpoſe of carrying off the ſuperfluous Water in Times of Flood, which otherwiſe might injure the ſaid Navigation, ſo as that ſuch laſt mentioned Weir or Weirs be placed not leſs than one Inch higher than the ſaid Weirs, for conveying the ſaid Water to the ſaid Leather-mill: Provided alſo, That the Regulations aforeſaid, reſpecting the ſaid Mill, ſhall not be conſtrued to extend to deprive the ſaid *John Foſter*, his Heirs or Aſſigns, of any further Satisfaction he or they may be entitled unto for the Damage which may be done to his or their Property by diverting into the ſaid Canal or collateral Cuts any Waters to which he or they is or may be legally entitled; but that he or they ſhall have and receive Satisfaction for ſuch Damage, to be aſcertained and recovered by the Ways and Means herein after provided with reſpect to Waters to be taken for the Uſe of the ſaid Navigation.

Proprietors may erect Weirs, for carrying off ſuperfluous Water in Times of Flood. Proviſo.

Proprietors to erect Weirs upon the Canal above Bell's Mill.

XIII. Provided alſo, and be it further enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, and their Succeſſors and Aſſigns, ſhall, and they are hereby required, at their own Coſts and Charges, to erect, and at all Times thereafter to ſupport and maintain, one or more Weir or Weirs upon the ſaid Canal above *Bell*'s Mill, not more than one Inch and an Half higher than the Weirs to be made at the Lock next below *Bell*'s Mill, (the Lock Weirs not to be more than twenty Feet wide, and the Flood Weir or Weirs above *Bell*'s Mill not to be leſs than forty Feet) ſo as to turn and convey into the River *Stour* all the waſte and ſuperfluous Water ariſing from or running into the ſaid Canal which will not be wanted for the Uſe thereof.

No Quays, &c. to be made in Mr. Foſter's Land in Nager's Fields.

XIV. Provided always, and be it further enacted, That nothing in this Act ſhall be conſtrued to extend to impower the ſaid Company of Proprietors, their Succeſſors or Aſſigns, to make or erect any Quay, Wharf, Crane, Weighing-beam, Mill, or Warehouſe, in any of the Lands belonging to the ſaid *John Foſter*, ſituate at *Wordeſley*, in the ſaid Pariſh of *Kingſwinford*, called *Nager's Fields*.

Direction of Towing path through Nager's Fields.

XV. Provided always, and be it further enacted by the Authority aforeſaid, That the Towing-path through and over the Lands and Grounds of the ſaid *John Foſter* called *Nager's Fields*, ſhall not be made on the South Side of the ſaid collateral Cuts, unleſs with the Conſent in Writing of the ſaid *John Foſter*, his Heirs or Aſſigns.

Breadth of Canal, Towing-paths, &c. reſtricted.

XVI. Provided always, and be it further enacted, That the Land and Ground to be taken or uſed for ſuch Canal, and collateral Cuts and Towing-paths, and the Ditches, Drains, and Fences, to ſeparate ſuch Towing-paths from the adjoining Lands, ſhall not exceed twenty-ſix Yards in Breadth, except in ſuch Places where the ſaid Canal or collateral Cuts ſhall be reſpectively raiſed higher, or cut above five Feet deeper, than the preſent Surface of the Land, and in ſuch Places where it ſhall be judged neceſſary for Boats and other Veſſels to turn, lie, or paſs each other, nor more than ſixty Yards in Breadth in any of thoſe Places; nor ſhall any Land or Ground be ſet out, aſcertained, contracted for, and ſold, for the Purpoſe of making any navigable Cut, Trench, or Sluice, to convey Commodities, or other Things, to or from the ſaid Canal or collateral Cuts, without the Conſent of the Owner or Owners of the ſaid Lands reſpectively, under his or their Hands in Writing firſt had and obtained; nor for more than one thouſand Yards in Length with ſuch Conſent; any Thing in this Act contained to the contrary notwithſtanding.

Power to take Water from Mines;

'XVII. And whereas the making ſuch Canal and collateral Cuts will be of particular Advantage to the 'Owners and Proprietors of certain Coal-mines already opened, and which may be opened, contiguous or 'near to the ſaid collateral Cuts; and it will be neceſſary for ſupplying the ſaid Canal and collateral Cuts 'with Water, that the Water to be raiſed by the Fire-engines, or other Machines, erected or to be erected 'for the draining of the ſaid Mines, ſhould be diſcharged into the ſaid Canal or collateral Cuts,' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and they are hereby authoriſed and impowered, at all Times hereafter, to have, divert, and take, the Water to be raiſed or drained, by means of certain Fire-engines already erected near to the Courſe of the ſaid intended collateral Cuts, and which belong to *John Pidcock*, *Benjamin Brettell*, and *Jeremiah Brettell*, as Copartners, and to the ſaid *Jeremiah Brettell*, *Thomas Seager*, and *John Parker*, individually, as alſo the Water which may be got, raiſed, or conveyed from or by Means of any other Fire-engine, Machine, or Level, which now is or are, or ſhall or may, at any Time or Times hereafter, be erected, made, or opened, in or upon any Lands or Mines belonging to the Right

Right Honourable *John* Lord Viſcount *Dudley* and *Ward*, the ſaid *John Pidcock*, *Benjamin Brettel*, *Jeremiah Brettell*, *Thomas Seager*, *John Parker*, and *Robert Honeyborne*, or of any other Perſon or Perſons whomſoever, without any Recompence or Satisfaction to be made by the ſaid Company of Proprietors, their Succeſſors, or Aſſigns, for the ſaid Water ſo to be diverted and taken as aforeſaid; and that it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, for the Purpoſe of ſupplying the ſaid Canal and collateral Cuts with the ſaid laſt-mentioned Water, and for the conveying of the ſame thereto, to make any Reſervoir or Reſervoirs, Trenches, Aqueducts, or Feeders, doing no Injury thereby to any Mines lying under or near to ſuch Reſervoirs, Trenches, Aqueducts, or Feeders, and making Recompence and Amends to the Owners and Proprietors of Lands, in Manner as herein is directed and provided, for any Lands to be taken or uſed, or for any Damage to be occaſioned to any other Lands by reaſon of the making of any ſuch Reſervoirs, Trenches, Aqueducts, or Feeders.

and alſo to make Reſervoirs, Trenches, &c.

making Recompence for Damages.

XVIII. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons, Owners or Proprietors of Mines, who ſhall at any Time or Times hereafter navigate or make uſe of the ſaid Canal or collateral Cuts, for the Purpoſe of conveying, his, her, or their Coals, or other Minerals, ſhall, and they are hereby required to cauſe to be lifted and thrown up, all ſuch Water as ſhall from Time to Time be raiſed by any Fire-engine, Machine, or otherwiſe, for the Purpoſe of working his, her, or their Mines, to ſuch a Height or Level as may be ſufficient to convey ſuch Water into the ſaid Canal, or collateral Cuts, ſo as ſuch Owners or Proprietors be not obliged to raiſe the ſaid Water, at his, her, or their own Expence, higher than may be neceſſary for draining and diſcharging the Water from his, her, or their Mines; but in caſe the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall think it expedient, for the Purpoſe of ſupplying the ſaid Canal and collateral Cuts with Water, that the Owners or Proprietors of any ſuch Fire-engine, or other Machine, ſhould raiſe the Water out of his, her, or their Mines, to a higher Level than may be neceſſary for draining and diſcharging ſuch Water out of ſuch Mines, and ſhall give Notice in Writing under the Seal of the ſaid Company of Proprietors, or under the Hand of their Clerk or known Agent, of their requiring the ſaid Water ſo under-level to be thrown into the Canal or Cuts; then, and in ſuch Caſe, the ſaid Owner or Proprietor of every ſuch Fire-engine, or other Machine, ſhall be obliged to lift up ſuch Water into the ſaid Canal or collateral Cuts, agreeable to ſuch Notice, the ſaid Company of Proprietors, their Succeſſors or Aſſigns, firſt paying either to the ſaid Owner or Proprietor of ſuch Fire-engine or other Machine, or into the Hands of ſome one indifferent Perſon to be named and appointed by the ſaid Commiſſioners, or any five or more of them, at the Option of the ſaid Company of Proprietors, to be by ſuch Perſon applied from Time to Time as the ſaid Commiſſioners ſhall direct, in paying the additional Expence any ſuch Owner or Proprietor of any ſuch Fire-engine or other Machine may incur or be put unto in altering or enlarging the ſaid Fire-engine or Machine, or in conſtructing any other Works to anſwer the Purpoſe aforeſaid, and alſo from Time to Time making a further and full Satisfaction by way of annual Rent, for the additional Expence ſuch Owner or Proprietor may be put unto in working, ſupporting, and keeping in Repair, the ſaid Fire-engine or other Machine for the Purpoſe of throwing the Water into the ſaid Canal or collateral Cuts; and in caſe the ſaid Company of Proprietors, their Succeſſors or Aſſigns, and the Owners or Proprietors of any ſuch Mines or Fire-engines, ſhall not agree upon the Compenſation to be made, the ſame ſhall be adjuſted and determined in Manner herein after provided with reſpect to Satisfaction to be made to the Owners of Lands to be taken for the Uſe of the ſaid Canal; ſuch Compenſation to be paid either to the ſaid Owner or Proprietor of any ſuch Fire-engine or other Machine, or into the Hands of ſuch indifferent Perſon to be nominated as aforeſaid, at the Election of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, and to be applied for the Purpoſes and in Manner herein before mentioned and directed: And in caſe the Owner or Proprietor of any Fire-engine or other Machine ſhall at any Time, during the Time ſuch Fire-engine or other Machine ſhall be worked or uſed for the Purpoſe of draining the Water out of ſuch Mines, refuſe or neglect, after Notice in Writing for that Purpoſe, to be given by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their Clerk or Agent for the Time being, to lift or raiſe the Water to be drained out of his, her, or their Mines, to the Height and Level and in Manner herein before directed; that then it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, from Time to Time to hinder and prevent ſuch Owner or Proprietor of ſuch Fire-engine or other Machine and Mines, or any other Perſon or Perſons, from navigating or conveying any Coal or other Minerals, which ſhall be gotten from ſuch Mines, upon the ſaid Canal or collateral Cuts, during the Refuſal or Neglect of ſuch Owner or Proprietor as aforeſaid, and for any further Time, not exceeding the Space of three Months, nor leſs than one Month, next after the ſaid Water ſhall be conveyed to the ſaid Canal and collateral Cuts; any Thing in this Act contained to the contrary hereof notwithſtanding.

Proprietors of Fire-engines, &c. to lift their Water into the Canal, &c.

How to proceed if Parties cannot agree upon the Compenſation, &c.

Puniſhment of Owners of Fire-engines, &c. who ſhall refuſe to raiſe the Water as above mentioned.

XIX. And be it further enacted by the Authority aforeſaid, That after any ſuch Parts of the ſaid Lands or Grounds ſhall be ſo ſet out and aſcertained as aforeſaid for making the ſaid Canal and collateral Cuts, and other the Purpoſes and Conveniencies herein before mentioned, it ſhall and may be lawful for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, and Feoffees in Truſt for Charities and other Purpoſes, Committees, Executors, Adminiſtrators, and all other Truſtees whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their *Ceſtuique* Truſts, whether Infants, Iſſue unborn, Lunatics, Idiots, Femes-covert, or other Perſon or Perſons, and to and for all Femes-covert who are or ſhall be ſeiſed, poſſeſſed of, or intereſted, in their own Right, and to and for every other Perſon or Perſons whomſoever who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any Lands or Grounds which ſhall be ſet out and aſcertained as aforeſaid, to contract for, ſell, and convey, unto the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or to ſuch Perſon or Perſons as they ſhall nominate and appoint, for the Uſe of the ſaid Navigation, all or any Part of ſuch Lands or Grounds which ſhall from Time to Time be ſet out and aſcertained as aforeſaid; and where, by making the ſaid Canal and collateral Cuts, the Property of any

Bodies Politic, &c. impowered to ſell and convey.

Land-owner or Land-owners ſhall be ſeparated into ſmall Parcels, ſo as to render the Occupation thereof inconvenient, it ſhall and may be lawful to and for ſuch Bodies Politic, Corporate, and Collegiate, and other ſuch Land-owners, by and with the Conſent of the Commiſſioners to be appointed as herein after mentioned, or any five or more of them, to be teſtified by any Writing or Writings to be by them ſealed and delivered in the Preſence of, and atteſted by, two or more credible Witneſſes, to contract for, ſell, and diſpoſe of, or to convey in Exchange in lieu of other Lands, all or any Part of ſuch Lands or Grounds through which the ſaid intended Canal and collateral Cuts ſhall be made, to any Perſon or Perſons whomſoever, for ſuch Price or Prices in Money, or other Equivalent, as to the ſaid Commiſſioners, or any five or more of them, ſhall ſeem reaſonable; and that all ſuch Contracts, Agreements, Sales, Exchanges, Conveyances, and Aſſurances, ſhall be valid and effectual in Law, to all Intents and Purpoſes whatſoever; any Law or Statute to the contrary thereof in any-wiſe notwithſtanding: And all Bodies Politic, Corporate, or Collegiate, and all Perſons whomſoever, ſo conveying or exchanging as aforeſaid, are hereby indemnified for what he, ſhe, they, or any of them, ſhall reſpectively do by virtue or in purſuance of this Act; and that all ſuch Contracts, Agreements, Sales, Exchanges, Conveyances, and Aſſurances, (other than thoſe which concern Copyhold Lands or Tenements, or any Purchaſe or Exchange between any ſuch reſpective Land-owners) ſo to be made as aforeſaid, ſhall, at the Expence of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, be enrolled by the Clerks of the Peace of the reſpective Counties of *Stafford* and *Worceſter*, in which ſuch Lands ſhall lie; and true Copies thereof ſhall be allowed to be good Evidence in all Courts whatſoever; for which Inrolment the Clerk of the Peace for the County where the ſame ſhall be inrolled ſhall receive the Sum of Sixpence, and no more, for every two hundred Words; and ſo in proportion for any greater or leſs Number of Words.

All Perſons indemnified who ſhall ſell or convey, &c. by virtue of this Act.

Copyhold Rights to be preſerved.

XX. Provided always, and be it enacted, That all Contracts, Agreements, Bargains, Sales, and Exchanges, of any Lands, which are of the Nature of Copyhold, or Cuſtomary Freehold, ſhall be executed and completed by Surrender thereof in the reſpective Courts of the Manors whereof ſuch Lands are held, according to the Cuſtom of the ſaid Manors reſpectively; and ſhall remain and continue ſubject to ſuch and the ſame Fines, Rents, and Services, as are due, payable, or of Right accuſtomed, in ſuch and the ſame Manner as if this Act had not been made; any Thing herein contained to the contrary notwithſtanding.

Commiſſioners appointed.

'XXI. And whereas Differences may ariſe between the ſaid Company of Proprietors and the ſeveral 'Owners of and Perſons intereſted in Lands, Grounds, Tenements, Hereditaments, or Waters, which ſhall 'or may be affected or prejudiced by the Execution of any of the Powers hereby granted, touching the 'Purchaſe-money to be paid, or Recompence to be made, to them reſpectively,' be it therefore enacted by the Authority aforeſaid, That *John Amphlett*, *Joſeph Amphlett*, *Richmond Aſton*, *George Anſon*, *John Turnpenny Altree*, Sir *Richard Acton* Baronet, *Dudley Ackland*, *William Amphlett*, *John Aynſworth*, Sir *William Bagot* Baronet, *Thomas Bradney*, *John Beecher*, *Thomas Brettell* the elder, *Thomas Brettell* the younger, *Jeremiah Brettell*, *Richard Brettell*, *Ananias Brettell*, *Joſeph Brettell*, *Thomas Biggs*, *Richard Blicke*, *Walter Bradley*, *James Braſier*, *John Baker*, *George Baker* Clerk, *William Barrett*, *Nathaniel Barrett*, *Richard Baynes*, *Joſeph Beeſley*, *John Broom* junior, *Thomas Baker*, *Thomas Bourne*, *Charles Baldwin*, *Thomas Bagnell*, Sir *Henry Bridgeman* Baronet, *Robert Burton*, the Reverend *John Brooke*, *Richard Bradſhaw* Clerk, *Anthony Badley*, *Henry Badley*, *John Badley*, *Dudley Bagley*, *William Bendy*, *Thomas Bendy*, *Benjamin Brettell*, *William Bayliſs*, *George Burriſh*, *Robert Bloomer*, the Reverend *John Carver* Archdeacon of *Stafford*, *Edmund Cox*, *William Croft*, *Richard Croft*, *Edward Cauſer*, *William Clinton*, *Daniel Clarke*, *Francis Corne*, *William Chetwynd*, the Honourable *Thomas Clifford*, *Brook Crutchley*, *Joſeph Cottrill*, *Henry Crocket*, the Right Honourable Lord *Clive*, *John Corbet*, *Edward Cludde*, *William Childe*, *John Cotes*, *Robert Corbet*, *Andrew Corbet*, *Joſeph Cartwright* Clerk, *John Cox*, *John Cromwell*, *William Callow*, *Edward Cox*, *Serjeant Crane*, *Thomas Carpenter*, *John Durant* Clerk, *Anthony Deane*, *Oliver Dixon*, *Thomas Dudley*, *John Dudley* Clerk, *Edward Dixon*, *Edward Devie*, *Thomas Davenant*, *Corbet Davenant*, *Abraham Darby*, *John Downing* Clerk, *Thomas Orford Downing*, *Thomas Danks*, *George Enſell*, *Vincent Edwards*, *Henry Eld*, *Thomas Eyeton*, *Thomas Foley*, *Thomas Foley* junior, *Edward Foley*, *Thomas Talbot Foley*, *Andrew Foley*, *John Foſter*, *John Finch*, *William Finch*, *John Foſter* junior, *Thomas Fowler*, *James Fieldhouſe*, *John Fryer*, *Thomas Fernyhough*, *George Foreſter*, *William Ferryday*, *Stephen Fiſher*, the Honourable *Booth Grey*, the Honourable *John Grey* junior, *John Gibbons*, *Benjamin Gibbons*, *John Groome*, *Green*, D. D. *Thomas Gibbons* ſenior, *John Gough*, *William Geaſt*, *Thomas Grazebrooke*, *Charles Harris* Clerk, *Joſeph Honeyborne* Clerk, *John Hodgetts*, *Corbett Hale*, *William Hodgetts*, *John Hurtle*, *Edward Hickman*, *Thomas Highway*, *Robert Honeyborne*, *Thomas Hawkes*, *Waldron Hill*, *Thomas Hill* the elder, *Thomas Hill* the younger, *Charles Harris*, *Samuel Hollins*, *Joſeph Hancox*, *Francis Homfray*, *Walter Hollier*, *Edward Harper*, Sir *Samuel Hellier* Knight, the Reverend *Thomas Hartſhorne*, *William Haſlewood*, *Thomas Hayes*, *John Haſſard*, *Thomas Hayes* of *Briſtol*, *John Hayne*, *Peter Hinckes*, *John Horton*, the Reverend *Edward Horton*, *Phineas Huſſey*, *Francis Holyoake*, *James Horton*, *Peter Hinckes* the younger, *Joſiah Hinckes*, *John Hayes*, *Thomas Hoo*, Sir *Rowland Hill* Baronet, *Noel Hill*, *Henry Hawley*, *Thomas Hill*, *Richard Hill*, *Thomas Harris*, the Reverend *Edward Harris*, *John Haden*, *Thomas Hawkes* junior, *John Homer*, *Joſiah Hunt*, *John Addenbrooke Homfray*, *John Holden*, *Aſton Harris*, *Thomas Holbeche*, *George Jones*, *John Iddins*, *John Jeſſon*, *William Jones*, *John Jarvis*, the Reverend *Cornelius Jeſſon*, Sir *Thomas Jones* Knight, *Francis Ingram*, *John Jefferies*, *John Keelinge*, *Edward Knight*, *Edward Knight* the younger, *John Knight*, *James Keir*, the Right Honourable Lord *Killmorey*, *Robert Kynaſton*, *William Henry Lyttelton*, *William Lygon*, *Humphrey Lyttelton*, *John Lane*, *Joſeph Lane*, Sir *Edward Littleton* Baronet, *Fiſher Littleton*, *John Leebridge*, Sir *Robert Lawley* Baronet, *Charleton Leighton*, *Reginald Lygon*, *Thomas Lea*, *John Lea*, *Walter Acton Moſeley*, *James Moſeley*, *John Marſh*, *Thomas Milward*, *Richard Mee*, *Joſeph Morris*, *George Molineux*, *John Marſhall*, *William Mansfield*, *William Maſfine*, *John Mytton*, *Thomas Mytton*, *Edward Maurice*, *Walter Acton Moſeley* the younger, *James Mackmillan*, *George Mackmillan*, *Thomas Newton*, *Walter Noel*, the Reverend *Titus Neve* Clerk,

Clerk, *Richard Norris*, *Richard Norbury*, *Hungerford Oliver*, *John Oldnall*, *Edward Oliver*, *Thomas Milward Oliver*, *William Moſtyn Owen*, *Thomas Ottley*, *William Pigott* Clerk, *Other Philpott* Clerk, *Walford Phillipt*, *John Pidcock*, *Thomas Pidcock*, *William Pargiter*, *William Powell*, *James Pratt*, *William Palmer*, *James Payton*, *James Perry*, *John Lewis Petit* M. D. the Right Honourable Lord *George Pigot*, *John Poultney*, *Thomas Pearſon*, *Thomas Plimley*, *Robert Prittie*, *William Perks*, *John Perks*, *John Price*, *William Pulteney*, *Edward Pemberton*, *Robert Pigott*, *William Pearcehall*, Sir *John Peſhall* Baronet, *John Peſhall*, *Sparry Peſhall*, *Philips Penn*, *Zachariah Parkes*, *William Perry*, *Thomas Parker*, *John Perry* Clerk, *John Perrott*, *Edward Ruſſell*, *Thomas Rogers*, *Wilſon Aylesbury Roberts*, *Thomas Raybould*, *Joſeph Robins*, *John Richardſon*, *Edward Rogers*, *John Rock*, *Richard Rock*, *Francis Stokes*, *Samuel Steward*, *William Scott*, *John Scott*, *John Smith*, *Thomas Seager*, *William Seager*, *Thomas Savage*, *Jonathan Stokes*, *John Southwell*, *Ferdinando Smith*, the Reverend *Edward Shaw*, the Reverend *James Shaw*, *John Weſton Smith*, *Edward Sneyd*, the Reverend *James Stafford*, *John Sneyd*, *Lancelot Shadwell*, the Reverend *Thomas Seward*, the Reverend *Jonas Slaney* Clerk, *Thomas Stubbs*, *John Stubbs*, *Talbot Stubbs*, *George Stubbs*, Sir *Edward Smith* Baronet, *John Smitheman*, *Nicholas Smith*, *Plowden Slaney*, *Thomas Stephens*, the Reverend *Thomas Shaw*, *James Hayward Shaw*, *Abraham Turner*, *John Triſtram*, *John Triſtram* the younger, *Thomas Triſtram*, *John Turton*, *Thomas Tomkys*, *Thomas Turton*, the Honourable *Henry Tracey*, *John Taylor*, *William Tongue*, *Samuel Twamley*, *William Turner*, *William Vernon*, *Henry Vernon*, Sir *John Wrotteſley* Baronet, the Honourable *William Ward*, *Humble Ward*, *Pynſon Wilmot* Clerk, *Paul White* Clerk, *John Welch* Clerk, *Walter Woodcock*, *Thomas Wight*, *Edward Whitby*, *Gregory Watkins*, *William Wheeler*, *Thomas Waldron*, *William Waldron*, *Thomas Jacob White*, *Nathaniel Wight*, *John Wylde* Clerk, *Joſeph Wilks*, *Thomas Wilks*, *John Wilks*, *Moreton Walhouſe*, *John Watſon*, *John Wightwick*, *Henry Wood*, *Richard Whitworth*, *Thomas Wightwick*, *Richard Wilks*, Sir *Watkin Williams Wynn* Baronet, *Thomas Whitmore*, *William Whitmore*, *Charles Edward Windſor*, the Reverend *Henry Witmore*, *John Watts*, *Joſeph Wainwright*, and *John Wells*, Sir *John Saunders Sebright* Baronet, *Robert Lawley*, *Thomas Evans* Clerk, *Henry Downing* Clerk, *Richard Amphlett*, *Walter Moſely*, *Joſeph White*, *William Blow Collis*, ſhall be, and they and their Succeſſors, to be elected in Manner herein after mentioned, are hereby appointed Commiſſioners for the ſettling, determining and adjuſting, all Queſtions, Matters, and Differences, which ſhall or may ariſe between the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or any of them, and the ſeveral Proprietors of, and Perſons intereſted in, any Lands, Grounds, Tenements, Hereditaments, or Waters, that ſhall or may be affected or prejudiced by the Execution of any of the Powers hereby granted; and they the ſaid Commiſſioners, or any five or more of them, qualified as hereafter mentioned, are hereby impowered, by Examination of Witneſſes upon Oath, (which Oath the ſaid Commiſſioners, or any five or more of them, are hereby authoriſed to adminiſter) and by other lawful Ways and Means, by Writing under their Hands and Seals, to determine and adjuſt, from Time to Time, what diſtinct Sum or Sums of Money ſhall be paid by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or any of them, either by an annual Rent or Payment, or by a Sum of Money in Groſs, to, and at the Election of, ſuch Bodies Politic, Corporate, or Collegiate, Perſon or Perſons reſpectively, who ſhall be entitled or intereſted as aforeſaid, for the abſolute Purchaſe of the Lands or Grounds which ſhall be ſet out and aſcertained as aforeſaid for making the ſaid Canal, and collateral Cuts, or any Part thereof, and other the Purpoſes in this Act mentioned; and alſo to determine and adjuſt what other diſtinct Sum or Sums of Money ſhall be paid by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, as a Recompence for any Damages which may or ſhall be, at any Time or Times whatſoever, ſuſtained by ſuch Bodies Politic, Corporate, or Collegiate, or other Perſon or Perſons reſpectively, being Owners of, or intereſted in, any Lands, Grounds, Tenements, Hereditaments, and Waters, for or by Reaſon of the making, repairing, or maintaining, the ſaid Canal, or collateral Cuts, or of any Reſervoirs, Trenches, Paſſages, Gutters, Watercourſes, Roads, Ways, or Sluices, or ſupplying the ſame, or any of them, with Water as aforeſaid, or by the flowing, leaking, or ouſing, of the Water over or through the Banks of the ſaid Canal, collateral Cuts, Reſervoirs, Trenches, or Sluices, or over or through any Paſſages, Gutters, or Watercourſes, which ſhall be made, purſuant to the Powers hereby given, for conveying and communicating Water to and from the ſaid Canal and collateral Cuts, or by not cleanſing the ſaid Watercourſes, Trenches, or Paſſages, or by turning or diverting any Streams or Brooks into the ſame, or by Reaſon or Means of the Execution of any of the Powers herein contained, by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, their Agents, Workmen, or Servants, in caſe ſuch Price or Value, Damages and Recompence reſpectively, cannot be ſettled, adjuſted, and agreed upon, by and between the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or any of them, and ſuch Proprietors of, and Perſons intereſted in, the ſaid Lands and Grounds as aforeſaid: And if the ſaid Company of Proprietors, their Succeſſors and Aſſigns, for and on the Part and Behalf of themſelves, or any ſuch Body Politic, Corporate, or Collegiate, or other Perſon or Perſons ſo intereſted or intitled as aforeſaid, for and on his or their Parts, ſhall refuſe to ſubmit any ſuch Matter to the Determination of the ſaid Commiſſioners, or ſhall be diſſatisfied with any Determination which ſhall be by them made as aforeſaid; and if any ſuch Body Politic, Corporate, or Collegiate, Truſtee or Truſtees, or other Perſon or Perſons, entitled or intereſted as aforeſaid, ſhall refuſe to receive, upon due Tender thereof made, ſuch Purchaſe-money or annual Rent, or ſuch Recompence, as ſhall be ſo determined to be paid, or ſhall, upon Notice in Writing given to the principal Officer or Officers of ſuch Body Politic, Corporate, or Collegiate, or to ſuch Truſtee or Truſtees, Perſon or Perſons reſpectively, or left at the Place or Places of his or their Abode, or with the Tenant or Tenants, Occupier or Occupiers, of ſuch Lands or Grounds, for the Space of twenty Days next after ſuch Notice, neglect or refuſe to treat, or ſhall not agree with the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or by reaſon of Abſence ſhall be prevented from treating, or through Diſability by Nonage, Coverture, or other Impediment, cannot treat for themſelves, or make ſuch Agreement as ſhall be convenient for promoting the Navigation and other Works aforeſaid, or ſhall not produce and evince a clear Title to the Premiſes which they are or ſhall

Commiſſioners Powers;

They may determine what Sums ſhall be paid for Land, &c.

and for Damages.

In what Caſes Juries to be impannelled.

ſhall be in Poſſeſſion of, or to the Intereſt which they claim therein; then, and in every ſuch Caſe, the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby impowered and required, from Time to Time, to iſſue a Warrant or Warrants, under their Hands and Seals, to the Sheriff or Sheriffs of the ſaid Counties of *Stafford* or *Worceſter* for the Time being reſpectively in which the Matter or Matters ſhall ariſe; or in caſe ſuch Sheriff or Sheriffs, his or their Under-ſheriff or Under-ſheriffs reſpectively, or either of them, ſhall happen to be one of the Company of Proprietors of the ſaid Navigation, or enjoy any Office of Truſt or Profit under them, or ſhall be intereſted in the Matter in queſtion, then to the Coroner or Coroners of the ſaid Counties of *Stafford* or *Worceſter* reſpectively, not intereſted as aforeſaid; commanding ſuch Sheriff or Coroner reſpectively to impannel, ſummon, and return a Jury, and the ſaid Sheriff or Coroner reſpectively is hereby required accordingly to impannel, ſummon, and return a Jury of twenty-four ſufficient and indifferent Men, qualified according to the Laws of this Realm, to be returned for Trials of Iſſues joined in his Majeſty's Courts at *Weſtminſter*, to appear before the ſaid Commiſſioners, or any five or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, not being leſs than nine nor more than twenty Days after ſuch Warrant ſhall be ſerved upon the ſaid Sheriff or Sheriffs, Coroner or Coroners reſpectively; and in caſe a ſufficient Number of Jurymen ſhall not appear at the Time and Place appointed as aforeſaid, the ſaid Sheriff or Coroner ſhall return other honeſt and indifferent Men of the Standers-by, or that can ſpeedily be procured to attend that Service, being ſo qualified as aforeſaid, to make up the ſaid Jury to the Number of twelve, and all Parties concerned may have their lawful Challenges againſt any of the ſaid Jurymen, but ſhall not challenge the Array; and the ſaid Commiſſioners, or any five or more of them, are hereby impowered to ſummon and call before them all and every ſuch Perſon or Perſons as ſhall be thought neceſſary to be examined as Witneſſes touching the Matters in queſtion; and the ſaid Commiſſioners, or any five or more of them, may order and authoriſe the ſaid Jury, or any ſix or more of them, to view the Place or Places, or Matters in Controverſy; which Jury upon their Oaths (all which Oaths, as well as the Oaths to be taken by any Perſon or Perſons who ſhall be called upon to give Evidence, the ſaid Commiſſioners, or any five or more of them, are hereby impowered to adminiſter) ſhall inquire of, aſſeſs, and aſcertain, the diſtinct Sum or Sums of Money, or annual Rent, to be paid for the Purchaſe of ſuch Lands or Grounds, or the Recompence to be made for the Damage that may or ſhall be ſuſtained as aforeſaid; and the ſaid Commiſſioners, or any five or more of them, ſhall give Judgment for ſuch Purchaſe-monies, Rent, or Recompence, ſo to be aſſeſſed by ſuch Juries; which ſaid Verdict, and the Judgment thereupon pronounced by the ſaid Commiſſioners, or any five or more of them, ſhall be binding and concluſive to all Intents and Purpoſes, againſt the King's Majeſty, his Heirs and Succeſſors, and againſt all Bodies Politic, Corporate, or Collegiate, and all Perſons whomſoever.

Jurymen may be challenged.

Jury to aſcertain the Sums to be paids for Purchaſe-money, Damages, &c.

Their Verdict to be final.

Penalties on Sheriff, Jurors, &c. neglecting their Duty.

XXII. Provided always, and be it enacted by the Authority aforeſaid, That if any ſuch Sheriff or Coroner, or his Deputy or Agent, ſhall make Default in the Premiſes, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of twenty Pounds; and if any Perſon ſo ſummoned and returned as aforeſaid upon ſuch Jury ſhall not appear, or appearing ſhall refuſe to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Perſon ſo ſummoned to give Evidence ſhall not appear, or appearing ſhall refuſe to be ſworn or examined or to give Evidence; every Perſon ſo offending reſpectively, having no reaſonable Excuſe, to be allowed by the ſaid Commiſſioners, or any five or more of them, ſhall, for every ſuch Offence, forfeit and pay any Sum not exceeding five Pounds, to be levied by virtue of any Warrant or Warrants under the Hands and Seals of the ſaid acting Commiſſioners, or any five or more of them, by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons ſo offending, rendering the Overplus to the Owner thereof, after ſuch Penalty, and the Charges of ſuch Diſtreſs and Sale, ſhall be deducted.

Expences of Juries how to be paid.

XXIII. Provided alſo, and be it enacted by the Authority aforeſaid, That in all Caſes where a Verdict or Aſſeſſment ſhall be given or made for more Monies, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or for any Damage to be done to any Lands, Grounds, or Hereditaments, or Property, of any Perſon or Perſons whatſoever, than had been previouſly offered by or on Behalf of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or than had been determined and aſſeſſed by the ſaid Commiſſioners; that then all the Expences of ſummoning ſuch Jury, and of taking ſuch Inqueſt, ſhall be ſettled by the ſaid Commiſſioners, or any five or more of them, and ſhall be defrayed by the ſaid Company of Proprietors, their Succeſſors or Aſſigns: But if any Verdict or Aſſeſſment ſhall be given or made for the ſame or a leſs Sum than had been previouſly offered by, or on Behalf of, the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or than had been determined and aſſeſſed by the ſaid Commiſſioners as aforeſaid; then, and in every ſuch Caſe, the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, ſhall be ſettled in like Manner by the ſaid Commiſſioners, and be borne and paid by the Perſon or Perſons with whom the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall have ſuch Controverſy or Diſpute.

Perſons requeſting Juries to enter into Bond to proſecute, &c.

XXIV. And be it further enacted, That all and every Perſon or Perſons making Complaint and requeſting ſuch Jury, ſhall, before the ſaid Commiſſioners ſhall be obliged to iſſue out their Warrant or Warrants for the ſummoning ſuch Jury as aforeſaid, firſt enter into a Bond, with two ſufficient Sureties, to the Treaſurer to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, for the Time being, in the Penalty of fifty Pounds, conditioned to proſecute ſuch his, her, or their Complaint, and to bear and pay the Coſts and Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, in caſe a Verdict ſhall be given for the ſame or a leſs Sum than had been offered by or on Behalf of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or than had been aſſeſſed by the ſaid Commiſſioners, before the ſummoning and returning the ſaid Jury or Juries, as a Recompence or Satisfaction for any Lands, Grounds, or Hereditaments, or for any Damages as aforeſaid.

XXV. And

XXV. And be it further enacted, That the ſaid Commiſſioners ſhall not, nor ſhall any of them, be obliged by virtue of this Act to receive or take Notice of any Complaint or Complaints to be made by any Perſon or Perſons whatſoever, for any Injury or Damage by him, her, or them ſuſtained, or ſuppoſed to be ſuſtained, by virtue of this Act, unleſs Application hath been or ſhall be made in relation thereto, by or on Behalf of ſuch Perſon or Perſons, to the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or to their known Agent or Agents, or to ſome Collector or Collectors of the Tolls ariſing from the ſaid Navigation in the County where the Cauſe of Complaint ſhall ariſe, within the Space of ſix Calendar Months next after the Time ſuch ſuppoſed Injury or Damage ſhall have been ſuſtained, or the doing or committing thereof ſhall have ceaſed. No Complaints to be made to Commiſſioners, until Application hath been made to Proprietors.

XXVI. And be it further enacted, That all and every Perſon and Perſons, who, in any Examinations to be taken by virtue of this Act, ſhall give falſe Evidence before the ſaid Commiſſioners, or any of them, or before any Juſtices of the Peace, ſhall and may be proſecuted for the ſame; and, upon Conviction thereof, ſhall be ſubject to ſuch Puniſhments and Diſqualifications as any Perſon or Perſons can or may be ſubject to for wilful and corrupt Perjury by any of the Laws or Statutes of this Realm. Penalty on giving falſe Evidence.

XXVII. And be it further enacted by the Authority aforeſaid, That upon Payment of ſuch Sum or Sums of Money, or annual Rent, as ſhall be contracted or agreed for between the Parties, or determined and adjuſted by the ſaid Commiſſioners, or any five or more of them, or aſſeſſed by ſuch Juries in Manner reſpectively as aforeſaid, for the Purchaſe of any ſuch Lands or Grounds as aforeſaid, to the Proprietors thereof, or other Perſons intitled to receive ſuch Money or Rent reſpectively, or legal Tender thereof made to ſuch Proprietor or Proprietors, or other Perſon or Perſons, or to the principal Officer or Officers of any ſuch Body Politic, Corporate, or Collegiate, at any Time after the ſame ſhall have been ſo agreed for, determined, or aſſeſſed; or if he, ſhe, or they cannot be found, or ſhall refuſe to accept ſuch Money or Rent, upon Payment thereof to ſuch Perſon or Perſons as the ſaid Commiſſioners, or any five or more of them, ſhall by Writing under their Hands appoint, for the Uſe of, and to be paid upon Demand, without Fee or Reward, to ſuch Proprietors or Perſons reſpectively as aforeſaid; then, and in ſuch Caſe, ſuch Lands and Grounds reſpectively, and the Fee-ſimple and Inheritance thereof, ſhall from thenceforth be veſted in, and become for ever the ſole Property of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to and for the Uſe of the ſaid Navigation, but to or for no other Uſe or Purpoſe whatſoever; and it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, their Agents, Workmen, and Servants, immediately to enter upon the ſame, and to dig, cut, trench, ſough, and remove, Earth, Stone, Rubbiſh, Trees, Roots of Trees, and all other Obſtructions, for the making, uſing, maintaining, and repairing the ſaid Canal, and collateral Cuts, and Towing-paths on the Sides thereof, in or upon ſuch Lands, Tenements, or Hereditaments, for which ſuch Satisfaction ſhall be deemed or aſſeſſed as aforeſaid, and thereupon to make, erect, or do, any Works, Matters, or Things, for the effecting and carrying on the ſaid Navigation, and for the ſupporting and maintaining the ſame, as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall think requiſite; and to have, uſe, and enjoy the ſame, to and for their own Uſe and Benefit, for the Purpoſes of the ſaid Navigation; and this Act ſhall be ſufficient to indemnify, as well the ſaid Commiſſioners, as the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and their Servants, Agents, and Workmen, for what they or any of them ſhall do by virtue of the Powers hereby granted. Upon Payment or Tender of Monies agreed on for Purchaſe of Lands, &c. the ſaid Lands veſted in Proprietors, who may enter on the ſame, &c.

XXVIII. And be it further enacted by the Authority aforeſaid, That all Determinations of the ſaid Commiſſioners, or any five or more of them, which ſhall be ſubmitted to and acquieſced in by the Parties concerned, and alſo the ſaid Verdicts and Judgments (being firſt ſigned by five or more of the Commiſſioners who ſhall be preſent at the making of ſuch Determinations, or the taking of ſuch Verdicts, and pronouncing ſuch Judgments reſpectively) ſhall be tranſmitted to, and kept by, the reſpective Clerks of the Peace, amongſt the Records of the Quarter Seſſions of the Peace for the ſaid Counties of *Stafford* or *Worceſter* reſpectively, as the Caſe ſhall require, and ſhall be deemed to be Records of the ſaid Quarter Seſſions to all Intents and Purpoſes, and the ſame, or true Copies thereof, ſhall be allowed to be good Evidence in all Courts whatſoever; and all Perſons ſhall have Liberty to inſpect the ſame, as alſo the Inrolments of ſuch Contracts, Agreements, Sales, and Conveyances, as are herein-before mentioned, paying for each Inſpection the Sum of one Shilling, and to take Copies thereof without Stamps, paying for every Copy, not exceeding two hundred Words, the Sum of Sixpence, and ſo in Proportion for any leſs Number of Words; and immediately on ſuch Payment, and Entry of ſuch Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the ſaid Court and Juries, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand in Law and Equity, of the Perſon or Perſons for whoſe Uſe ſuch Money or Rent ſhall be paid, in, to, and out of the ſaid Lands, Tenements, Hereditaments and Premiſes, ſhall veſt in the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and they ſhall reſpectively be deemed in Law to be in the actual Seiſin and Poſſeſſion thereof to all Intents and Purpoſes whatſoever, as fully and effectually as if every Perſon having any Eſtate in the Premiſes had actually conveyed the ſame to them by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery of Seiſin, Fine and Recovery, or any other legal Conveyance whatſoever; and ſuch Payment ſhall not only bar all Right, Title, Intereſt, Claim, and Demand, of the Perſon or Perſons to whoſe Uſe ſuch Payment ſhall be made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower and Dowers of the Wife and Wives of ſuch Perſon and Perſons, and all Eſtates Tail, and other Eſtates and Intereſts, either in Reverſion or Remainder, againſt the Iſſue or Iſſues of ſuch Perſon and Perſons, and all and every other Perſon and Perſons whomſoever, as effectually as a Fine and Recovery, or either of them would do, if levied or ſuffered by the proper Parties in due Form of Law. Determinations, Verdicts, &c. to be recorded, and Lands to become veſted in the Company.

XXIX. And be it further enacted by the Authority aforeſaid, That all Sums of Money which are to be paid to any Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, or to any Feoffees in Truſt, Purchaſe-monies to be laid out to the ſame Uſes, &c.

Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees whatſoever, for or on Behalf of any Infants, Lunatics, Idiots, Femes-covert, or other *Ceſtuique* Truſts, or to any Perſon or Perſons whoſe Lands are limited in ſtrict Settlement, for the Purchaſe or Exchange of any Lands or Grounds as aforeſaid, ſhall, in caſe the ſame exceed the Sum of twenty Pounds, by ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees, Perſon or Perſons ſeiſed of Lands or Grounds ſo limited in ſtrict Settlement, be laid out as ſoon as conveniently may be in the Purchaſe of Lands, Tenements, and Hereditaments, in Fee-ſimple, to be conveyed to, or to the Uſe of, ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees, or to or for ſuch other Perſon or Perſons, and for ſuch Eſtates, and to, for, upon and ſubject to ſuch Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Lands and Grounds, for or in reſpect whereof ſuch Purchaſe-monies or Money received in Exchange ſhall be paid as aforeſaid, were limited, ſettled, and aſſured, at the Time ſuch Purchaſe-monies were ſo agreed for, aſcertained, or aſſeſſed, reſpectively as aforeſaid, or ſo many of ſuch Uſes as ſhall be then exiſting and capable of taking effect; ſuch Conveyances and Settlements (other than thoſe which concern any Purchaſe or Exchange between any of the reſpective Land-owners as aforeſaid) to be made at the Expence of the ſaid Company of Proprietors, their Succeſſors and Aſſigns; and in the mean Time, and until ſuch Purchaſe and Purchaſes ſhall be made, the ſaid Monies ſhall be placed out by ſuch Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, Feoffees in Truſt, Executors, Adminiſtrators, Huſbands, Guardians, Committees, or other Truſtees, Perſon or Perſons, in ſome of the public Funds, or on Government or real Securities, in the Names of two or more Perſons; the one to be nominated by the Party or Parties intereſted therein, and the other by the ſaid Commiſſioners, or any five or more of them; and the Intereſt ariſing or to be produced from ſuch Funds or Securities, and alſo the annual Rent for ſuch Lands, Grounds, Tenements, or Hereditaments, where a Rent ſhall be fixed upon as aforeſaid, ſhall be charged upon the Tolls, Rates, and Duties, hereby authoriſed to be taken by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and ſhall be paid to ſuch Perſon or Perſons reſpectively as would, for the Time being, be entitled to the Rents and Profits of ſuch Lands, Tenements, and Hereditaments, ſo to be purchaſed, in caſe the ſame were purchaſed and ſettled purſuant to the Tenor and true Meaning of this Act.

and, until ſuch Purchaſes are made, to be placed in ſome of the Public Funds, &c.

Commiſſioners to ſettle Proportions of Money to be paid to Perſons intereſted.

XXX. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, may and are hereby impowered to ſettle what Shares and Proportions of the Purchaſe-money or Recompence for Damages which ſhall be ſo agreed for between the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or any of them, or determined and adjuſted by the ſaid Commiſſioners, or any five or more of them, or aſſeſſed by the ſaid Juries in Manner reſpectively as aforeſaid, ſhall be allowed to any Tenant or other Perſon having a particular Eſtate, Term, or Intereſt in the Premiſes, for his, her, or their reſpective Intereſts therein, except in ſuch Caſes where the ſame are herein directed to be laid out and inveſted in the Purchaſe of Lands, Tenements, or Hereditaments; and in Default of Payment of ſuch Sum or Sums of Money, at ſuch Times and in ſuch Manner as ſhall be aſſeſſed and awarded for Damages of any Kind by virtue of this preſent Act, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, to appoint one or more Perſon or Perſons to receive the Tolls, Rates, and Duties, by this Act impoſed, and thereout, in the firſt Place, to pay all ſuch Damages ſo to be determined or aſſeſſed as aforeſaid, with the Coſts (if any) occaſioned by ſuch Refuſal or Default of Payment; and the Money ſo to be received by ſuch Perſon or Perſons ſhall and is hereby declared to be as ſo much Money received to the Uſe of ſuch Perſon or Perſons who ſhall be entitled to receive ſuch Satisfaction for Damages as aforeſaid, in Order and Courſe reſpectively as ſuch Determinations ſhall be in Priority of Time; and after ſuch Damages and Coſts ſhall be paid and ſatisfied, the Power and Authority of ſuch Receivers for the Purpoſes aforeſaid ſhall ceaſe and determine, or otherwiſe ſuch Party or Parties ſo aggrieved ſhall and may have a Remedy for ſuch Sum or Sums of Money, ſo to be aſſeſſed and awarded, and which ſhall not be paid according to the Judgment of the ſaid Commiſſioners, or any five or more of them, as aforeſaid, by Action at Law in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to recover the ſame with full Coſts of Suit.

In Default of Payment of Damages, how to be recovered.

If Damages and Coſts not paid within four Months, may be levied by Diſtreſs and Sale.

XXXI. Provided always, That in caſe the Damages and Coſts, by this Act directed to be ſatisfied out of the Tolls ariſing by the ſaid intended Navigation, ſhall not be paid and ſatisfied within the Space of four Calendar Months after the ſame ſhall be ſo determined or aſſeſſed as aforeſaid, that then, and in ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, upon Complaint made to them, by or on the Behalf of the Perſon or Perſons ſuſtaining ſuch Damage, to iſſue their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the ſaid Counties of *Stafford* or *Worceſter* reſpectively, as the Caſe ſhall be, authoriſing and impowering him to raiſe or levy the Damages, ſo to be determined and aſſeſſed, by Diſtreſs and Sale of the Goods and Chattels of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or any of them, together with ſuch reaſonable Charges as the ſaid Commiſſioners, or any five or more of them, ſhall in ſuch Warrant direct and appoint.

Commiſſioners to enter their Proceedings in a Book,

and appoint a Clerk.

XXXII. And be it further enacted, That all Orders and Proceedings of the ſaid Commiſſioners ſhall be regularly entered in a Book or Books, to be kept for that Purpoſe; and ſuch Entries, being ſigned by ſuch Number of the ſaid Commiſſioners reſpectively as are impowered by this Act to make ſuch Orders, or carry on ſuch Proceedings, ſhall be deemed original, and admitted as Evidence in all Courts whatſoever; and the ſaid Commiſſioners, or any five or more of them, may, and are hereby required, at a Meeting to be held by them, at the *Talbot* Inn in *Stourbridge*, in the County of *Worceſter*, on the firſt Day of *June* next, to appoint out of three Perſons to be nominated by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſuch one of the ſaid three Perſons as they the ſaid Commiſſioners, or any five or more

more of them, ſhall think proper to be their Clerk; and from Time to Time to remove ſuch Clerk, and appoint another in his Stead, as aforeſaid; which Clerk ſhall be paid for his Care and Trouble, in the Execution of ſuch Office, by the ſaid Company of Proprietors, their Succeſſors and Aſſigns.

Deſtroying any Works belonging to the Navigation made Felony.

XXXIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall wilfully, maliciouſly, and to the Prejudice of the ſaid Navigation, break, throw down, damage, or deſtroy, any Banks or other Works to be erected or made by virtue of this Act, or do any other wilful Hurt or Miſchief, to obſtruct, hinder, or prevent the carrying on, completing, ſupporting, and maintaining the ſaid Navigation; ſuch Perſon or Perſons, being thereof lawfully convicted by the Oath of two or more credible Witneſſes, ſhall be adjudged guilty of Felony; and every ſuch Felon ſhall be ſubject and liable to the like Pains and Penalties as in Caſes of Felony; and the Court by or before whom ſuch Perſon or Perſons ſhall be tried and convicted, ſhall and are hereby authoriſed and impowered to tranſport ſuch Felon for the Space of Seven Years to ſome of his Majeſty's Plantations in *America*, in like Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm; or otherwiſe ſuch Court ſhall and may, at their Diſcretion, direct ſuch other Puniſhment to be inflicted upon ſuch Offender or Offenders as the Law authoriſes in Caſes of Petit Larceny; or every Perſon or Perſons ſo offending, and being thereof lawfully convicted, on the Oath of two or more credible Witneſſes, before one or more of his Majeſty's Juſtices of the Peace for the Counties of *Worceſter* or *Stafford* reſpectively where ſuch Offence ſhall be committed, ſhall forfeit any Sum not exceeding double the Value of the Damage, proved upon Oath to be done, at the Diſcretion of ſuch Juſtice; ſuch Penalty to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Offender or Offenders, rendering the Overplus (if any) to ſuch Offender or Offenders, or otherwiſe ſuch Offender or Offenders ſhall or may be committed to the Houſe of Correction for the ſaid County of *Worceſter* or *Stafford*, as the Caſe may happen, for any Time not exceeding three Months, at the Diſcretion of the Juſtice or Juſtices before whom ſuch Offender ſhall be convicted.

Offender may be tranſported for 7 Years, &c.

or fined double the Value of the Damage.

Proprietors may raiſe amongſt themſelves 30,000l.

'XXXIV. And, to the End that the ſaid Company of Proprietors may be the better enabled to carry 'on ſo uſeful an Undertaking,' be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to raiſe and contribute amongſt themſelves, in ſuch Proportions as to them ſhall ſeem meet and convenient, a competent Sum of Money for making and completing the ſaid Canal and collateral Cuts, provided that the ſaid Sum do not exceed the Sum of thirty thouſand Pounds in the Whole; and that the ſame be divided into ſuch Number of Shares as hereafter directed; and that no Perſon ſubſcribing thereunto, or becoming a Proprietor in ſuch Navigation, do become a Proprietor of leſs than one Share, or more than ten Shares, either in his or her own Name, or in the Name or Names of any other Perſon or Perſons in Truſt for him or her, (except the ſame ſhall come to him or her by Will, Deviſe, or Act in Law) upon pain of forfeiting to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, all ſuch Shares as aforeſaid; and the Money ſo to be ſubſcribed and raiſed as aforeſaid is hereby directed and appointed to be laid out and applied for and towards making, completing, and maintaining, the ſaid Canal and collateral Cuts, and other the Purpoſes of this Act, and to no other Uſe, Intent, or Purpoſe whatſoever.

to be applied in making Canal, &c.

Money to be raiſed ſhall be divided into 300 Shares;

XXXV. And be it further enacted by the Authority aforeſaid, That the ſaid Sum of thirty thouſand Pounds, or ſuch Part thereof as ſhall be raiſed by the ſeveral Perſons herein before named, and by ſuch other Perſon or Perſons who ſhall or may, at any Time within twelve Months from the paſſing of this Act, become a Subſcriber or Subſcribers to the ſaid Navigation, ſhall be divided into three hundred equal Parts or Shares, at a Price not exceeding one hundred Pounds each Share; and the Shares ſhall be deemed to be perſonal Eſtate, and ſhall be tranſmiſſable as ſuch, and not of the Nature of real Eſtate, and are hereby veſted in the ſaid ſeveral Subſcribers, and their ſeveral and reſpective Executors, Adminiſtrators, and Aſſigns, to their and every of their proper Uſe and Behoof, proportionably to the Sum they and each of them ſhall ſeverally ſubſcribe and pay thereunto; and all Bodies Politic and Corporate, and all other Perſons, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally ſubſcribe and pay in the Sum of one hundred Pounds, or ſuch Sum or Sums as ſhall be demanded in lieu thereof, towards carrying on and completing the ſaid intended Navigation, ſhall be intitled to and receive, after the ſaid Navigation ſhall be completed, the intire and neat Diſtribution of one three-hundredth Part of the Profits and Advantages that ſhall and may ariſe and accrue by virtue of the Sum and Sums of Money to be raiſed, recovered, or received, by the Authority of this Act, and ſo in proportion for any greater Number of Shares, not exceeding ten Shares to any one Perſon, as aforeſaid; and every Body Corporate or Politic, Perſon or Perſons, having ſuch Property of one three hundredth Part or Share in the ſaid Undertaking, and ſo in proportion as aforeſaid, ſhall reſpectively be deemed Proprietors of the ſaid Navigation, and ſhall bear and pay an adequate proportional Sum of Money, towards carrying on the ſaid Undertaking in Manner herein after directed and appointed.

and deemed perſonal Eſtate.

No Perſon, Body Politic, &c. to have more than ten Shares.

Five per Cent. to be paid till the Works are completed.

XXXVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and they are hereby required, out of the Money to be raiſed as aforeſaid, during the Time the ſaid Navigation, and all Things neceſſary for making, completing, and maintaining the ſame, ſhall be carrying on, and until the ſame ſhall be completed and finiſhed, to pay unto every Body Corporate and Politic, Perſon or Perſons, their ſeveral and reſpective Succeſſors, Executors, Adminiſtrators, and Aſſigns, who ſhall ſeverally ſubſcribe and pay the Sum of one hundred Pounds, or ſuch Sum or Sums of Money as ſhall from Time to Time be demanded in reſpect thereof towards carrying on and completing the ſaid Navigation, Intereſt for the ſame, after the Rate of five Pounds for every hundred Pounds for one Year, from the Time that each of ſuch Sum or Sums ſhall be ſo reſpectively advanced as aforeſaid.

'XXXVII. And for the better carrying the Purpoſes of this Act into Execution,' be it further enacted by the Authority aforeſaid, That all Bodies Politic or Corporate, and all other Perſons, who ſhall, by virtue

Subſcribers to have a Vote for each Share, either in Perſon or by Proxy.

virtue of this Act, be intitled to one or more Shares in the ſaid Navigation, ſhall reſpectively have a Vote, in every public Meeting or Aſſembly to be held as hereafter appointed for carrying on the ſaid Undertaking, for every ſuch Share, all which Votes may be given by him, her, or them, or by his, her, or their Proxy or Proxies, duly conſtituted under his, her, or their Hand and Seal or Hands and Seals; and ſuch Vote or Votes by Proxy ſhall be as good and ſufficient to all Intents and Purpoſes as if ſuch Principal or Principals had voted in Perſon; and whatever Queſtion, Election of Officers, or other Matters or Things, ſhall be propoſed, diſcuſſed, or conſidered, in any public Aſſembly, to be held by virtue of this Act, ſhall be finally determined by the Majority of Votes or Proxies then preſent; computing one Vote for every Share: Provided, that no one Perſon ſhall give or deliver more Proxies than for five abſent Proprietors.

General Aſſemblies to be held Twice in every Year.

XXXVIII. And be it further enacted by the Authority aforeſaid, That the firſt General Aſſembly or Meeting of the ſaid Company of Proprietors ſhall be held at the *Talbot* Inn in *Stourbridge* aforeſaid, upon the firſt Day of *June* next; and the ſecond General Meeting ſhall be held upon the firſt Day of *January* next enſuing, at ſuch Place as the ſaid Proprietors, or the major Part of them, at their ſaid firſt Meeting ſhall appoint; and all other ſuch General Aſſemblies or Meetings ſhall be held on the firſt *Monday* in the Month of *January*, and the firſt *Monday* in the Month of *July*, in every Year, at the Hour of Eleven of the Clock in the Forenoon; at which ſaid firſt Meeting the Proprietors then preſent, either by themſelves or their Proxies, ſhall chuſe fifteen Perſons, who ſhall, at that Time, be each of them Proprietors of not leſs than two Shares in the ſaid Navigation; which Perſons ſo choſen ſhall be a Committee to manage the Affairs of the ſaid Company of Proprietors; and any five or more of them ſhall (in Default of a larger Number meeting) have Power to act as a Committee for the Purpoſes aforeſaid: But if at any Time it ſhall appear to any fifteen or more of ſuch Proprietors, that for the more effectually putting this Act in Execution, a ſpecial Meeting of Proprietors is neceſſary to be held, it ſhall be lawful for ſuch fifteen or more of them, to cauſe Notice to be given thereof in the *Birmingham* and *Worceſter* News-papers, or in ſuch other Manner as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall, at any General Meeting, direct or appoint; declaring in ſuch Notices the Time and Place of ſuch Meeting, (the ſame not being leſs than ten Days after ſuch Notice given) and likewiſe ſpecifying in every ſuch Notice the Reaſon and Intention of ſuch Meetings reſpectively; and the Proprietors are hereby authoriſed to meet purſuant to ſuch Notices, and to proceed in the Execution of the Powers by this Act given them with reſpect to the Matters ſo ſpecified only; and all ſuch Acts of the Proprietors, or the major Part of them, at ſuch Meetings aſſembled, ſuch Proprietors having, either as Principals or Proxies, not leſs than one hundred Shares in the ſaid Navigation, ſhall be as valid, to all Intents and Purpoſes, as if the ſame were done at General Meetings held in Manner herein before appointed.

A Committee to be choſen,

A ſpecial Meeting may be held,

after ten Days Notice.

Committee ſubject to Controul of General Aſſembly, &c.

XXXIX. Provided always, That ſuch Committees ſo to be appointed as aforeſaid, ſhall from Time to Time be ſubject to the Examination and Controul of the ſaid General Aſſembly, or other Meetings of the ſaid Proprietors as aforeſaid, and ſhall pay due Obedience to all ſuch Orders and Directions in and about the Premiſes, as they ſhall from Time to Time receive from the ſaid Proprietors, at any ſuch General Aſſembly or other Meetings; ſuch Orders and Directions not being contrary to the Directions or Proviſions contained in this Act.

Proviſo.

XL. Provided alſo, That no Perſon or Perſons holding any Place, Office, or Employment, under the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall be capable of being choſen to ſerve upon Committees, during the Time of his, her, or their Continuance in ſuch Office, Place, or Employment.

Books of Account to be kept, &c.

XLI. And be it further enacted by the Authority aforeſaid, That proper Books of Account, relating to the ſaid Undertaking or Navigation, ſhall be kept; and that all ſuch Books, in which ſuch Accounts ſhall be ſtated and ſettled, and all other Matters relating thereunto, ſhall be depoſited and locked up in a Cheſt or Box, Cheſts or Boxes, to be kept at ſuch Place or Places, and by ſuch Perſon or Perſons, as the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall from Time to Time direct; and any of the Proprietors ſhall have free Acceſs to ſuch Books, for his, her, or their Inſpection.

General Aſſemblies to conſiſt of 100 Shares.

XLII. Provided always, That if at any ſuch General Aſſembly there ſhall not be Perſons preſent, who have one hundred ſuch Shares as aforeſaid, either as Principals or Proxies, no Choice of a Committee ſhall be made at that Time, but in ſuch Caſe there ſhall be a new Aſſembly of the Proprietors of the ſaid Navigation at the ſame Place, upon that Day three Weeks, at which Time Choice ſhall be made of Perſons to be of the Committee; and the Perſons then choſen to be of the ſaid Committee, ſhall have the ſame Powers, and continue in Office until ſuch Time, as if they had been choſen at the ſaid firſt General Aſſembly; and that in caſe of Failure of the Meeting of Perſons having one hundred Votes as Principals or Proxies, at ſuch firſt General Aſſembly, every one of the Proprietors who ſhall not be preſent at ſuch ſecond Meeting, by him or herſelf, or his or her Proxy, ſhall forfeit to the ſaid Company of Proprietors, for every ſuch Share which he or ſhe ſhall then have in the ſaid Navigation and Undertaking, the Sum of five Shillings, to be deducted and retained out of his or her next Dividend of the Profits of the ſaid Undertaking.

Power of General Aſſemblies and Committees.

XLIII. And be it further enacted by the Authority aforeſaid, That every ſuch General Aſſembly ſhall have Power to call for, audit, and ſettle, all Accounts of Money laid out and diſburſed on Account of the ſaid Navigation, with the Receiver or Receivers, and other Officer or Officers to be by them appointed, or any other Perſon or Perſons whatſoever employed by or concerned for or under them, in and about the ſaid Navigation; and for that Purpoſe ſhall have Power to adjourn themſelves from Time to Time, and from Place to Place, as they ſhall think convenient; and every General Aſſembly, or ſuch Committee, met together by the Authority of this Act, ſhall have Power from Time to Time to make ſuch Call or Calls of Money from the ſaid Proprietors, to defray the Expences of carrying on the ſaid Navigation, as they from Time to Time ſhall find wanting and neceſſary for thoſe Purpoſes; ſo that no Call do exceed the Sum of ten Pounds upon each Share; and ſo as no Calls be made within the Space of two Months from

from the preceding Call; which Money ſo called for, ſhall be paid to ſuch Perſon or Perſon, and in ſuch Manner, as the ſaid General Aſſembly or Committee ſhall from Time to Time appoint and direct for the Uſe of the ſaid Undertaking; and every Committee ſo to be appointed as aforeſaid ſhall, from the Time of ſuch Appointment until the next annual or other General Aſſembly to be holden as aforeſaid, have full Power and Authority to direct and manage all and every the Affairs of the ſaid Company of Proprietors, as well in buying and purchaſing Lands and Materials for the Uſe of the ſaid Navigation, as in employing, ordering, and directing, the Work and Workmen, and in appointing and removing Officers, Clerks, Servants, and Agents, and in making all Contracts and Bargains, touching the ſaid Undertaking; ſo that no ſuch Purchaſe, Bargain, or other Matter, be done or tranſacted without the Concurrence of the ſaid Committee together aſſembled, or the major Part of them, ſuch Majority not being leſs than five; and every Owner or Owners of one or more Part or Parts, Share or Shares, in the ſaid Undertaking, ſhall pay his, her, or their Shares and Proportions of the Monies to be called for as aforeſaid, at ſuch Time and Place as ſhall be appointed, of which one Month's Notice at leaſt ſhall be given by publiſhing the ſame in the *Birmingham* and *Worceſter* Newſpapers, or in ſuch other Manner as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall at any General Aſſembly direct or appoint; and if any Perſon or Perſons ſhall neglect or refuſe to pay his, her, or their rateable or proportionable Part or Share of the ſaid Money, to be called for as aforeſaid, at the Time and Place appointed by ſuch General Aſſembly or Committee, he, ſhe, or they ſo neglecting or refuſing, ſhall forfeit the Sum of five Pounds for every one hundred Pounds of his, her, or their reſpective Shares, Parts, and Intereſts, in the ſaid Undertaking; and in caſe ſuch Perſon or Perſons ſhall neglect to pay his, her, or their rateable or proportionable Part or Share of the ſaid Money to be called for as aforeſaid, for the Space of two Calendar Months after the Time appointed for Payment thereof as aforeſaid, then he, ſhe, or they ſo neglecting, ſhall forfeit his, her, or their reſpective Share and Shares, Parts and Intereſts, in the ſaid Undertaking, and all the Profit and Benefit thereof; and the ſame ſhall go and belong to the reſt of the Company of Proprietors, to be equally divided amongſt them in Proportion to their reſpective Intereſts in the ſaid Undertaking.

Owners to pay their Shares when called for, &c.

Penalty on Neglect thereof.

XLIV. Provided always, That no Advantage ſhall be taken of the Forfeiture of any Share or Shares of the ſaid Undertaking, until after perſonal Notice in Writing be given by the Treaſurer or Clerk of the ſaid Company to the Owner, nor unleſs the ſame ſhall be declared to be forfeited at ſome General Aſſembly of the ſaid Company of Proprietors, who ſhall meet within ſix Calendar Months next after ſuch Forfeiture ſhall have happened; and every ſuch Forfeiture ſhall be an Indemnification and Diſcharge to and for every Proprietor and Proprietors ſo forfeiting, againſt all and every Action and Actions, Suits or Proſecutions whatſoever, to be commenced or proſecuted for any Breach of Contract or other Agreement betwixt ſuch Proprietor or Proprietors ſo forfeiting, and the reſt of the Proprietors.

Shares not to be forfeited until after perſonal Notice, &c.

XLV. And be it further enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, are hereby authoriſed and required, within the Space of two Months next after the Perſon or Perſons who ſhall be appointed Treaſurer or Treaſurers to the ſaid Company, under and by virtue of the Directions contained in this Act, to accept and take a Bond from ſuch Treaſurer or Treaſurers, with one or more ſufficient Surety or Sureties, in ſuch Penalty, or to take ſuch real Security, as to the ſaid Company of Proprietors, their Succeſſors or Aſſigns, at a General Meeting, ſhall ſeem meet; ſuch Bond or Security to be conditioned for the due Payment and Account by ſuch Treaſurer or Treaſurers, his or their Executors, Adminiſtrators or Aſſigns, of all Monies which ſhall or may come to his or their Hands, and for the faithful Execution by ſuch Treaſurer or Treaſurers of ſuch Office; which Bond or other Security, ſhall, within the Space of three Months after the ſame ſhall be given, be inrolled with the Clerk of the Peace for the County of *Worceſter*, and a true Copy of ſuch Inrolment, ſigned by ſaid Clerk of the Peace or his Deputy for the Time being, ſhall be to all Intents and Purpoſes competent and legal Evidence, in any Court of Law or Equity, of the due Execution and Exiſtence of ſuch Bond or other Security.

Treaſurer to give Security.

Security to be inrolled, within 3 Months after given.

XLVI. And be it further enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall always have Power and Authority, at any General Aſſembly met as aforeſaid, to remove or diſplace any Perſon or Perſons choſen upon ſuch Committee as aforeſaid, or any of their Officers to be appointed by virtue of this Act, and to revoke, alter, amend, or change, any of the Rules and Directions herein before preſcribed and laid down with regard to their Proceedings amongſt themſelves, as to the major Part of them ſhall ſeem meet (the Method of calling General Aſſemblies, and their Time and Place of Meeting, and voting and appointing Committees, only excepted); and ſhall have Power to make ſuch new Rules, Bye-laws, and Orders, as well for the good Government of the ſaid Company, and the good and orderly uſing the ſaid Navigation, Tunnels, and Locks, as for the well-governing of the Bargemen, Watermen, and Boatmen, who ſhall carry any Goods, Wares, and Merchandiſes, upon any Part of the ſaid Navigation, and to impoſe and inflict ſuch reaſonable Fines or Penalties upon the Offenders againſt ſuch new Rules, Bye-laws, or Orders, as to the major Part of ſuch General Aſſembly ſhall ſeem meet, not exceeding the Sum of five Pounds for any one Offence; which ſaid Rules, Bye-laws, and Orders, being put into Writing under the Common Seal of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall be binding to and obſerved by all Parties, and ſhall be ſufficient in any Court of Law or Equity to juſtify all Perſons who ſhall act under the ſame; provided ſuch Bye-laws are not repugnant to the Laws of the Realm.

General Aſſemblies may remove Committee Men and Officers, and make Bye-laws.

XLVII. And be it further enacted by the Authority aforeſaid, That if any Owner or Owners of any Share or Shares in the ſaid Undertaking, ſhall die before Payment ſhall have been made of the full Sum to be advanced on each Share which he, ſhe, or they ſhall have been poſſeſſed of or intitled to, and without having made Proviſion by Will or otherwiſe for the Payment of the ſame, then and in ſuch Caſe the ſame ſhall be anſwered and paid by the Executors or Adminiſtrators of any ſuch Owners dying, or the Truſtee or Truſtees, Guardian or Guardians, of any Infant or other Perſon or Perſons whatſoever intitled to

In caſe of Death of Subſcriber, Executors, &c. may anſwer Calls, or in Default thereof, Shares may be diſpoſed of.

to the Eſtate or Effects of ſuch Owner deceaſed; and all ſuch Executors, Adminiſtrators, Truſtees, and Guardians, ſhall be indemnified againſt all ſuch Infant or Infants, and other Perſons whatſoever, for paying any Sum or Sums of Money, when called for as aforeſaid, to complete every ſuch Subſcription; and if ſuch deceaſed Owner or Owners ſhall not have left Aſſets ſufficient, or in caſe the Executor or Adminiſtrator, Truſtee, or Guardian, ſhall refuſe or neglect to anſwer ſuch Calls and Payments, the ſaid Company of Proprietors ſhall be and are hereby impowered and required to admit any other Perſon or Perſons to be Proprietor or Proprietors of the Share or Shares of ſuch Owner or Owners deceaſed, on Condition that he, ſhe, or they ſo admitted do and ſhall, on or before ſuch Admiſſion, pay to the Executors or Adminiſtrators of ſuch deceaſed Owner, or the Truſtee or Truſtees, Guardian or Guardians, of any Infant or others, intitled to his or her Effects, the full Sum and Sums of Money which ſhall have been paid by ſuch Owner in his or her Life-time, by virtue of any Call or Calls, or otherwiſe, upon ſuch Share or Shares, or ſuch other Sum or Sums of Money as the ſame can be ſold for.

Proprietors may ſell their Shares; the Mode of doing it.

XLVIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſeveral Proprietors of ſuch Navigation to ſell or diſpoſe of any Share or Shares he, ſhe, or they ſhall and may be intitled to therein, in Manner and ſubject to the Rules and Conditions herein mentioned; and for that Purpoſe Duplicates of the Deed of Bargain and Sale or Conveyance of ſuch Share or Shares ſhall be made and executed by the Vendor and Vendee; one Part whereof, duly executed both by the Vendor and Vendee, ſhall be delivered to the ſaid Committee of the ſaid Company of Proprietors, or their Clerk for the Time being, to be filed and kept for the Uſe of the ſaid Company, and an Entry thereof ſhall be made in a Book or Books to be kept by the ſaid Clerk for that Purpoſe, for which no more than one Shilling ſhall be paid; and the ſaid Clerk is hereby required to make ſuch Entry accordingly; and until ſuch Duplicate of ſuch Deed ſhall be ſo delivered unto the ſaid Committee, in order to be filed and entered as above directed, ſuch Purchaſer or Purchaſers ſhall have no Part or Share of the Profits of the ſaid Navigation in reſpect of ſuch purchaſed Share or Shares, or any Vote as Proprietor or Proprietors.

No Sale pending Calls.

XLIX. And be it further enacted by the Authority aforeſaid, That after any Call of ſuch Monies ſhall be made by a General Aſſembly or ſuch Committee as aforeſaid, no Perſon or Perſon ſhall ſell or transfer any Share which he, ſhe, or they ſhall then have in the ſaid Undertaking, until the Monies payable by ſuch Call upon their reſpective Share or Shares ſo to be ſold ſhall be paid, under the Penalty of forfeiting his, her, or their reſpective Shares of the ſaid Undertaking to the ſaid Company of Proprietors, for the Benefit of all the ſaid Proprietors, unleſs the Perſon or Perſons who ſhall be Vendor or Vendors ſhall, at the Time of ſuch Transfer, pay the Money called for upon each Share ſo transferred, to the Treaſurer of the ſaid Company; ſuch Forfeiture to be notified and declared at a General Aſſembly in Manner herein before directed.

Form of Transfer of Shares.

L. And be it further enacted by the Authority aforeſaid, That the Sale or Transfer of the ſaid Shares ſhall be to the following Effect, varying the Names and Deſcriptions of the contracting Parties as the Nature of the Caſe may require:

'I *A. B.* in Conſideration of paid to me by *C. D.* do hereby bargain, ſell, and transfer, to the ſaid *C. D.* his or her Executors, Adminiſtrators, and Aſſigns, Share *or* Shares, [*as the Caſe ſhall be*] in *The Stourbridge Navigation*, to hold to him or her the ſaid *C. D.* his or her Executors, Adminiſtrators, and Aſſigns, ſubject to the ſame Rules and Orders, and on the ſame Conditions, that I held the ſame immediately before the Execution hereof: And I the ſaid *C. D.* do hereby agree to accept of the ſaid Share *or* Shares, ſubject to the ſame Rules, Orders, and Conditions. Witneſs our Hands and Seals the Day of in the Year of our Lord '

Clerk to be appointed:

LI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or the major Part of them, at any General Meeting aſſembled, and they are hereby authoriſed and required, from Time to Time, to nominate and appoint, by Writing under their Hands, ſome Perſon or Perſons to be their Clerk or Clerks, and from Time to Time to remove ſuch Clerk or Clerks, and appoint one or more other Perſon or Perſons in his or their Stead; which Clerk or Clerks ſhall, in a proper Book or Books to be provided for that Purpoſe, enter and keep a true and perfect Account of the Names and Places of Abode of the ſeveral Proprietors of the ſaid intended Navigation, and of the ſeveral Perſons who ſhall from Time to Time become Owners and Proprietors of, or intitled to, any Share or Shares of and in the ſaid Navigation, and of all the other Acts, Proceedings, and Tranſactions, of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, by virtue of and under the Authority of this Act; and that each of the ſaid Proprietors, Land-owners, and other Perſons intereſted or concerned in, or affected by, the ſaid Navigation, ſhall and may, at all convenient Times, have Recourſe to, and peruſe and inſpect the ſame, and alſo the Book or Books to be kept by the Clerk to the ſaid Commiſſioners, *gratis*, and may upon Demand have Copies thereof, or of any Part thereof, paying Sixpence for every two hundred Words: And if any ſuch Clerk or Clerks ſhall refuſe to permit any ſuch Perſon or Perſons ſo intereſted as aforeſaid, to inſpect or peruſe ſuch Book or Books, or refuſe to make any ſuch Copy at the Rate aforeſaid, he or they ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds; and whenever ſuch Clerk or Clerks ſhall die, or quit the Service of the ſaid Company of Proprietors, it ſhall and may be lawful for the Committee of ſuch Proprietors for the Time being, or the major Part of them, to appoint ſome other fit Perſon in the Place of every ſuch Clerk dying or quitting the Service of the ſaid Company, until the then next General Meeting, when a Clerk ſhall be nominated and appointed by the ſaid Company of Proprietors in Manner aforeſaid.

His Duty.

Penalty, for Default therein, 5 l.

Rates to be taken for Goods navigated on the Canal, &c.

LII. And be it further enacted by the Authority aforeſaid, That, in Conſideration of the great Charge and Expence the ſaid Company of Proprietors, their Succeſſors and Aſſigns, will be at in making, maintaining, and ſupplying with Water, the ſaid Canal and collateral Cuts, and in making and maintaining all

all the other Works hereby authoriſed to be made and erected, it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, from Time to Time, and at all Times hereafter, to aſk, demand, take, and recover, to and for their own proper Uſe and Behoof, for the Tonnage and Wharfage of all Iron, Ironſtone, Coal, Stone, Timber, and other Goods, Wares, Merchandize, and Commodities whatſoever, which ſhall be navigated, carried, and conveyed, upon or through the ſaid Canal and collateral Cuts, ſuch Rates and Dues as the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall think fit, not exceeding the Sum of Sixpence for every Ton of Iron, Ironſtone, Coal, Timber, Stone, and other Goods, Wares, Merchandiſe, and Commodities, which ſhall be navigated, carried, or conveyed, upon any Part of the ſaid intended Canal from *Stourbridge* to *Stourton*, and which ſhall paſs through any one or more of the Locks which ſhall be erected on the ſaid Canal; and alſo ſuch Rates and Dues as the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall think fit, not exceeding the Sum of Sixpence for every Ton of Iron, Ironſtone, Coal, Timber, Stone, and other Goods, Wares, Merchandiſe, and Commodities, which ſhall be navigated, carried, or conveyed, upon any Part of the ſaid collateral Cuts, or either of them, and which ſhall paſs through any one or more of the Locks to be erected on the ſaid collateral Cuts, or any Part thereof; which ſaid Rates and Dues ſhall be paid to ſuch Perſon or Perſons, at ſuch Place or Places near to the ſaid Canal and collateral Cuts, in ſuch Manner, and under ſuch Regulations, as the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall direct or appoint: And in caſe of Denial, or Neglect of Payment of any ſuch Rates or Dues, or any Part thereof, on Demand, to the Perſon or Perſons appointed to receive the ſame as aforeſaid, the ſaid Company of Proprietors, their Succeſſors and Aſſigns, may ſue for the ſame, by Action of Debt, or upon the Caſe, in any Court of Record; or the Perſon or Perſons to whom the ſaid Tolls ought to be paid, may, and he and they is and are hereby impowered to ſeize and diſtrain ſuch Boat or Veſſel, or Goods, for or in reſpect whereof any Rates or Dues ought to be paid, or any Part of ſuch Goods, and detain the ſame until Payment thereof, together with reaſonable Charges for ſuch Diſtreſs; and if ſuch Diſtreſs ſhall not be redeemed within five Days after the taking thereof, the ſame ſhall be appraiſed and ſold as the Law directs in Caſes of Diſtreſs for Rent.

If Rates not paid on Demand, Proprietors may ſue for the ſame, or diſtrain the Veſſel, &c.

LIII. And be it further enacted by the Authority aforeſaid, That if any Iron, Ironſtone, Coals, Lime, or other Goods whatſoever, which ſhall be ſo navigated, carried, or conveyed, ſhall remain upon any Wharf or Wharfs belonging to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, for above the Space of twenty-four Hours, then, and in ſuch Caſe, the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall be intitled to and receive ſuch Allowance, over and above the Rates and Dues herein before granted, as ſhall be agreed upon between the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or their Agent or Agents, and the Owner or Owners of ſuch Iron, Ironſtone, Coals or other Goods; or, in caſe of Difference concerning the ſame, as ſhall be aſcertained by the ſaid Commiſſioners, or any five or more of them.

Additional Tonnage for Goods left on Company's Wharf above 24 Hours.

LIV. Provided always, and be it further enacted by the Authority aforeſaid, That all Lime and Limeſtone, navigated upon the ſaid Canal or collateral Cuts, ſhall not pay more than one-third Part of the Rates or Dues herein before mentioned; and that Paving-ſtones, Gravel, Sand, and all other Materials for making and repairing of Roads, (Lime-ſtone excepted) and alſo Dung, Soil, Marl, and all Sorts of Manure for the Improvement only of the Lands or Grounds of all and every Perſon or Perſons whoſe Lands or Grounds ſhall or may be had or taken for or upon Account of making the ſaid Canal or collateral Cuts, or any Part or Parts thereof, ſhall not be charged with, or liable to pay, any of the Rates or Dues authoriſed to be taken by this Act for being carried upon the ſaid Canal or collateral Cuts, or any Part or Parts thereof, but ſhall be free and exempted from the ſame, ſo that the Things hereby exempted from the Payment of the ſaid Rates or Dues do not paſs through any Lock authoriſed to be made by virtue of this Act, but at ſuch Times when the Water ſhall flow over the Lock Weir: And that all Perſons who ſhall own or be concerned or employed in carrying Paving-ſtones, Gravel, Sand, or other Materials for the Repair of Roads, or Dung, Soil, Marl, or other Manure, (except Lime and Limeſtone) ſhall have free Liberty to make uſe of the Towing-paths, Wharfs, or Quays, belonging to the ſaid Company of Proprietors, their Succeſſors and Aſſigns; ſuch Perſons not ſuffering ſuch Paving-ſtones, Gravel, Sand, or other Materials for repairing Roads, or Dung, Soil, Marl, or other Manure, to lie upon ſuch Wharfs or Quays longer than may be neceſſary for loading, unloading, and conveying the ſame from and to the ſeveral Places where they are put on board and unloaded, and making good any Damages that may be done to the Sides or Banks of the ſaid Canal or collateral Cuts, by the loading, unloading, or diſcharging, any Boats or other Veſſels; which Recompence or Satisfaction, in caſe of any Difference, ſhall be ſettled and aſcertained by the ſaid Commiſſioners, or any five or more of them.

Exemptions from Rates in certain Caſes.

Perſons carrying Paving-ſtones, &c. may make uſe of Towing-paths, &c.

LV. And be it further enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall, at their firſt General Aſſembly, to be held by the Direction of this Act, aſcertain and fix the Rates or Dues to be taken by virtue of this Act; and that it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, at any General Aſſembly to be afterwards held for that Purpoſe, (of which three Months Notice at the leaſt ſhall be given in the Manner herein after mentioned) to leſſen or reduce all or any of the ſaid Rates or Dues fixed at ſuch firſt General Aſſembly, as aforeſaid, as the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall think proper; and afterwards from Time to Time, at any General Aſſembly, of which ſuch Notice ſhall be given as aforeſaid, to advance and raiſe all or any of the ſaid Rates or Dues ſo leſſened: Provided always, That the Rates or Dues ſo to be advanced, aſcertained, and fixed, as aforeſaid, ſhall not in any Caſe exceed the Rates or Dues herein before granted; and that no Reduction of the ſaid Rates or Dues ſhall be made without the Conſent of the Proprietors poſſeſſed of at leaſt two-thirds of the Shares in the ſaid Navigation: Provided always, That any Reduction to be made from Time to Time out of the ſaid Rates, Tolls, or Duties, ſhall, before it is put in Force, have the Approbation of the major Part of the ſaid Commiſſioners

Proprietors may alter Rates from Time to Time.

No Reduction to be made, without the Ap-

probation of a Majority at a General Meeting.

miſſioners aſſembled at a General Meeting to be held forth at Purpoſe at *Stourbridge*, or ſuch other Place within three Miles of ſuch Canal, as the ſaid Proprietors ſhall appoint; Notice of ſuch Meeting, and of the Purpoſe for which it is to be held, to be given in the *Worceſter* and *Birmingham* News-papers, at leaſt ſix Weeks before ſuch Meeting; and provided that there be twenty-one Commiſſioners at leaſt preſent at ſuch Meeting; any Thing in this Act to the contrary notwithſtanding.

Three-pence to be taken for every Ton of Coals which ſhall have paſſed through any of Locks on the intended Dudley Canal.

'LVI. And whereas the principal Object for making the ſaid *Dudley* Canal is to convey Coals from cer-
'tain Mines which lie upon or near to the Courſe of the ſaid intended Canal, and the Public may be
'ſupplied with Coals at a more reaſonable Rate,' be it therefore enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall, and they are hereby required, from Time to Time, and at all Times hereafter, to abate and allow out of the Rates and Dues which ſhall from Time to Time be aſcertained, fixed, and taken, by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, for Tonnage and Wharfage, upon the ſaid collateral Cuts, the Sum of Three-pence upon each and every Ton of Coals which ſhall be navigated, carried, or conveyed, upon the ſaid collateral Cuts, and which ſhall have paſſed through any of the Locks, to be erected upon the ſaid intended *Dudley* Canal; but that nothing herein contained ſhall hinder or prevent the ſaid Company of Proprietors from demanding or recovering the full Rates and Dues to be from Time to Time aſcertained, fixed, and taken, by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, for Tonnage and Wharfage upon the ſaid Canal, from *Stourbridge* to *Stourton*: Provided alſo, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors or Aſſigns, at any Time hereafter, at any General Aſſembly, to leſſen or reduce the Dues and Rates for Tonnage and Wharfage upon all or any other Kind of Goods and Merchandiſe which ſhall be navigated upon the ſaid Canal and collateral Cuts intended to be made by virtue of this Act, and which ſhall be navigated upon the ſaid propoſed *Dudley* Canal, and afterwards, at any other General Aſſembly, to advance the Rates and Dues upon all ſuch laſt-mentioned Goods and Merchandiſe, ſo as that the ſame do not exceed the full Rates and Dues herein before granted.

'LVII. And whereas by an Act, paſſed in the ſixth Year of the Reign of his preſent Majeſty, certain
'Perſons therein named, their Succeſſors and Aſſigns, were incorporated by the Name of *The Company of*
'*Proprietors of the* Staffordſhire *and* Worceſterſhire *Canal Navigation*, and were thereby enabled to make
'a navigable Canal from the River *Severn*, between *Bewdley* and *Titton-brook*, in the County of *Worceſter*,
'to join and communicate with a Canal then intended to be made between the River *Trent* and the River
'*Merſey*, at or near *Haywood-mill*, in the County of *Stafford*; and to raiſe ſuch Sums of Money for ac-
'compliſhing the ſaid Undertaking as are therein particularly mentioned; which ſaid Sums being found
'inſufficient for completing the ſaid Navigation, the ſaid Company of Proprietors, by another Act, paſſed
'in the tenth Year of the Reign of his preſent Majeſty, were authoriſed to raiſe ſuch further Sums of
'Money as are therein mentioned for completing the ſame, and the ſaid Navigation hath been ſince ac-
'cordingly completed: And whereas a great Inducement to the ſaid Company of Proprietors to under-
'take the making of the ſaid Navigation was, the Advantage expected to ariſe from Coals to be navigated
'on the ſaid Canal in general, and particularly from *Autherley* near *Wolverhampton*, in the ſaid County of
'*Stafford*, down to the River *Severn*, which is a Diſtance of twenty-five Miles and upwards: And
'whereas the Navigation intended to be made by virtue of this Act will fall into and communicate with
'the ſaid *Staffordſhire* and *Worceſterſhire* Canal Navigation, at or near a certain Place called *The River*
'*Stour Aqueduct*, near *Stourton*, in the ſaid County of *Stafford*, which, by the Courſe of the *Staffordſhire*
'and *Worceſterſhire* Canal, is about twelve Miles and an Half diſtant from the River *Severn*, where the ſaid
'*Staffordſhire* and *Worceſterſhire* Canal falls into the ſaid River; by means whereof the Owners of Coal-
'mines lying in the Neighbourhood of *Stourbridge* will be enabled greatly to underſell the Owners of
'Coal-mines lying in the Neighbourhood of *Bilſton*, *Coſeley*, and *Tipton*, in the County of *Stafford*, at
'the *Severn* Markets, which will tend to the manifeſt Injury of the ſaid Collieries as well as of the ſaid
'*Staffordſhire* and *Worceſterſhire* Canal Navigation, unleſs Powers are given to the ſaid Company of Pro-
'prietors of the *Staffordſhire* and *Worceſterſhire* Canal Navigation to regulate their Tonnage upon Coals
'in ſuch Manner as to bring the ſame, from all the ſaid reſpective Coal-mines, to the Market of the Pub-
'lic, upon a nearer Footing of Equality, by advancing the Tonnage in Manner herein after directed upon
'the ſaid laſt mentioned Canal Navigation, and by reducing the Tonnage upon all or any Part of the ſaid
'Navigation, purſuant to an Agreement for that Purpoſe: And whereas the ſaid Company of Proprietors
'of the ſaid *Staffordſhire* and *Worceſterſhire* Canal Navigation were impowered, by virtue of the ſaid Acts
'of the ſixth and tenth Years of the Reign of his preſent Majeſty, to receive and take a Tonnage of one
'Penny Halfpenny *per* Mile upon the ſaid Canal Navigation, but were not thereby impowered to make
'any partial or particular Reduction thereof, and the ſame cannot be done without the Aid of Parliament;
be it therefore enacted by the Authority aforeſaid, That for the better carrying the ſaid Agreement into Execution, and for the Benefit and Relief of the Owners of Coal-mines near *Bilſton*, *Coſeley*, and *Tipton*, in the ſaid County of *Stafford*, and of the Proprietors of the *Staffordſhire* and *Worceſterſhire* Canal Navigation in Manner aforeſaid, it ſhall and may be lawful, to and for the ſaid Company of Proprietors of the *Staffordſhire* and *Worceſterſhire* Canal Navigation, their Succeſſors and Aſſigns, or ſuch Perſon or Perſons as they ſhall, from Time to Time, authoriſe and appoint, to lay, impoſe, demand, take, and receive, from Time to Time, and at all Times hereafter, ſuch Tolls, Rates or Duties, upon all Coals which ſhall be brought down the ſaid intended *Stourbridge* Canal Navigation, and which ſhall be navigated, carried, or conveyed, upon, through, or along, the ſaid *Staffordſhire* and *Worceſterſhire* Canal Navigation, for the ſole Uſe and Benefit of the ſaid Company of Proprietors of the ſaid *Staffordſhire* and *Worceſterſhire* Canal Navigation, as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall think fit, not exceeding the Sum of Two-pence for every Ton of Coals which ſhall be ſo navigated, carried, or conveyed, for the Space of one Mile, and ſo in proportion for any Quantity greater or leſs than a Ton, and for any Space greater or leſs than a Mile; which ſaid Tolls, Rates, or Duties, ſhall be paid to ſuch Perſon or Perſons, at

A Duty of 2 d. per Ton per Mile, may be laid upon all Coals that ſhall be navigated upon the Staffordſhire Canal Navigation.

at ſuch Place or Places, and in ſuch Manner, and under ſuch Regulations, and, in caſe of Neglect or Denial of Payment thereof, the Boat or Veſſel and Coals ſhall be ſubject to ſuch and the ſame Powers of Seizure, Diſtreſs, and Sale, together with Payment of all reaſonable Charges attending the ſame, and the Owner or Owners of ſuch Boat or Veſſel ſhall be ſubject and liable to ſuch Action or Actions, as in and by the ſaid herein-before recited Acts, paſſed in the ſixth and tenth Years of the Reign of his preſent Majeſty, or either of them, are thereby provided for the paying, receiving, and Recovery of the Tolls, Rates, or Duties, and Penalties thereby granted or allowed to be taken and received by the ſaid Company of Proprietors, their Succeſſors and Aſſigns; and alſo, that it ſhall and may be lawful to and for the ſaid Company of Proprietors of the *Staffordſhire* and *Worceſterſhire* Canal Navigation, from Time to Time to leſſen or reduce the Tolls, Rates, or Duties, herein and by the ſaid recited Acts granted to the ſaid Company, upon any Part or Parts of their ſaid Canal, and for any Diſtance or Diſtances the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall think fitting, ſuch Reduction being made with the Conſent of the major Part of the Commiſſioners, appointed by the ſaid recited Act paſſed in the ſixth Year of the Reign of his preſent Majeſty, aſſembled for that Purpoſe, of which Aſſembly or Meeting of ſuch Commiſſioners twenty-one Days Notice at leaſt ſhall be given in one of the *Birmingham* News-papers; provided there be twenty-one Commiſſioners at leaſt preſent at ſuch Meeting; and further, that it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, by themſelves alone, and without the Conſent or Interpoſition of the ſaid Commiſſioners, at any ſubſequent Aſſembly or Meeting of the ſaid Company of Proprietors, again from Time to Time to raiſe and advance all or any of the ſaid Tolls, Rates, or Duties, ſo leſſened or reduced, to any Sum or Sums of Money not exceeding the reſpective Tolls, Rates, or Duties, in and by the ſaid recited Acts and this Act granted; any Thing herein, or in the ſaid recited Acts, or either of them, contained to the contrary thereof in any-wiſe notwithſtanding.

Proprietors of Staffordſhire Canal impowered to reduce their Tolls, and to raiſe them again.

LVIII. Provided always, That in caſe the ſaid intended Navigation, by this Act authoriſed to be made, ſhall join and communicate with the ſaid *Staffordſhire* and *Worceſterſhire* Canal, at a certain Flaſh of Water near the ſaid River *Stour* Aqueduct, or within ſixty Yards of the Eaſt Wing Wall of the ſaid Aqueduct, on the Towing-path Side of the ſaid Canal, then it ſhall and may be lawful to and for the ſaid Company of Proprietors of the *Staffordſhire* and *Worceſterſhire* Canal Navigation, to demand, take, and receive ſuch Tolls, Rates, and Duties, on Coals as aforeſaid, not exceeding the Sum of Two-pence for every Ton of Coals which ſhall be navigated, carried, or conveyed, upon the ſaid *Staffordſhire* and *Worceſterſhire* Canal Navigation, or any Part thereof, for the Diſtance of one Mile, and ſo in Proportion for any greater or leſs Diſtance than a Mile, to be computed from the Place where the ſaid intended Canal by this Act authoriſed to be made ſhall join and communicate with the ſaid *Staffordſhire* and *Worceſterſhire* Canal; but in caſe the ſaid intended Canal ſhall join and communicate with the ſaid *Staffordſhire* and *Worceſterſhire* Canal at a greater Diſtance than ſixty Yards from the Eaſt Wing Wall of the ſaid Aqueduct, then, and in ſuch Caſe, the ſaid Tonnage ſhall commence and be computed from the Diſtance of ſixty Yards from the ſaid Eaſt Wing Wall of the ſaid Aqueduct; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

At what Places the aforeſaid Toll of 2d. per Ton on Coals, on the Staffordſhire Canal, is to commence.

'LIX. And, for the more eaſy collecting the ſaid Rates and Dues hereby laid and directed to be paid,' be it further enacted by the Authority aforeſaid, That the Maſter, Owner, or Manager, of every Boat, Keel, or other Veſſel, navigating upon the ſaid intended Canal or collateral Cuts, ſhall give a juſt Account in Writing, ſigned by the Maſter, Owner, or Perſon having the Rule or Command of every ſuch Boat or Veſſel, to the Collectors of the ſaid Rates or Dues at the Place or Places where they ſhall attend for that Purpoſe, of what Quantity of Goods ſhall be in or belonging to ſuch Boat or other Veſſel, from whence brought, and where they intend to land the ſame; but if the Goods contained in ſuch Boat ſhall be liable to the Payment of different Rates or Dues, then ſuch Maſter, Owner, or Perſon, ſhall ſpecify the Quantities liable to the Payment of the ſaid Rates or Dues; and in caſe they ſhall neglect or refuſe to give ſuch Account, or ſhall give a falſe Account, or ſhall deliver any Part of their Loading or Goods at any other Place or Places than what is or are mentioned in ſuch Account, every ſuch Perſon ſhall forfeit and pay, to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, the Sum of ten Shillings for every Ton of Goods which ſhall be in ſuch Boats or other Veſſels reſpectively, of which ſuch Account ſhall be ſo refuſed to be given, or of which ſuch falſe Account ſhall be given, or which ſhall be delivered out contrary to ſuch Account as aforeſaid, as the Caſe ſhall happen to be, over and above the reſpective Rates or Dues payable for the ſame; and in caſe of Neglect, Refuſal, or Denial of Payment, on Demand, of ſuch Forfeiture or Forfeitures before mentioned, or any Part thereof, to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, that then, and in ſuch Caſe, the ſame ſhall be recovered and levied in ſuch Manner and by ſuch Methods as the ſaid Rates or Dues herein before granted to the ſaid Company of Proprietors, their Succeſſors and Aſſigns, are directed and appointed to be levied and recovered.

Maſters of Boats, &c. to give an Account in Writing to the Collectors, of Goods on Board.

Penalty on Default.

'LX. And, for the better aſcertaining the Tonnage of Timber and Wood to be charged with the Payment of ſuch Rates or Dues as aforeſaid,' be it further enacted, That forty Feet of round, or fifty Feet of ſquare Oak, Aſh, or Elm Timber, and fifty Feet of Fir or Deal Balk, Poplar, and other Wood, ſhall, for the Purpoſe of this Act, be deemed, rated, and eſtimated, as and for one Ton Weight; and that Six-ſcore Pounds Weight Avoirdupoize ſhall, for the like Purpoſe, be deemed and taken as and for one hundred Weight; any Uſage of rating or eſtimating the ſame to the contrary hereof notwithſtanding.

How many Feet of Timber to be deemed a Ton, &c.

LXI. And be it further enacted by the Authority aforeſaid, That if any Difference ſhall ariſe between any Collector of the ſaid Rates and Dues, and the Maſter or Perſon having Charge of any Boat or Veſſel, or the Owner of any Goods, Wares, or Merchandiſe, concerning the Weight or Quantity of the ſame, it ſhall be lawful for any ſuch Collector to ſtop and detain any ſuch Boat or Veſſel, and to weigh, meaſure, or gauge, or cauſe to be weighed, meaſured, or gauged, all ſuch Goods, Wares, and Merchandiſe, as ſhall

Collectors may weigh or meaſure Goods.

Charges of weighing, &c. how to be paid.

ſhall be therein contained; and in caſe the ſame ſhall, upon ſuch weighing, meaſuring, or gauging, appear to be of greater Weight or Quantity than the Account given of the ſame by the Maſter, Owner, or Perſon as aforeſaid, ſuch Maſter, Owner, or Perſon, ſhall pay the Coſts and Charges of ſuch weighing, meaſuring, and gauging; all which ſaid Coſts and Charges, upon Refuſal of Payment thereof upon Demand, ſhall and may be recovered and levied by ſuch Ways and Means and in ſuch Manner as the ſaid Rates and Dues herein before granted are or can be recovered and levied: But if ſuch Goods, Wares, and Merchandiſe, ſhall appear to be of the ſame or leſs Weight or Quantity than the Account given in by ſuch Maſter, Owner, or Perſon, then the ſaid Collector ſhall pay the Coſts and Charges of ſuch weighing, meaſuring, and gauging, and ſhall alſo pay to ſuch Maſter or Perſon, or to the Owner or Owners of ſuch Goods, Wares, and Merchandiſe, ſuch Damages as ſhall appear to the ſaid Commiſſioners, or any five or more of them, upon the Oath of one or more credible Witneſs or Witneſſes, to have ariſen from ſuch Detenſion; and in Default of immediate Payment thereof, the ſame ſhall be recovered from the Company of Proprietors of the ſaid Navigation, their Succeſſors or Aſſigns, by Action of Debt, in any of his Majeſty's Courts of Record.

Navigation to be free on Payment of Tolls.

LXII. And be it further enacted by the Authority aforeſaid, That all Perſons whatſoever ſhall have free Liberty to uſe with Horſes, Cattle, and Carriages, the private Roads and Ways (except the Towing-paths) for the Purpoſe of conveying any Goods, Wares, Merchandiſe, and Commodities whatſoever, to or from the ſaid Canal and collateral Cuts; and alſo to navigate upon the ſaid Canal and collateral Cuts with any Boats or other Veſſels not exceeding ſeven Feet in Breadth, and to uſe the ſaid Wharfs and Quays for loading and unloading any Goods, Wares, Merchandiſe, and Commodities; and alſo to uſe the ſaid Towing-paths with Horſes for haling and drawing ſuch Boats and Veſſels, upon Payment of ſuch Rates and Dues as ſhall be demanded by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, not exceeding the Rates herein before mentioned.

No Boat under 15 Tons to paſs through any Lock, &c.

LXIII. Provided always, That no Boat or other Veſſel of leſs Burthen than fifteen Tons ſhall paſs through any of the Locks to be made by virtue of this Act, without the Conſent of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their Principal Agent for the Time being, in Writing firſt had and obtained.

Owners of adjoining Lands may uſe Pleaſure boats.

LXIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Owners and Occupiers of any Lands adjoining to the ſaid Canal and collateral Cuts, to uſe any Pleaſure Boat or Boats upon the ſaid Canal and collateral Cuts (ſo as the ſame do not paſs through any Lock), without the Conſent of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, and without paying any Rate or Due for the ſame; and ſo as ſuch Boat be not uſed for carrying any Goods, Wares, or Merchandiſe, and do not obſtruct or prejudice the ſaid Navigation.

Drains, &c. to be made for the Benefit of Lands adjoining,

'LXV. And, to the End that the ſaid Navigation may be carried on with as little Damage to private 'Property as poſſible,' be it further enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall, and they are hereby required, at their own proper Coſts and Charges, to make, or cauſe to be made, ſuch Arches, Tunnels, Drains, or other Paſſages, over, under, or into, the ſaid Canal and collateral Cuts, and the Trenches, Streams, and Watercourſes, communicating therewith, and the Towing-paths on the Sides thereof, of ſuch Depth and Breadth as ſhall be ſufficient at all Times to convey the Water from the Lands adjoining or lying near to the ſaid Canal or collateral Cuts, without obſtructing or impounding the ſame; and alſo to make proper Watering-places for Cattle, where, by means of the ſaid Canal or collateral Cuts, Cattle ſhall have been deprived of Watering-places; and that all ſuch Arches, Tunnels, Drains, or other Paſſages, ſhall, from Time to Time, be ſupported, maintained, and kept in good and ſufficient Repair, by the ſaid Company of Proprietors, their Succeſſors and Aſſigns; and if at any Time or Times, after one Calendar Month's Notice ſhall be given by or on Behalf of any of the Owners or Occupiers of the ſaid adjacent Lands, who ſhall find him, her, or themſelves aggrieved by the Obſtruction of the ſaid Watercourſes, to the ſaid Company of Proprietors, or to their Clerk, Agent, or Collector, for the Time being, the ſaid Arches, Tunnels, Drains, or other Paſſages, ſhall not be made, cleanſed, and repaired, according to the true Intent and Meaning of this Act, it ſhall and may be lawful for any Perſon or Perſons, having an Order in Writing for that Purpoſe from any five or more of the ſaid Commiſſioners, from Time to Time, as often as there ſhall be Occaſion, to make, cleanſe, and repair, ſuch Arches, Tunnels, Drains, or other Paſſages; and the reaſonable Expences thereof, to be aſcertained by the ſaid Commiſſioners, or any five or more of them, ſhall be defrayed by the ſaid Company of Proprietors, their Succeſſors and Aſſigns; and in caſe of Neglect or Refuſal to ſatisfy the ſame for the Space of one Calendar Month after Demand thereof made upon the ſaid Company of Proprietors, or their Clerk, Agent, or Collector, ſuch Expences ſhall and may be recovered and levied in ſuch Manner as the Coſts and Charges of making and erecting Bridges and other Works, by the Owners or Occupiers of Land, are by this Act directed and appointed to be recovered and levied.

and kept in Repair by the Proprietors.

Towing-paths to be fenced from the adjoining Lands.

LXVI. And be it further enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall, within the Space of twelve Calendar Months after any Land ſhall be taken for the Uſe of the ſaid Canal or collateral Cuts, at their own proper Coſts and Charges, divide and ſeparate, and keep conſtantly divided and ſeparated, the Towing-paths on each Side of the ſaid Canal and collateral Cuts, Trenches, or Paſſages, or ſuch Part or Parts thereof as ſhall be neceſſary, by Poſts and Rails, Hedges, Ditches, Trenches, Banks, or other Fences, from the remaining Lands or Grounds adjoining to ſuch Towing-paths, and from which ſuch Lands for the Uſe of the ſaid Canal or collateral Cuts ſhall have been ſo taken; and ſhall, at their own proper Coſts and Charges, from Time to Time, maintain and ſupport the ſaid Towing-paths, and the ſaid Poſts, Rails, Hedges, Ditches, Trenches, Banks, and other Fences, ſo erected, ſet up, or made, as aforeſaid; and alſo ſhall, at their own Charges, make, erect, and ſet up, ſuch and ſo many convenient Gates, Bridges, and Stiles, in and over all the Hedges and Fences to be by them ſo made on the Sides of ſuch Towing-paths as aforeſaid, and alſo ſuch Bridges,

Gates, Bridges, &c. to be erected.

Arches,

Arches, and Paſſages, over, under, or through, the ſaid Canal and collateral Cuts, and the ſaid Trenches, Streams, and Watercourſes, and of ſuch Dimenſions, and in ſuch Manner, as the ſaid Commiſſioners, or any five or more of them, ſhall from Time to Time judge neceſſary and appoint, for the Uſe of the Owners and Occupiers of the Lands, Grounds, or Hereditaments, adjoining to ſuch Canal or collateral Cuts, Trenches, Streams, Watercourſes, and Towing-paths, or any of them reſpectively; and the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall not make the ſaid Canal or collateral Cuts, or any Trench or Watercourſe, or any Part thereof, in or acroſs any Common Highway, Public Bridleway, or Foot-path, until ſuch Time as they ſhall, at their own proper Charges, have made and perfected ſuch Bridges, Paſſages, or Arches, over, through, or under, the Places where the ſaid Canal, collateral Cuts, Trenches, or Watercourſes reſpectively, ſhall be intended to be made for ſuch Road, Way, or Path, and of ſuch Dimenſions, and in ſuch Manner, as the ſaid Commiſſioners, or any five or more of them, ſhall adjudge proper; and all ſuch Gates, Stiles, Bridges, Arches, and other Conveniences, ſo to be made, ſhall, from Time to Time, be ſupported, maintained, and kept in ſufficient Repair, by the ſaid Company of Proprietors, their Succeſſors and Aſſigns.

If Proprietors neglect to ſeparate Towing-paths, &c.

LXVII. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Company of Proprietors, their Succeſſors and Aſſigns, or their Agents, ſhall fail or neglect to divide and ſeparate, and to keep divided and ſeparated, the Towing-paths of the ſaid Canal and collateral Cuts, Sluices, and Paſſages, in Manner herein before directed, or to make, erect, and ſet up, ſuch Gates, Bridges, and Stiles, in and over the Fences on the Sides of the Towing-paths, or ſuch Bridges, Arches, and Paſſages, over, under, or through the ſaid Canal and collateral Cuts, and the ſaid Trenches, Streams, and Watercourſes, as aforeſaid, or to make ſuch Watering-places for Cattle as herein before directed, for the Uſe and Convenience of the reſpective Owners or Occupiers of the Lands adjoining thereto, of ſuch Dimenſions, and in ſuch Manner, as the ſaid Commiſſioners, or any five or more of them, ſhall from Time to Time direct or appoint, for the Space of three Calendar Months next after the reſpective Times to be appointed for thoſe Purpoſes by the ſaid Commiſſioners, or any five or more of them; then, and in every ſuch Caſe, it ſhall and may be lawful to and for any of the Owners or Occupiers of the ſaid adjacent Lands or Grounds, who ſhall find themſelves aggrieved by any ſuch Failure or Neglect, to make, erect, and ſet up, all ſuch Gates, Stiles, Bridges, Arches, Paſſages, Watering-places, and other Conveniences aforeſaid, as the ſaid Commiſſioners, or any five or more of them, ſhall have before directed or appointed to be made, erected, and ſet up, by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, as aforeſaid; and all the reaſonable Coſts and Charges thereof, to be ſettled and allowed by the ſaid Commiſſioners, or any five or more of them, ſhall be repaid to the reſpective Owners or Occupiers of the ſaid adjacent Lands, who ſhall have ſo made and erected the ſaid Gates, Stiles, Bridges, Arches, Paſſages, Watering-places, or other Conveniences as aforeſaid, by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, within the Space of twenty-one Days next after the ſame ſhall have been ſo ſettled and allowed, and an Account and Demand ſhall have been delivered and made thereof: And in Default of Payment of the ſaid Coſts and Charges within the Time aforeſaid, the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby required, by Warrant under their Hands and Seals, to levy the ſaid Coſts and Charges by Diſtreſs and Sale of any of the Goods and Chattels of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, which ſhall be found upon the ſaid Canal, collateral Cuts, or the Wharfs, Quays, or Warehouſes, adjoining or near the ſame, to be applied to and for the Uſe of ſuch Perſon or Perſons who ſhall have ſo laid out and expended the ſame as aforeſaid, rendering to the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or to ſome of their Agents, the Overplus (if any there be), after deducting the reaſonable Charges of making ſuch Diſtreſs and Sale, to be ſettled by the ſaid Commiſſioners, or any five or more of them; or otherwiſe, the ſaid Owners or Occupiers of Land, who ſhall have made, erected, or ſet up, any ſuch Gates, Stiles, Bridges, Arches, Paſſages, Watering-places, or other Conveniences as aforeſaid, ſhall and may have ſuch and the like Remedy againſt the ſaid Company of Proprietors, their Succeſſors and Aſſigns, for the Recovery of ſuch Coſts and Charges, by Action at Law, to be commenced and proſecuted in ſuch Manner, as in other Caſes is in and by this Act mentioned and directed.

Occupiers of adjacent Lands may do it,

who ſhall be reimburſed by the Proprietors.

In Default of Payment, to be levied by Diſtreſs.

In caſe the Company neglect to repair Rails, Hedges, &c. Occupiers of Lands may do it.

LXVIII. And be it further enacted by the Authority aforeſaid, That in caſe the ſaid Poſts, Rails, Hedges, Ditches, Trenches, Banks, or other Fences aforeſaid, or the ſaid Gates, Stiles, Bridges, Arches, Paſſages, Watering-places, or other Conveniences, ſhall be out of Repair, it ſhall be lawful for the reſpective Owners and Occupiers of Lands and Grounds who ſhall be affected thereby, or any of them, to apply to the ſaid Commiſſioners, or any five or more of them, for Power to repair the ſame (giving at leaſt fourteen Days previous Notice of ſuch intended Application to the ſaid Company of Proprietors, and of the Time and Place of making ſuch Application, by inſerting the ſame in the *Birmingham* and *Worceſter* News-papers, or in ſuch other Manner as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall, at any General Meeting, direct or appoint); and the ſaid Commiſſioners, or any five or more of them, are hereby authoriſed, by Warrant in Writing under their Hands and Seals, to authoriſe and impower ſuch Owners or Occupiers to make good ſuch Repairs as to them ſhall ſeem neceſſary, in caſe the ſaid Company of Proprietors ſhall not, within thirty Days from the Time of granting ſuch Warrant, cauſe the ſame to be done; and the ſaid Owners or Occupiers reſpectively ſhall have and recover the Coſts and Charges thereof by ſuch Ways and Means as are herein before provided for recovering the Coſts and Charges of making, erecting, and ſetting up the ſame originally, by the ſaid Owners or Occupiers reſpectively.

Coals, &c. found in digging the Canal, may be taken by Proprietors of Lands.

LXIX. And be it further enacted by the Authority aforeſaid, That all Coals, Glaſs-houſe Pot-clay, Limeſtone, Ironſtone, and other Minerals, which ſhall be found and dug up in making, carrying on, and completing, the ſaid Canal and collateral Cuts, or any other Works hereby authoriſed to be made, carried on, and completed, ſhall be laid upon the Surface of the Lands in ſome convenient Place near the ſaid Works, at the Expence of the ſaid Company of Proprietors, their Succeſſors and Aſſigns; and it ſhall

and may be lawful to and for the Perſons reſpectively in whoſe Land or Ground the ſaid Coals, Glaſs-houſe Pot-clay, Limeſtone, Ironſtone, and other Minerals, ſhall be found and dug up, to take, carry away, and diſpoſe of the ſame to and for his and their own Uſe and Benefit; and that it ſhall and may be lawful to and for the ſaid Owners or Proprietors of any ſuch Mines, Glaſs-houſe Pot-clay, Limeſtone, Ironſtone, and other Minerals, which ſhall or may be diſcovered or cut in any Tunnel or Aqueduct which ſhall be made by virtue of this Act, to make a Sough or Soughs, Drain or Drains, to water or drain the remaining Part of ſuch Mines or Minerals, and to diſcharge the Water ariſing and flowing from the ſame into ſuch Tunnel or Aqueduct; provided that ſuch Settling-places be made at convenient Diſtances in ſuch Soughs or Drains as ſhall be approved and directed by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their principal Engineer for the Time being, and the ſame ſhall be cleanſed as often as ſhall be neceſſary at the Expence of the Perſon or Perſons to whom the ſame ſhall belong, in order to prevent the Mud and Earth from being conveyed into ſuch Tunnel or Aqueduct; provided that ſuch Parts of the ſaid Soughs or Drains as ſhall be under or within the Diſtance of ten Yards from ſuch Tunnel or Aqueduct on either Side thereof, ſhall not exceed four Feet in Breadth, and that the ſame ſhall be performed under the Direction and Inſpection of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their principal Engineer for the Time being; and that no Owner or Proprietor of any Mines or Minerals, their Workmen or Servants, or other Perſon whatſoever, ſhall open or carry on any Work for digging, getting, or diſcovering, ſuch Mines or Minerals, under any Tunnel, or within twenty Yards of the ſame, without the Conſent of the ſaid Company of Proprietors, their Succeſſors and Aſſigns; and that no Water ſhall be taken or drawn off lower than the Level of the Water in the ſaid Canal and collateral Cuts, by any Works to be made, carried on, or erected, for getting ſuch Coals, Glaſs-houſe Pot-clay, Limeſtone, Ironſtone, or Minerals, within twenty Yards of any ſuch Tunnel or Aqueduct, unleſs ſuch Water ſhall be returned into the ſaid Canal or collateral Cuts through ſuch Tunnel or Aqueduct; and that no Owner or Proprietor of any Mines or Minerals, their Workmen or Servants, or other Perſon whatſoever, ſhall, on any Account whatever, open, dig, ſink, or carry on, any Work for the getting of Coal, Limeſtone, Ironſtone, or Mineral, within the Diſtance of twelve Yards from the ſaid intended Canal or collateral Cuts as aforeſaid; nor ſhall any Coals, or other Minerals, be got under any Part of the ſaid Canal or collateral Cuts, or the Towing-paths thereunto belonging, or under any Reſervoir or Reſervoirs to be made by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or within or under any Land or Ground lying within the Diſtance of twelve Yards of either Side of the ſaid Canal or collateral Cuts, or of any Reſervoir or Reſervoirs, on any Account whatſoever, except as herein after mentioned, without the Conſent of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, in Writing under their Common Seal for that Purpoſe, firſt had and obtained.

Proprietors of Mines, &c. may make Drains to carry Water from the ſame, &c.

Mines not to be worked within 12 Yards of Canal.

Method of getting Coal, &c. under Canal.

LXX. Provided nevertheleſs, That when any Mine of Coal, Ironſtone, or other Mineral, which ſhall be worked agreeable to the Directions of this Act, or any Vein thereof, ſhall extend beyond the Limits herein before allowed for working the ſame, it ſhall and may be lawful for the Owner of any ſuch Mine, without any ſuch Conſent as aforeſaid, from Time to Time, upon making ſufficient and neceſſary Headways or Tunnels under the ſaid Canal and collateral Cuts and Towing-paths, and alſo under any Ground where ſuch Owners are reſtrained from working as aforeſaid, to dig, make, and get, ſuch Coal, Ironſtone, or other Minerals, beyond ſuch Limits; ſo as ſuch Headways or Tunnels do not exceed ſix Feet in Height, nor four Feet in Breadth; and ſo as the ſame are not made nearer together than nine Feet; any Thing herein contained to the contrary hereof in any wiſe notwithſtanding.

Method of diſcovering when Mines are working under or near the Canal.

'LXXI. And, for the better diſcovering Perſons who ſhall or may open, dig, ſink, or carry on, any 'Work for the getting of Coal or other Minerals contrary to the Directions of this Act,' be it further enacted, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, by themſelves, their Agents and Servants, from Time to Time, and at all Times hereafter, to enter upon any Lands or Grounds, through or near which the ſaid intended Canal and collateral Cuts, and other Works hereby authoriſed to be made, ſhall be or paſs, wherein any Coal or other Mines ſhall or may be dug or opened, and likewiſe to enter into ſuch Coal or other Mines, and there to view, ſearch, meaſure, latch, and uſe all other Means for the diſcovering the Diſtance of the ſaid intended Canal, collateral Cuts, or Towing-paths, and Reſervoirs, from the working Parts of ſuch Mines reſpectively; and

How Proprietors to proceed in ſuch Caſes.

in caſe it ſhall appear that any Mine hath been worked or got contrary to the Directions of this Act, it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and to and for their Agents, Servants, and Workmen, at the Expence, Coſts, and Charges, of the Owners or Proprietors of all ſuch Mines reſpectively, to enter into and upon all ſuch Mines, and from Time to Time to uſe all neceſſary and reaſonable Ways and Means for repairing, ſupporting, ſuſtaining, ſecuring, and making ſafe the ſaid Canal, collateral Cuts, Towing-paths, and other Works; and ſuch Expences, Coſts, and Charges, ſhall be recovered by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, in ſuch and the ſame Manner as the Rates or Dues herein before granted are to be recovered, and ſhall be paid into the Hands of the Treaſurer or Receiver for the Time being to the ſaid Company of Proprietors, to be applied for the Purpoſes of this Act.

Company to inſpect Coal-mines, &c.

LXXII. Provided always, and be it further enacted, That when and ſo often as the Owner or Proprietor of any Coal-mine, Limeſtone, or other Minerals, lying under the ſaid Canal or collateral Cuts, or any ſuch Reſervoir or Reſervoirs as aforeſaid, or within the Diſtance herein before limited, ſhall be deſirous of working the ſame, then, and in every ſuch Caſe, ſuch Owner or Proprietor ſhall give Notice in Writing, under his, her, or their Hand or Hands, of ſuch his, her, or their Intention, to the Clerk for the Time being of the ſaid Company of Proprietors, at leaſt three Calendar Months before he, ſhe, or they, ſhall begin to work ſuch Mines, lying under the ſaid Canal or collateral Cuts, or the ſaid Reſervoir or Reſervoirs, or within the Diſtance aforeſaid; and upon the Receipt of ſuch Notice, it ſhall and may be lawful for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to inſpect, or cauſe ſuch Mines to

to be inſpected, in order to determine what Coal or other Minerals may be come at, and be actually gotten: And if the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall fail or neglect to inſpect, or cauſe ſuch Mines to be inſpected, within thirty Days after the Receipt of ſuch Notice, then it ſhall and may be lawful for the Owners or Proprietors of ſuch Mines, and they are hereby reſpectively authoriſed to work and get ſuch Part of the ſaid Mines as lie under the ſaid Canal or collateral Cuts, or the ſaid Reſervoir or Reſervoirs, or within the Diſtance aforeſaid: And if, upon ſuch Inſpection as aforeſaid, the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall refuſe to permit the Owners or Proprietors of the ſaid Mines to work ſuch Part of the ſaid Mines as lie under the ſaid Canal or collateral Cuts, or the ſaid Reſervoir or Reſervoirs, or within the Diſtance aforeſaid, or any Part thereof, as they might, from Time to Time, have come at and actually gotten, or in any other Manner obſtruct or prevent them from getting the ſame; then the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall, within three Calendar Months after ſuch Refuſal or Obſtruction as aforeſaid, pay, or cauſe to be paid, to the Owners, Proprietors, or Workers of ſuch Mines reſpectively, ſuch Price or Prices for the ſame, in proportion to their ſeveral Intereſts therein, as the next adjoining Mines of equal Quality ſhall have been really and *bona fide* ſold for, or be eſtimated or valued at: And if any Queſtion or Diſpute ſhall ariſe between the ſaid Company of Proprietors, their Succeſſors or Aſſigns, and the Owners, Proprietors, or Workers of the ſaid Mines, their Executors or Adminiſtrators, touching any of the Matters aforeſaid, then the ſame ſhall be ſettled and aſcertained by the ſaid Commiſſioners, or any five or more of them, in ſuch Manner, and ſubject to the Verdict of a Jury, if required, as the Value of the Lands for making the ſaid Canal and collateral Cuts and Towing-paths is by this Act directed to be ſettled and aſcertained; and, in Default of Payment of ſuch Sum or Sums of Money, the ſaid Commiſſioners, or any five or more of them, are hereby impowered and required, by Warrant under their Hands and Seals, to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods and Chattels of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, which ſhall be found upon the ſaid Canal or collateral Cuts, or the Wharfs, Quays, or Warehouſes, adjoining or near to the ſame, to and for the Uſe of ſuch Owners or Proprietors of the ſaid Mines, their Executors or Adminiſtrators, as the Caſe may be; or otherwiſe the ſaid Owners or Proprietors, their Executors or Adminiſtrators reſpectively, may ſue for and recover the ſame by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*.

On Failure whereof, Owners may work the ſame;

or the Company ſhall make them Satisfaction.

Diſputes to be ſettled by the Commiſſioners, &c.

LXXIII. Provided always, and be it further enacted, That it ſhall and may be lawful to and for the Owner or Owners, or Proprietors, of any Mines or Minerals, and they are hereby authoriſed to work, carry on, and drain the ſame; and to make Cuts through his or their own Lands to communicate with the ſaid Canal or collateral Cuts, in ſuch Manner as they ſhall think proper, ſubject to the Terms and Conditions of this Act, ſo as no Injury or Damage be done thereby to the ſaid Navigation, and ſo as the Perſon or Perſons making ſuch Cuts ſhall (if thereunto required by the ſaid Company of Proprietors, their Succeſſors or Aſſigns) make, erect, and maintain, one or more Stop-gate or Stop-gates on every ſuch Cut, in order to prevent the Water being drained or waſted out of the ſaid Canal or collateral Cuts, by means of making any ſuch Cuts to communicate therewith as aforeſaid.

Owners of Mines may make Cuts through their own Grounds.

'LXXIV. And, in order that the Owners of Mines, lying at a greater Diſtance from the ſaid Canal or 'collateral Cuts, may not be prevented from bringing their Coals and Minerals by the Owners of Lands 'lying nearer to or between the ſaid Mines and the ſaid Canal or collateral Cuts, but may have, as well 'as the Public, the Benefit of the propoſed Navigation,' be it further enacted by the Authority aforeſaid, That in caſe the Owner or Proprietor, Owners or Proprietors, of any Coal-mines, Ironſtone, Limeſtone, or other Mines, lying within the Diſtance of one thouſand Yards from the ſaid Canal, or either of the ſaid collateral Cuts, ſhall find it expedient and neceſſary to make one or more Railway or Railways, Road or Roads, to convey his, her, or their Coals, Ironſtone, Limeſtone, or other Minerals, to the ſaid Canal, or either of the ſaid collateral Cuts, over the Land or Ground of ſome other Perſon or Perſons, that then, and in every ſuch Caſe, it ſhall and may be lawful to and for ſuch Perſon or Perſons, being the Owner or Owners of ſuch Lands or Grounds, within the Diſtance of one thouſand Yards from the ſaid Canal or collateral Cuts, over which ſuch Railway or Road is intended to be made, to treat and agree with the Proprietor or Owner, Proprietors or Owners, of ſuch Mines for the Damage the Owner of any ſuch Lands or Grounds ſhall or may ſuſtain by making ſuch Railway or Railways, Road or Roads, as aforeſaid; and in caſe the Owner or Owners of any ſuch Lands or Grounds, and the Owner or Proprietor, Owners or Proprietors, of ſuch Mines, cannot agree concerning the Recompence to be made for ſuch Loſs or Damage as aforeſaid, that then it ſhall and may be lawful to and for the Owner or Proprietor, Owners or Proprietors, of ſuch Mines, to apply to any nine or more of the ſaid Commiſſioners to aſcertain the Courſe and Direction, and alſo the Diſtance (not exceeding one thouſand Yards) which any ſuch Railway or Road ſhall be made; and the ſaid Commiſſioners, or any nine or more of them, ſhall, upon ſuch Application, appoint a Meeting for aſcertaining and fixing the Courſe and Direction, and alſo the Diſtance (not exceeding one thouſand Yards) of ſuch Railway or Road, of which Meeting fourteen Days previous Notice ſhall be given in Writing to the Owner or Owners of ſuch Lands or Grounds, which Notice ſhall alſo expreſs the Line or Courſe, and Diſtance of ſuch intended Railways or Roads reſpectively; and the ſaid Commiſſioners ſhall view the Place in queſtion, and examine Evidence upon Oath touching the ſame (all which Oaths any one of the ſaid Commiſſioners is hereby impowered to adminiſter); and if it ſhall appear to the Commiſſioners aſſembled at ſuch Meeting, or the major Part of them, that ſuch Railways or Roads reſpectively is or are neceſſary and fitting to be made, that then, but not otherwiſe, it ſhall and may be lawful to and for the Owner or Proprietor, Owners or Proprietors of ſuch Mines, to make and open Communications with his, her, or their reſpective Mines or Works, and the ſaid Canal or collateral Cuts, by making, erecting, and opening, ſuch Railways or other Roads, and to uſe the ſame with Horſes, Carts, or other Carriages, through and over the Lands or Grounds of ſuch Perſon or Perſons as aforeſaid (not being a Dwelling-houſe, Garden, Yard, Park, Paddock, planted Walk or Avenue to a Houſe, or

Owners of Mines impowered to make Railways, &c.

If Parties cannot agree, may apply to the Commiſſioners,

who are to view the Place, and ſettle the Differences, &c.

Lawn incloſed or adjoining to a Manſion-houſe), in ſuch Manner as to ſuch Owners or Proprietors reſpectively ſhall ſeem expedient; provided that no Damage, Impediment, or Inconvenience, ſhall or may be occaſioned to the ſaid Navigation by means of ſuch Communications, and the Owners or Proprietors of any ſuch Mines or Minerals making full Satisfaction for all Damages to be ſuſtained by the Owners and Proprietors of any ſuch Lands by reaſon of the making ſuch Roads or Railways; and in caſe the ſaid Owners or Proprietors of any ſuch Mines or Minerals, and the Owners and Occupiers of any ſuch Lands, cannot agree touching the Satisfaction to be made, the ſame ſhall be ſettled and aſcertained by the ſaid Commiſſioners, or any five or more of them, in ſuch Manner, and ſubject to the Verdict of a Jury if required, as the Value of the Lands to be taken for making the ſaid Canal and collateral Cuts is by this Act directed to be ſettled and aſcertained; and in Default of Payment of ſuch Sum or Sums of Money, the ſame to be recovered in Manner as is herein before directed and provided for recovering Money which ought to be paid for any Damage to be occaſioned to any Lands by reaſon of the making the ſaid Canal or collateral Cuts.

'LXXV. And whereas it will be neceſſary, in order to effect ſuch Junction with the ſaid *Staffordſhire* 'and *Worceſterſhire* Canal as aforeſaid, to erect a Bridge over the ſame, for the Purpoſe of towing the 'Boats and other Veſſels to be navigated on the Canal intended to be made by virtue of this Act,' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and their Servants, Agents, and Workmen, to make, ſet up, and erect, a proper Bridge over and acroſs the ſaid *Staffordſhire* and *Worceſterſhire* Canal, at or near the Place where the ſaid Canals are intended to communicate; and to make an Abutment to ſuch Bridge, on the Side of the Towing-path belonging to the ſaid *Staffordſhire* and *Worceſterſhire* Canal, and from Time to Time, and at all Times thereafter, as often as Occaſion may require, to repair and amend ſuch Bridge and Abutment, and to make any new Bridge, or Abutment, ſo as not to injure or obſtruct the Navigation of the ſaid *Staffordſhire* and *Worceſterſhire* Canal in any greater Degree than the ſame is injured or obſtructed by other Bridges erected acroſs the ſame; and ſo as reaſonable Satisfaction and Amends be made to the Proprietors of the ſaid *Staffordſhire* and *Worceſterſhire* Canal, for any Land to be taken thereby, or for any Damage to be done to their Canal in the making and conſtructing of ſuch Bridge and Abutments, or in repairing of the ſame; ſuch Satisfaction and Damage to be ſettled and aſcertained in the ſame Manner as is herein before preſcribed with reſpect to Satisfaction and Damages for Lands to be taken and uſed for the ſaid intended Canal or collateral Cuts, or for any Damage occaſioned thereby.

Proprietors may erect a Towing-bridge over the Staffordſhire Canal;

making Satisfaction for Damages, &c.

'LXXVI. And, in order that a Supply of Water may be brought into the ſaid *Staffordſhire* and *Wor*-'*ceſterſhire* Canal, by means of the intended Navigation,' be it therefore enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall, and they are hereby required to make and conſtruct the loweſt Lock, which ſhall be erected on the ſaid intended Canal, of the Depth or Fall of ten Feet at the leaſt, and at all Times to ſupport and maintain the ſame of ſuch Depth, unleſs the Proprietors of the ſaid *Staffordſhire* and *Worceſterſhire* Canal ſhall conſent and agree, by Writing under their Common Seal, to have the ſame of a leſs Depth or Fall; any Thing in this Act to the contrary hereof notwithſtanding.

Lowermoſt Lock on Canal, not to be of leſs Fall than 10 Feet.

LXXVII. And be it further enacted by the Authority aforeſaid, That the Company of Proprietors of the *Stourbridge* Navigation, and their Succeſſors, ſhall, and they are hereby required to make and execute all that Part of the intended Canal which lies between the Town of *Stourbridge* and a Place called *Bell's Mill* upon the ſame Level, in order that ſuch Part of the ſaid Canal may be ſupplied with Water from the collateral Cuts directed to be made as aforeſaid: And the ſaid Company of Proprietors, and their Succeſſors, are hereby required to make and finiſh that Part of the ſaid Canal which lies between the ſaid Town of *Stourbridge* and *Wordeſley* Brook, within ſuch Time and in ſuch Manner that the ſame ſhall be opened for the Navigation of Boats and other Veſſels at the ſame Time the ſaid collateral Cut to the Fens ſhall be opened: And the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall, and they are hereby alſo required, within the Space of ſix Months afterwards, to make and finiſh the ſaid collateral Cut from the *Black Delph* aforeſaid, to or near the ſaid Lands called *The Lays*; and there to make and effect a Junction and Communication with the ſaid other collateral Cut to be made from the Fens aforeſaid to the Junction of *Wordeſley* Brook with the River *Stour*; any Thing in this Act to the contrary hereof notwithſtanding.

Canal, between Stourbridge and Bell's Mill, to be on a Level.

Time limited for finiſhing certain Parts of Canal, &c.

LXXVIII. And be it further enacted by the Authority aforeſaid, That if the Owners or Occupiers of any Lands through which the ſaid intended Canal or collateral Cuts ſhall be made, do or ſhall at any Time or Times find that the ſeveral Gates, Stiles, Bridges, Arches, Paſſages, Watering-places, and other Conveniencies which the ſaid Commiſſioners, or any five or more of them, ſhall have ordered and directed to be made by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, in, upon, over, under, or through the ſaid Canal or collateral Cuts, or the Towing-paths thereof, are inſufficient either in the Number or Situation for the commodious Uſe and Occupation of the reſpective Lands and Grounds on both Sides, or on either Side, of the ſaid Canal or collateral Cuts, then, and in every ſuch Caſe, it ſhall and may be lawful to and for ſuch Owners or Occupiers, with the Conſent and Approbation of the ſaid Committee for the Time being, or of the major Part thereof, upon Requeſt made to them for that Purpoſe, or in caſe of their Refuſal for the Space of ten Days after ſuch Requeſt, then with the Conſent and Approbation of any five or more of the ſaid Commiſſioners, to make, fix, and erect, at their own Coſts and Charges, ſuch other Gates, Stiles, Bridges, Arches, Paſſages, Watering-places, or other Conveniencies, of the ſame or the like Conſtruction with the others made and erected by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, on, in, over, or near, the ſaid Canal or collateral Cuts, or Towing-paths thereof, and in ſuch Places as ſhall be found and judged moſt neceſſary and convenient for the better Uſe, Cultivation and Improvement, or Occupation of the ſaid Lands, and to repair and ſupport the ſame at their own like Coſts and Charges, as Occaſion ſhall require; ſo as the ſaid Navigation be not prevented

Owners of adjoining Lands may erect Bridges, &c. at their own Charge.

prevented or obſtructed thereby for any longer Space of Time, or in any other Manner, than the ſame will neceſſarily be by making other Gates, Stiles, or Bridges, in or over the ſaid Canal or collateral Cuts, by the ſaid Company of Proprietors.

Company reſtrained from erecting or taking down certain Buildings, &c.

LXXIX. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to enable the ſaid Proprietors, their Succeſſors or Aſſigns, to erect or build any Mill or Mills upon the ſaid intended Canal or collateral Cuts, or upon the Lands which ſhall be ſet out for the Towing-paths, Wharfs, or Quays, on the Sides thereof, or to convert, employ, or uſe, any Water that ſhall be brought into or diſcharged out of the ſaid Canal or collateral Cuts for the Uſe of any Mill or Mills hereafter to be erected near the ſame, or to make, erect, or build, any Houſes, Warehouſes, Quays, Wharfs, Cranes, or Weigh-beams, within the Diſtance of fifty Yards of any Capital Manſion-houſe, or in or upon any Fold, Yard, Garden, Park, Paddock, planted Walk, or Avenue to an Houſe, or Lawn incloſed adjoining to any Capital Manſion-houſe, that was uſed as ſuch on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and ſeventy-five, or upon the North-weſt Side of the Turnpike-road leading from *Hafcut* Bridge to *Strwponey* (other than Bridges, Locks, and Abutments,), without the Conſent of the ſaid *John Hodgetts*, his Heirs or Aſſigns, in Writing firſt had and obtained, or to take down or damage any Dwelling-houſe or Out-houſe (without the Conſent of the Proprietors thereof reſpectively, except only ſuch Buildings as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, are herein after expreſsly authoriſed and impowered to take down); or to cut down any Timber-wood, Bruſhwood, or Underwood, upon any of the Eſtates or Lands through or into which the ſaid Canal or collateral Cuts, Roads, Paſſages, or Conveniencies, ſhall be made or carried, other than ſuch as ſhall grow or be in or upon any of the Lands or Grounds which ſhall be ſet out and aſcertained, taken or uſed, for the Purpoſes of the ſaid Navigation; and that the Proprietors of the reſpective Lands or Grounds on which ſuch Timber-wood, Bruſhwood, or Underwood, which ſhall be cut down, was growing, ſhall have it in their Option to take ſuch Timber-wood, Bruſhwood, and Underwood reſpectively, when fallen or cut down by the ſaid Company of Proprietors, their Succeſſors and Aſſigns, at ſuch Price or Value as the ſame reſpectively ſhall have been eſtimated at or purchaſed by the ſaid Company of Proprietors, their Succeſſors and Aſſigns; but in caſe the ſame ſhall not have been eſtimated at or purchaſed by them upon a Valuation ſeparate or diſtinct from the Lands or Grounds upon which the ſame reſpectively ſhall then grow, then at ſuch Price or Value as ſhall be agreed on for that Purpoſe between ſuch Proprietors or Owners of Land and the ſaid Company of Proprietors or their Agent; or in caſe of any Difference in ſettling or aſcertaining the ſame, then at ſuch Price or Value as the ſaid Commiſſioners, or any five or more of them, ſhall aſcertain and fix; all which Timber-wood, Bruſhwood, or Underwood, ſo cut down, ſhall and may be carried and conveyed upon the ſaid Canal and collateral Cuts to and from any Part thereof free from all Rates or Dues whatſoever.

or cutting down Timber, &c. (except as excepted.)

Proprietors impowered to take down certain Shops, &c. belonging to the Earl of Stamford.

LXXX. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Company of Proprietors, and their Succeſſors, for the ſole and only Purpoſes of making the ſaid Canal, and a Towing-path on the Side thereof, and a Reſervoir or Baſon for the Uſe of the ſaid Navigation, and alſo for the Purpoſe of erecting Warehouſes and other Buildings, and making and laying out Wharfs, Quays, Landing-places, and Roads, for the Uſe of the ſaid Canal (in caſe the ſaid Earl of *Stamford* and his Heirs ſhall not chuſe to make, erect, and lay out, ſuch Warehouſes, Buildings, Wharfs, Quays, Landing-places, and Roads), to purchaſe and take down certain Shops and Warehouſes in the Occupation of *Joſeph Parkes*, ſituate in *Amblecoat* aforeſaid, and which belong to the ſaid Earl; and alſo to purchaſe and uſe certain Garden Grounds belonging to the ſaid Earl, in the Occupation of the ſaid *Joſeph Parkes*; and alſo, with the Conſent and Approbation of the ſaid Earl and his Heirs, or ſuch Perſon or Perſons who for the Time being ſhall be ſeiſed in Poſſeſſion of the Dwelling-houſe in the Occupation of the ſaid *Joſeph Parkes*, and alſo of certain Dwelling-houſes and Buildings in the Occupation of *John Hancox*, or his Under-tenants, ſituate in *Amblecoat* aforeſaid, and which adjoin to the Turnpike-road leading from *Stourbridge* to *Wolverhampton*, firſt had and obtained, in Writing under his or their Hand or Hands, to purchaſe and take down the laſt-mentioned Dwelling-houſes and Buildings; and alſo that it ſhall and may be lawful to and for the ſaid Earl and his Heirs, or ſuch other Perſon or Perſons who for the Time being ſhall be ſeiſed for Life, or of any greater Eſtate, of and in the ſaid Dwelling-houſes, Buildings, and Garden Grounds, to ſell and convey the ſame unto the ſaid Company of Proprietors, their Succeſſors and Aſſigns, in Fee Simple; and ſuch Sales and Conveyances ſhall, without any Fine or Recovery, or other Aſſurances in the Law, be valid and effectual to all Intents and Purpoſes: And in caſe the ſaid Earl and his Heirs, or ſuch other Perſon or Perſons ſo intitled as aforeſaid, and the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall not agree upon the Price or Value of the ſaid Buildings and Garden Grounds, that then the ſame ſhall be ſettled and aſcertained by the ſaid Commiſſioners, or any five or more of them, or by a Jury, in ſuch Manner as is herein before directed and preſcribed with reſpect to Lands to be taken for the Uſe of the ſaid Canal, Regard being had to the true Value of the ſaid Buildings and Garden Grounds: Provided alſo, That nothing herein before contained ſhall extend, or be conſtrued to extend, to authoriſe or enable the ſaid Company of Proprietors, their Succeſſors or Aſſigns, to take down the ſaid Dwelling-houſe in the Occupation of the ſaid *Joſeph Parkes*, or the ſaid Dwelling-houſes and Buildings in the Occupation of the ſaid *John Hancox*, or his Under-tenants, without the Conſent of the ſaid Earl or his Heirs, or ſuch other Perſon or Perſons who for the Time being ſhall be ſeiſed thereof as aforeſaid; or to convert the ſaid Garden Grounds, or the Ground whereon the ſaid other Buildings now ſtand, to any other Purpoſe than the Purpoſes herein before expreſsly mentioned; or to leſſen or prejudice the Right of the ſaid Earl and his Heirs, and ſuch other Perſon and Perſons as aforeſaid, to build, erect, or uſe, any Wharfs, Quays, Landing-places, Cranes, Weigh-beams, Warehouſes, or Roads, in or upon his or their Lands, adjoining or near to the ſaid Canal, or from landing any Goods or Merchandiſe thereupon, or upon the Banks lying between the ſame, or from making and uſing proper and convenient Places for Boats

If Parties cannot agree, Difference to be ſettled by Commiſſioners, &c.

Company not to take down certain Houſes, without Conſent of Owners, &c.

Boats or other Veſſels to lie and turn in, agreeable to the Powers and Authorities herein after given and contained.

Land-owners may erect Warehouſes, &c. on their own Lands, &c.

LXXXI. Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to reſtrain or hinder the ſaid *George Harry* Earl of *Stamford*, *Edward Ruſſell* Eſquire, and *John Addenbrooke Homfray*, or the Lord or Lords of any Manor or Manors, or the Owner or Owners of any Lands or Grounds, through or near which the ſaid intended Canal or collateral Cuts ſhall be made, from building, erecting, or uſing, any Wharfs, Quays, Landing places, Cranes, Weigh-beams, or Warehouſes, in and upon their Lands, Grounds, or Waſtes, adjoining or near to the ſaid Canal or collateral Cuts, or from landing any Goods or Merchandiſe or other Things thereupon, or upon the Banks lying between the ſame and the ſaid intended Canal or collateral Cuts, or from making and uſing proper and convenient Places for Boats or other Veſſels to lie in, turn, or paſs by each other, or from making and laying out proper and convenient Ways and Roads to and from the ſaid Canal and collateral Cuts, ſo that the making, erecting, or uſing thereof reſpectively ſhall and do not obſtruct or prejudice the ſaid Navigation, or the Towing-paths on the Sides thereof; and all Rates and Dues that ſhall be paid for the Uſe and Benefit of all ſuch Wharfs, Quays, Landing-places, Cranes, Weigh-beams, and Warehouſes reſpectively, ſhall be and the ſame are hereby veſted in the ſaid Earl, the ſaid *Edward Ruſſell*, and *John Addenbrooke Homfray*, or ſuch Lord or Lords of ſuch Manor or Manors, or the Owner or Owners of ſuch Lands, Grounds, or Waſtes, who ſhall make, erect, and build the ſame upon their own Lands, Grounds, or Eſtates reſpectively, his, her, and their Heirs and Aſſigns.

If Land-owners neglect to build, &c. after twelve Months Notice, Proprietors may do it,

LXXXII. And be it further enacted by the Authority aforeſaid, That if the ſaid *George Harry* Earl of *Stamford*, or the ſaid *Edward Ruſſell*, and *John Addenbrooke Homfray*, or any ſuch Lord or Lords, Owner or Owners, ſhall not, within the Space of twelve Calendar Months next after Notice given in Writing by or on Behalf of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, that any Part or Parts of ſuch Lands, Grounds, or Waſtes, is or are intended to be uſed by them for the Purpoſe of erecting Warehouſes and Buildings for the Uſe of the ſaid Navigation, or for making and laying out neceſſary and convenient Roads for the Conveyance of Goods to and from the ſaid Canal and collateral Cuts, make, erect, and lay out, and from Time to Time maintain and keep in conſtant and ſubſtantial Repair, ſuch proper and ſufficient Warehouſes, Buildings, and Roads, for the Uſe of the ſaid Navigation, as the ſaid Commiſſioners, or any five or more of them, ſhall think neceſſary, and on the reſpective Part or Parts of the Lands and Grounds deſcribed in ſuch Notice, that then the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall have full and abſolute Power and Authority, without any Hindrance or Reſtraint whatſoever, to make uſe of ſuch Lands, Grounds, or Waſtes (except ſuch as are herein before particularly excepted), for erecting and building proper and ſufficient Warehouſes and Buildings, and making and laying out neceſſary and convenient Roads to and from the ſaid Canal and collateral Cuts, agreeable to ſuch Notice to be delivered as aforeſaid, firſt making Satisfaction for the ſame, in ſuch Manner as is directed with reſpect to other Lands or Grounds which ſhall be taken or uſed for the Purpoſes of this Act: But that nothing herein contained ſhall extend, or be deemed or conſtrued to extend, to ſubject the ſaid Earl, the ſaid *Edward Ruſſell*, and *John Addenbrooke Homfray*, or ſuch Lord or Owner of Land as aforeſaid, to the Repairs of the Towing-paths belonging to the ſaid Canal or collateral Cuts.

making Satisfaction to the Owners.

Proprietors not to make Roads over Lands of the Earl of Stamford, &c. without their Conſent,

LXXXIII. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to enable the ſaid Company of Proprietors, their Succeſſors or Aſſigns, to make any Roads or Ways over any of the Lands or Grounds belonging to the ſaid *George Harry* Earl of *Stamford*, *Edward Ruſſell*, or *John Addenbrooke Homfray* reſpectively, or over any Wharfs or Quays which ſhall be made by them, any or either of them, on the Side of the ſaid intended Canal, other than for the Purpoſe of a Towing-path for Horſes, to hale Veſſels upon the ſaid Canal, and other than ſuch Roads for the Conveyance of Goods to and from the ſaid Canal as ſhall be thought neceſſary by the ſaid Commiſſioners, or any five or more of them, to be made and ſet out agreeable to the Notice herein before directed to be given for that Purpoſe, without the Conſent of the ſaid Earl, the ſaid *Edward Ruſſell*, and *John Addenbrooke Homfray*, or their Heirs reſpectively, firſt had and obtained, in Writing under his or their Hand or Hands; and that it ſhall not be lawful to and for the ſaid Company of Proprietors, their Succeſſors or Aſſigns, to lay or continue any Timber, Stone, Coal, Bricks, or other Goods, upon any Quays or Wharfs belonging to the ſaid Earl, *Edward Ruſſell*, and *John Addenbrooke Homfray*, for any longer Space of Time than ſix Days, without the Conſent of the Owner or Proprietor of ſuch Quay or Wharf, or his or their Wharfinger, Clerk, or known Agent, firſt had and obtained, or to commit any Treſpaſs or Damage upon the Wharfs, Lands, or Grounds of the ſaid Earl, *Edward Ruſſell*, and *John Addenbrooke Homfray* reſpectively, other than what ſhall be abſolutely neceſſary for the ſetting out, making, and repairing, of the ſaid Canal, and the Towing-path on the Sides thereof, as alſo for the ſetting out, making, and repairing, of the ſaid Baſon, and the making, erecting, and building, of ſuch Wharfs, Quays, Roads, and Warehouſes, as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, are herein before authoriſed by this Act to ſet out, make, erect, and build, upon the particular Lands and Grounds of the ſaid Earl, the ſaid *Edward Ruſſell*, and *John Addenbrooke Homfray*, reſpectively.

nor to leave Goods on their Wharfs, longer than ſix Days, &c.

Rates for Wharfage to be paid to Land-owners.

LXXXIV. Provided always, and be it enacted by the Authority aforeſaid, That nothing ſhall be demanded or taken by any Lord or Lords, Land-owner or Land-owners, who ſhall or may make, erect, or build, any Wharfs or Quays, or make or lay out any Roads to and from the ſaid Canal, or collateral Cuts, on any Part of the Lands or Grounds adjoining to the ſaid intended Canal or collateral Cuts by virtue of this Act, as or for Wharfage for any Coals, or other Goods or Merchandiſe, which ſhall be loaded into, or diſcharged from, any Boat or other Veſſel, unleſs ſuch Coals, Goods, or Merchandiſe, ſhall lie upon ſuch Wharfs or Quays for a longer Space of Time than ſix Hours in the Day-time, between the Hours of Eight of the Clock in the Morning and Five of the Clock in the Afternoon; and that no more than the Sum of one Penny Halfpenny *per* Ton ſhall be demanded or taken for the Wharfage of Coals, Lime, Limeſtone,

Limeſtone, Clay, Iron, Gravel, Timber, Stone, Brick, Tile, or Slate; nor more than Three-pence *per* Ton for the Wharfage of any other Goods or Merchandiſe, where the ſame ſhall be reſpectively placed, and remain upon ſuch Wharfs or Quays for a longer Space than ſix Hours as aforeſaid, and ſhall not continue thereupon for a longer Space of Time than ſix Days; nor ſhall any Thing be demanded or taken for the Uſe of the ſaid Roads for the Conveyance of Goods and Merchandiſes to and from the ſaid Canal or collateral Cuts: Provided alſo, That it ſhall and may be lawful for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to erect, repair, and uſe, any Crane or Cranes, or Weighing-machine, upon every ſuch Wharf or Quay, for the more convenient loading, unloading, and weighing of any ſuch Coals or other Goods, in caſe the Proprietors of ſuch Wharfs or Quays ſhall refuſe to make and erect the ſame within three Calendar Months after they ſhall have received Notice in Writing for that Purpoſe from the ſaid Company of Proprietors, their Succeſſors or Aſſigns.

Company of Proprietors may erect Cranes, &c. on Wharfs, if Owners neglect.

'LXXXV. And, for preventing Diſputes touching the Weight of the Lading on board any Boat or 'Veſſel paſſing upon the ſaid Navigation,' be it further enacted, That the Maſters of all ſuch Boats or Veſſels ſhall, and they are hereby required to fix on each Side thereof reſpectively correct Indexes of Copper, Lead, or other Metal, of ſuch graduated Dimenſions, and of ſuch convenient Height, and under ſuch Regulations, as the ſaid Company of Proprietors ſhall from Time to Time direct, ſo that the true Weight of the Lading on board may at all Times be thereby aſcertained and ſhewn; and the Names of the Owners of ſuch Boats or Veſſels, and the proper Numbers thereof reſpectively, in Copper, Lead, or other Metal, as aforeſaid, ſhall alſo by ſuch Maſters and Owners be affixed on the Sides of the ſaid Boats or Veſſels in ſome conſpicuous Manner: And if the Maſter or Owner of any ſuch Boat or Veſſel ſhall navigate the ſame upon the ſaid Canal or collateral Cuts, without having ſuch Index, Name, and Number, upon his or their Boat or Veſſel, every ſuch Maſter or Owner ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of forty Shillings, to be levied, recovered, and applied, by ſuch Ways and Means, and in ſuch Manner, as the other Penalties or Forfeitures for Offences againſt this Act are directed to be levied, recovered, and applied.

Weight of the Lading of Veſſels to be marked on each Side,

and Names of the Owners, &c.

on Penalty of 40s.

LXXXVI. And be it further enacted by the Authority aforeſaid, That the Owner or Maſter of every Boat or other Veſſel navigating upon the ſaid Canal or collateral Cuts, ſhall permit and ſuffer every ſuch Boat or other Veſſel to be meaſured, at the Expence of the ſaid Company of Proprietors, whenever it ſhall be required by them, or ſuch Perſon or Perſons as ſhall be appointed by them for that Purpoſe; and if any Owner or Maſter of any Boat or other Veſſel ſhall refuſe to have his, her, or their Boats or other Veſſels meaſured as aforeſaid, he or they ſhall, for every ſuch Offence reſpectively, forfeit and pay to the ſaid Company of Proprietors, their Succeſſors or Aſſigns, the Sum of forty Shillings.

Boats, &c. to be meaſured.

Penalty, on Refuſal, 40s.

LXXXVII. And be it further enacted, That the Maſter or Owner of every Boat or other Veſſel navigating upon the ſaid Canal and collateral Cuts, ſhall be, and is hereby made anſwerable for any Damage, Spoil, or Miſchief, that ſhall be done by his Boat or other Veſſel, or any of the Boatmen or Watermen belonging to, or employed in or about the ſame reſpectively, unto any of the Bridges, Weirs, Locks, Dams, Engines, or other Works, in, upon, or near the ſaid intended Canal and collateral Cuts, or by loading or unloading any Boat or other Veſſel, and for any Treſpaſs or Damage that ſhall or may be done to the Owners or Proprietors of any Buildings, Erections, Lands, or Tenements, adjoining to the ſame; and the Maſter or Owner of ſuch Boat or Veſſel ſhall and may be ſued and proſecuted for the ſame in any Court of Record whatſoever; and if a Verdict paſs againſt him, or Judgment be given againſt him upon Demurrer, or by Default, the Plaintiff, in any ſuch Caſe, ſhall recover his Damages thereby ſuſtained, with Double Coſts of Suit.

Boatmaſter or Owner made anſwerable for Damages done by the Crew.

LXXXVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and may, and they are hereby required, in ſuch Parts of the ſaid Canal, or collateral Cuts, as ſhall not be of a ſufficient Breadth for admitting a Boat or Veſſel to turn about or lie, or for two Boats or other Veſſels to paſs each other, to open or cut proper Spaces or Places in the Lands adjoining to the ſaid intended Canal or collateral Cuts, at convenient Diſtances from each other, for the turning, lying, and paſſing of any ſuch Boat or Veſſel; and that the ſaid Boats or other Veſſels, ſailing or being haled or navigated upon the ſaid Canal or collateral Cuts, ſhall, upon meeting any other Boat or Veſſel, ſtop at or go back to and lie in the ſaid Spaces or Places in ſuch Manner as the ſaid Committee, or the major Part of them, under their Hands and Seals, ſhall direct and appoint.

Proper Places to be made for Boats to turn or lie in.

LXXXIX. And be it further enacted, That if any Boat or Veſſel ſhall be placed in any Part of the ſaid Canal or collateral Cuts, ſo as to obſtruct the Navigation thereof, and the Perſon having the Care of ſuch Boat or Veſſel ſhall not immediately, upon Requeſt made for that Purpoſe, remove the ſame, he ſhall, for every ſuch Offence, forfeit a Sum not exceeding ten Shillings, nor leſs than five Shillings, for every Hour ſuch Obſtruction ſhall continue; and it ſhall be lawful for the Agents or Servants of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to cauſe any ſuch Boat or Veſſel to be unloaded, if neceſſary, and to be removed in ſuch Manner as ſhall be proper for preventing ſuch Obſtruction in the Navigation, and to ſeize and detain ſuch Boat or Veſſel, and the Loading thereof, or any Part of ſuch Loading, until the Charges occaſioned by ſuch Unloading and Removal are paid; and if any Boat or Veſſel ſhall be ſunk in the ſaid Canal or collateral Cuts, and the Owner or Owners, or Perſon or Perſons having the Care of ſuch Boat or Veſſel, ſhall not, without Loſs of Time, weigh or draw up the ſame, it ſhall be lawful for the Agents or Servants of the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to cauſe ſuch Boat or Veſſel to be weighed or drawn up, and to detain and keep the ſame till Payment be made of all Expences neceſſarily occaſioned thereby.

Penalty on placing Veſſels ſo as to obſtruct the Navigation, &c.

Veſſels ſunk to be weighed.

XC. And be it further enacted, That if any Perſon or Perſons ſhall float any Timber upon the ſaid Canal or collateral Cuts, or ſhall ſuffer the Loading of any Boat or Veſſel to lie over the Sides thereof, or ſhall overload any Boat or other Veſſel navigating in or upon the ſaid Canal and collateral Cuts, ſo as by ſuch Overloading to obſtruct the Paſſage of any other Boat or Veſſel, and ſhall not immediately, upon

Perſons floating Timber on the Canal, or overloading Veſſels,

Notice given to the Owner or Owners, Perſon or Perſons having the Care of ſuch Boat or Veſſel ſo obſtructing the Paſſage as aforeſaid, remove the ſame, ſo as to make a free Paſſage for other Boats or Veſſels, every ſuch Owner or Owners, Perſon or Perſons, floating ſuch Timber, or having the Care of ſuch Boat or Veſſel ſo obſtructing the Paſſage as aforeſaid, ſhall forfeit and pay, for every ſuch Offence, the Sum of five Pounds; and if any Perſon or Perſons ſhall throw any Ballaſt, Gravel, Stones, or Rubbiſh, into any Part of the ſaid Canal or collateral Cuts, every ſuch Perſon ſhall, for every ſuch Offence, forfeit a Sum not exceeding five Pounds; which ſaid reſpective Forfeitures ſhall be paid to the ſaid Company of Proprietors, their Succeſſors or Aſſigns, to be by them applied to the Purpoſes of the ſaid Navigation.

or throwing Gravel, &c. into Canal, to forfeit 5 l.

Regulations for Veſſels paſſing the Locks.

XCI. Provided always, and be it enacted by the Authority aforeſaid, That every Boatman or other Perſon navigating any Boat or other Veſſel upon the ſaid Canal or collateral Cuts, through any Lock to be made thereon, ſhall, in going down the ſame, ſhut the Lower Gates of ſuch Lock before he ſhall draw the Cloughs of the Upper Gates thereof; and after he or they ſhall have brought his Boat or other Veſſel into the ſaid Lock, ſhall ſhut the Upper Gates before he ſhall draw the Cloughs of the Lower Gates thereof; and in all dry Seaſons, when there ſhall be a Scarcity of Water in the ſaid Canal or collateral Cuts, the Veſſel going up the ſame, if within Sight of, and at a Diſtance not exceeding three hundred Yards below a Lock, ſhall paſs through the ſame before the Veſſel coming down, and then the Veſſel next above ſuch Lock ſhall come down; and if there are more Veſſels than one below and above any Lock at the ſame Time, in ſuch dry Seaſons, within the Diſtance aforeſaid (which Diſtance ſhall be diſtinguiſhed by a Poſt or Mark to be ſet up or made for that Purpoſe), ſuch Veſſels ſhall go up and come down at ſuch Lock by Turns as aforeſaid, until all the ſaid Veſſels going up or coming down ſhall have paſſed, by which Means one Lock-full of Water may ſerve two Veſſels; and if any Perſon ſhall act contrary to the Rules herein before laid down, and ſhall be convicted thereof before any Juſtice of the Peace, upon the Oath of one or more credible Witneſs or Witneſſes, as alſo the Maſter or other Perſon having the Command of ſuch Boat or Veſſel, ſhall forfeit the Sum of forty Shillings.

Penalty of 40 s. for each Offence.

Canal not to be under the Power of Commiſſioners of Sewers.

XCII. And be it further enacted, That the ſaid Canal or collateral Cuts, or any Works whatſoever to be made by virtue of this Act, ſhall not be ſubject to the Controul, Direction, Survey, or Order, of any Commiſſion of Sewers, or to any Law or Statute relating to Sewers; any Thing or any Law or Statute to the contrary notwithſtanding.

If Company neglect to pay annual Rents, &c.

XCIII. And be it further enacted by the Authority aforeſaid, That ſuch annual Rents or Sums as ſhall be agreed on between the ſaid Company of Proprietors, their Succeſſors and Aſſigns, and the Parties intereſted in ſuch Lands, Grounds, Mills, Forges, or Iron Works, or which ſhall be ſo ſettled and aſcertained by the ſaid Commiſſioners, or by a Jury as aforeſaid, ſhall be charged on the Rates and Dues herein before granted, and ſhall be paid by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, as the ſame ſhall become due and payable; and in caſe the ſame ſhall not be paid within twenty-one Days next after the ſame ſhall reſpectively become due and payable, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, by an Order under their Hands and Seals, to appoint one or more Perſon or Perſons to receive the ſaid Rates and Dues, and to pay the ſame to ſuch Perſon or Perſons to whom ſuch yearly Rents or Sums ſhall be due and unpaid as aforeſaid, until ſuch yearly Rents or Sums, with the Coſts and Charges of recovering and receiving thereof, ſhall be fully ſatisfied and paid; or ſuch Perſon or Perſons, to whom ſuch yearly Rents or Sums ſhall be due and owing as aforeſaid, may ſue the ſaid Company of Proprietors, their Succeſſors or Aſſigns, for, and recover the ſame, with Coſts of Suit, by Action of Debt, in any of his Majeſty's Courts of Record; or otherwiſe it ſhall and may be lawful to and for ſuch Bodies Politic, Corporate, or Collegiate, Truſtees, or other Perſon or Perſons to whom ſuch yearly Rents or Sums ſhall be due and owing as aforeſaid, and he and they, and every of them, is and are hereby impowered to ſeize and diſtrain any Boats, Veſſels, or other Goods or Effects of the ſaid Company of Proprietors, their Succeſſors or Aſſigns, which ſhall be found upon the ſaid Canal or collateral Cuts, or in, upon, or about, the Wharfs, Quays, Warehouſes, or other Works belonging thereto, and to detain the ſame until Payment thereof, together with the reaſonable Charges attending ſuch Diſtreſs; and if ſuch Diſtreſs ſhall not be redeemed within five Days after ſuch Diſtreſs made, and Notice thereof given in Writing, by affixing ſuch Notice on ſome public Place at any of the Wharfs or Quays belonging to the ſaid Company of Proprietors, then ſuch Boats, Veſſels, or other Goods or Effects ſo diſtrained, ſhall and may be appraiſed and ſold in ſuch Manner as the Law directs in caſe of Diſtreſs for Rent; but the Goods or Effects of no other Perſon or Perſons than the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall be liable to be ſeized or detained by virtue of the Powers hereby given.

Commiſſioners may appoint a Perſon to receive the Rates, and pay the ſame, &c.

Reſervation of Rights of Lords of Manors, &c. relating to Mines, &c.

XCIV. Provided always, and be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to defeat, prejudice, or affect the Right of any Lord or Lords of any Manor or Manors, Common or Waſte Grounds, or of any Owner or Owners of any Lands or Grounds in, upon, or through which the ſaid Canal and collateral Cuts, Towing-paths, Wharfs, Quays, Trenches, Sluices, Paſſages, Watercourſes, or Conveniencies aforeſaid, or any of them, ſhall be made, to the Mines, Minerals, or Quarries, lying or being within or under the Lands or Grounds to be ſet out or made uſe of for ſuch Canal and collateral Cuts, Towing-paths, Wharfs, Quays, or other Conveniencies aforeſaid, or any of them; but all ſuch Mines, Minerals, and Quarries, are hereby reſerved to ſuch Lord or Lords of ſuch Manor or Manors, or of ſuch Common or Waſte Grounds, and to ſuch Owner or Owners of ſuch Lands or Grounds reſpectively, their Heirs or Aſſigns; and that it ſhall and may be lawful to and for the Lord or Lords of ſuch Manor or Manors, Common or Waſte Grounds, or ſuch Owner or Owners of ſuch Lands or Grounds reſpectively (ſubject to the Conditions and Reſtrictions herein contained) to work all ſuch Mines and Quarries, and to take and carry away all ſuch Coals, Iron-ſtone, and Minerals, as ſhall be gotten therein, to his and their own Uſe; provided that in working ſuch Mines and Quarries no Injury be done to the ſaid Navigation; any Thing herein contained to the contrary notwithſtanding.

XCV. Provided

XCV. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower the ſaid Company of Proprietors, their Succeſſors or Aſſigns, to erect any Warehouſes or other Buildings (except ſuch Warehouſes, Watchhouſes, or other Works, as ſhall be neceſſary for making, uſing, preſerving, and maintaining, the ſaid Navigation) upon any of the Lands or Grounds which ſhall be ſet out and aſcertained for the ſaid Canal and collateral Cuts, or the Towing-paths, Wharfs, Quays, or other Conveniencies, for the Uſe of the ſaid Navigation; or to plant any Trees on ſuch Lands or Grounds, unleſs they ſhall firſt obtain the Conſent of the Owner or Owners of ſuch Lands or Grounds at the Time of the ſetting out the ſame, his, her, or their Heirs or Aſſigns, under his, her, or their Hand and Seal or Hands and Seals reſpectively; and that in caſe any Warehouſe or other Building (except as before excepted) ſhall be erected, or any Trees ſhall be planted, upon any ſuch Lands or Grounds, without ſuch Conſent as aforeſaid, it ſhall and may be lawful to and for the Owner or Owners of ſuch Lands or Grounds, at the Time of the ſetting out the ſame as aforeſaid, his, her, or their Heirs or Aſſigns, to take or pull down and remove ſuch Warehouſes and other Buildings, and to cut down and carry away ſuch Trees, without being guilty of any Treſpaſs, or liable to any Action or Proſecution for ſo doing.

Company not to erect Warehouſes, &c. without Conſent of Land-owners.

XCVI. And be it further enacted and declared, That the Lord and Lords or Owner or Owners of all and every Manor and Manors through which the ſaid intended Canal, and collateral Cuts and Reſervoirs, ſhall be made, ſhall have and be intitled to the ſole, ſeveral, and excluſive Right of Fiſhery of and in ſo much of the ſaid Canal and collateral Cuts, Reſervoirs, Trenches, and Sluices, as ſhall be made over or through the Common or Waſte Lands within his, her, or their Manor or Manors reſpectively; and alſo in, over, or through, any other Lands or Grounds lying within ſuch Manor or Manors where ſuch Lord or Lords, Owner or Owners, now have or hath, or are or is intitled to, the Right of Fiſhery in the Pits, Ponds, and Waters, now being in ſuch laſt mentioned Lands or Grounds reſpectively; and that the Owner or Owners of all other Lands or Grounds, through which the ſaid Canal and collateral Cuts and Reſervoirs ſhall be made, ſhall alſo have and be intitled to the like ſole, ſeveral, and excluſive Right of Fiſhery of and in ſo much of the ſaid Canal and collateral Cuts, Reſervoirs, Trenches, and Sluices, as ſhall be made in, over, or through, his, her, or their Lands or Grounds reſpectively; ſo as, in the Uſe and Exerciſe of the ſaid Right of Fiſhery, no Prejudice be done to the ſaid Canal and collateral Cuts, Reſervoirs, Towing-paths, Banks, or other Works and Conveniencies hereby authoriſed to be made, or any Water drained or exhauſted from or out of the ſaid Canal and collateral Cuts and Reſervoirs; and ſo as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or their Agents, Servants, or Workmen, or any of them, ſhall not be liable to any Penalty, Action, or Proſecution, for or by Reaſon of the taking or deſtroying of any Fiſh in the ſaid Canal and collateral Cuts and Reſervoirs, which ſhall be taken, killed, or deſtroyed, through or by Means of the letting off the Water out of the ſaid Canal and collateral Cuts and Reſervoirs, for or upon Account of any Repairs or Works to be done in or about the ſame.

Reſervation of excluſive Rights of Fiſhery, &c.

Care being taken not to injure Canal, Towing-paths, &c.

XCVII. And be it further enacted, That if any Perſon or Perſons navigating or working, or being on board, any Boat or other Veſſel within the Limits of the ſaid Navigation (not being qualified to kill Game) ſhall carry on board any ſuch Boat or Veſſel, and ſhall uſe any Fiſhing-net, Gun, Engine, or other Inſtrument for taking or deſtroying Fiſh or Game; or in caſe any other Perſon or Perſons not qualified as aforeſaid ſhall uſe any Net, Fiſhing-rod, or other Engine or Device for taking or deſtroying the Fiſh in the ſaid Canal or collateral Cuts and Reſervoirs, ſuch Perſon or Perſons, being thereof lawfully convicted on the Oath of one or more credible Witneſs or Witneſſes, before one or more of his Majeſty's Juſtices of the Peace for the Counties of *Stafford* or *Worceſter*, ſhall, for every ſuch Offence, forfeit and pay the Sum of Five Pounds; and in caſe any Maſter or other Perſon having the Command or Care of any Boat or other Veſſel, ſhall ſuffer or permit any Perſon or Perſons, not being qualified as aforeſaid, to have, carry on board, and make uſe of, any Fiſhing-net, Gun, Engine, or other Inſtrument for taking or deſtroying Fiſh or Game, and being thereof convicted as aforeſaid, before one or more Juſtice or Juſtices of the Peace of either of the ſaid Counties reſpectively, ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds.

Unqualified Perſons not to carry any Gun, Fiſhing-net, &c. on board any Veſſel,

on Penalty of 5 l. for each Offence.

'XCVIII. And for continuing a ſufficient Number of Commiſſioners for putting this Act in Execution, be it further enacted by the Authority aforeſaid, That when any of the Commiſſioners herein before appointed, or to be elected in Manner herein after mentioned, ſhall die, or refuſe to act, the ſurviving or remaining Commiſſioners, or any nine or more of them, ſhall, and they are hereby impowered, from Time to Time, at ſome Meeting to be held for that Purpoſe, by Writing under their Hands and Seals, to elect and appoint, in the Place of every Commiſſioner dying or refuſing to act, ſome other Perſon qualified as herein after mentioned; and all ſuch Commiſſioners ſo appointed ſhall, from the Time of their reſpective Appointments, have the like Authority in all Things relating to the Execution of this Act, as if they had been expreſsly named and appointed Commiſſioners in and by this Act.

When Commiſſioners die, or refuſe to act, new Ones to be choſen.

XCIX. And be it further enacted, That in caſe it ſhall happen the ſurviving or remaining Commiſſioners ſhall at any Time hereafter neglect or refuſe, upon Vacancy, to nominate or appoint new Commiſſioners, or that, for Want of a proper Number of Commiſſioners in the Neighbourhood it ſhall become difficult to procure a Meeting or Meetings for executing the Powers of this Act; or in caſe the Commiſſioners nominated in this Act, or hereafter to be elected under and by virtue thereof, ſhall all of them happen to die, or be reduced to a leſs Number than Nine, that in either of the ſaid Caſes it ſhall and may be lawful to and for the ſaid Company of Proprietors, from Time to Time, to make Complaint in the Premiſes to the Juſtices of the Peace of the County of *Stafford*, at their General Quarter Seſſions to be holden in and for the ſaid County; and the ſaid Juſtices to whom ſuch Complaint ſhall be made, are hereby authoriſed to receive and hear the ſaid Complaint, and upon due Proof thereof being made to them, to nominate ſuch fit and proper Perſons as they in their Diſcretion ſhall think fit to be Commiſſioners for the Purpoſes of this Act; and the ſaid Commiſſioners ſo nominated and appointed (being duly qualified as herein

Juſtices at Quarter-Seſſions impowered to nominate Commiſſioners in certain Caſes.

herein after mentioned) ſhall from thenceforth have the like Powers and Authorities as if appointed by this Act, or under the Authority of Commiſſioners as aforeſaid.

Qualification of Commiſſioners.

C. And be it further enacted by the Authority aforeſaid, That no Perſon ſhall act as a Commiſſioner in any Caſe where he ſhall be any-ways intereſted or concerned in the Matter in queſtion; nor ſhall any Commiſſioner act in the Execution of this Act, unleſs he ſhall be ſeiſed in his own Right, or in the Right of his Wife, and not as a Mortgagee or Mortgagees, at the Time of ſuch his Acting, of an Eſtate of Freehold or Copyhold, in Lands, Tenements, or Hereditaments, of the yearly Value of one hundred Pounds, or unleſs he ſhall be eldeſt Son or Heir-apparent of a Peer, or of a Perſon qualified to ſerve in Parliament as a Knight of the Shire; and if any Perſon, by this Act made incapable to act as a Commiſſioner, ſhall nevertheleſs preſume to act as ſuch in the Execution of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of fifty Pounds to any Perſon who will ſue for the ſame, to be recovered, with full Coſts of Suit, by Action at Law, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which Action no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, ſhall be allowed; and ſuch Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe pay the ſaid Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Proſecutor, than that ſuch Perſon hath acted as a Commiſſioner in the Execution of this Act.

Any Perſon acting, not qualified, to forfeit 50 l.

Commiſſioners to give 14 Days Notice of their Meetings.

CI. Provided always, and it is hereby further enacted, That no Meeting whatever of the ſaid Commiſſioners ſhall at any Time or Times be had for putting this Act in Execution, unleſs previous Notice thereof ſhall be firſt given and inſerted in the *Birmingham* and *Worceſter* News-papers, or in ſuch other Manner as the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall, at any General Meeting, direct or appoint, at leaſt fourteen Days before every ſuch Meeting; and every ſuch Notice ſhall ſpecify the Time and Place of ſuch Meeting or Meetings reſpectively, and the ſeveral Matters and Things then and there propoſed to be done; and that every Meeting of the ſaid Commiſſioners, by virtue of this Act, ſhall be public; and that the Majority of the ſaid Commiſſioners preſent at every ſuch Meeting, (ſuch Majority not being leſs than three) ſhall have Power and Authority to execute the Powers hereby veſted in the ſaid Commiſſioners; any Thing herein before contained to the contrary notwithſtanding.

Commiſſioners to be ſworn.

CII. Provided always, That no Perſon ſhall act as a Commiſſioner in the Execution of this Act, (otherwiſe than in adminiſtering the following Oath) until he ſhall have taken and ſubſcribed the Oath following before any one or more of the ſaid Commiſſioners, who is and are hereby authoriſed and impowered to adminiſter the ſame; *videlicet*,

Their Oath.

'I *A. B.* do ſwear, That I will, without Favour or Affection, Hatred or Malice, truly and impartially, according to the beſt of my Skill and Knowledge, execute and perform the Powers and Authorities veſted in me as a Commiſſioner, by an Act of Parliament made in the ſixteenth Year of the Reign of his Majeſty King *George* the Third, *for making and maintaining a navigable Canal from or near the Town of* Stourbridge, *in the County of* Worceſter, *to join the* Staffordſhire *and* Worceſterſhire *Canal, at or near* Stourton, *in the County of* Stafford; *and alſo two collateral Cuts, one from a Place called* The Fens, *upon* Penſnetchace, *to communicate with the intended Canal near the Junction of* Wordeſley-brook *with the River* Stour; *and the other from a Place called* Black Delph, *upon the ſaid Chace, to join the firſt-mentioned collateral Cut, at or near certain Lands called* The Lays, *in the Pariſh of* Kingſwinford, *in the ſaid County of* Stafford.'

Commiſſioners may act as Juſtices.

CIII. And be it further enacted, That ſuch of the ſaid Commiſſioners who are in the Commiſſion of the Peace for the Counties of *Stafford* or *Worceſter*, ſhall and may, and are hereby impowered to act as Juſtices of the Peace in the Execution of this Act, notwithſtanding their being Commiſſioners.

No Commiſſioner to act as ſuch while he poſſeſſes any Place of Profit, &c.

CIV. Provided always, That if any Perſon appointed or to be appointed a Commiſſioner by virtue of this Act, ſhall have or accept any Place of Profit ariſing out of the Rates or Dues to be collected by virtue of this Act, ſuch Perſon, from and after his Acceptance of ſuch Place of Profit, and during the Time of his holding and enjoying the ſame, or during the Time of his being a Proprietor of the ſaid Navigation, or concerned or intereſted in any Bargain or Contract made or to be made for the Purpoſes of this Act, ſhall be incapable of acting as a Commiſſioner under this Act.

Five Commiſſioners, on Requeſt of Proprietors, &c. may appoint a General Meeting of Commiſſioners.

CV. And be it further enacted by the Authority aforeſaid, That upon Application to be made by the ſaid Proprietors, their Succeſſors and Aſſigns, or any five or more of them, or by the Owners or Occupiers of any Grounds, Lands, Tenements, or Hereditaments, to be affected by the ſaid intended Canal and collateral Cuts, or any of the Works neceſſary or relating thereto, unto the Commiſſioners appointed by and for the Purpoſes of this Act, or any five or more of them, requeſting or deſiring them to appoint a General Meeting of the ſaid Commiſſioners; the Commiſſioners ſo requeſted or applied to, or any five or more of them, may and ſhall, and they are hereby reſpectively authoriſed and required, within fourteen Days after ſuch Requeſt or Application made, to give Notice in Manner aforeſaid of a General Meeting to be held at ſuch Time and Place as ſhall be ſpecified in ſuch Notice; ſuch Time not being leſs than fourteen Days, nor more than twenty-one Days, from the Day on which ſuch Requeſt ſhall be made to them as aforeſaid; and the ſaid Commiſſioners are hereby authoriſed and required to aſſemble at the Time and Place ſo to be appointed, in order to put this preſent Act, and the Powers and Authorities hereby given to and veſted in them, in Execution, and ſhall then adjourn themſelves, and afterwards meet at ſuch Time and Place as the ſaid Commiſſioners there aſſembled, or any five or more of them, ſhall think proper and convenient; and if it ſhall happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Commiſſioners to act, and to adjourn to any other Time, then, and in ſuch Caſe, the Clerk to the ſaid Commiſſioners ſhall and may, by public Notice to be given in Manner aforeſaid, appoint the ſaid Commiſſioners to meet at the Place where the laſt Meeting of the ſaid Commiſſioners was appointed to be held, on that Day Fortnight next after the Day on which the laſt Meeting was appointed to be held.

CVI. Pro-

CVI. Provided always, and be it further enacted, That it ſhall and may be lawful for any five or more of the ſaid Commiſſioners, and they are hereby impowered, although they ſhall not be aſſembled at a Meeting to be held by virtue of this Act, from Time to Time, and at all Times, upon ſuch Requeſt made as aforeſaid, by Notice in Writing ſigned by them, and publiſhed in Manner aforeſaid, to ſummon a Meeting of the ſaid Commiſſioners at ſuch Time and Place as ſhall be mentioned in ſuch Notices, for the ſettling and aſcertaining ſuch Damages as are herein directed to be ſettled and aſcertained, notwithſtanding any Adjournment or Nonadjournment of the ſaid Commiſſioners.

Power to hold ſpecial Meetings for aſcertaining Damages.

CVII. And be it further enacted, That every Meeting of the Commiſſioners for hearing or determining any Complaint, Controverſy, Diſpute, or Difference, between the ſaid Proprietors, their Succeſſors and Aſſigns, and any other Perſon or Perſons, ſhall be held at ſome Place within two Miles of ſome Part of the ſaid Canal or collateral Cuts; and that no Order or Determination ſhall be made unleſs the Majority of the Commiſſioners preſent at ſuch Meeting ſhall concur therein, ſuch Majority not being leſs than the reſpective Numbers hereby authoriſed to make ſuch Orders or Determinations.

No Meeting to be held, but within two Miles of the Canal, &c.

CVIII. And be it further enacted by the Authority aforeſaid, That if the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall be in Poſſeſſion of any Lands or Grounds by virtue of this Act, for the Space of ten Years, without making the ſaid intended Navigation through the ſame, or if the ſaid Navigation ſhall be made and completed, and afterwards diſcontinued or diſuſed for the Space of five Years, then, and in either of the ſaid Caſes, the ſaid Company of Proprietors, their Succeſſors or Aſſigns, ſhall convey all their Right, Property, and Intereſt, in or to ſuch Lands or Grounds reſpectively, unto the ſeveral Perſons or Bodies Politic, Corporate, or Collegiate, or their Heirs, Succeſſors, or Aſſigns, who were the Owners or Proprietors thereof immediately before the ſaid Company of Proprietors, their Succeſſors or Aſſigns, became ſeiſed of the ſame, in caſe they or any of them ſhall think fit to become Purchaſers thereof, and to pay ſuch valuable Conſideration for the ſaid Lands or Grounds to the ſaid Company of Proprietors, their Succeſſors or Aſſigns, as the ſaid Commiſſioners, or any five or more of them, ſhall adjudge reaſonable; and in caſe any Difference ſhall happen in aſcertaining thereof by the ſaid Commiſſioners, then as a Jury, to be impannelled in the Manner herein before directed, ſhall aſcertain or award to be paid for the ſame; but no ſuch Conſideration, to be aſcertained by ſuch Commiſſioners, or to be awarded by ſuch Jury as aforeſaid, ſhall exceed the Sum or Sums of Money firſt paid by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, for the Purchaſe of ſuch Lands or Grounds; and in caſe the ſaid Company of Proprietors, their Succeſſors or Aſſigns, upon the Payment or Tender of ſuch Conſideration as aforeſaid, ſhall refuſe or neglect to convey the Lands or Grounds as aforeſaid, then, and in ſuch Caſe, ſuch Lands or Grounds ſhall revert to and be thenceforth veſted in the ſaid ſeveral and reſpective Perſon or Perſons, Bodies Politic, Corporate, or Collegiate, their Heirs, Succeſſors, or Aſſigns; and in caſe an annual Rent ſhall have been paid for the ſaid Lands or Grounds, then ſuch Rent ſhall ceaſe and determine, and ſuch Sum or Sums of Money ſhall be paid for the Damages done to the ſaid Lands or Grounds by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, to the Perſon or Perſons, Bodies Politic, Corporate, or Collegiate, or their Heirs, Succeſſors, or Aſſigns, to whom ſuch Lands or Grounds ſhall be reconveyed or revert as aforeſaid, as the ſaid Commiſſioners or Jury reſpectively ſhall aſcertain or award; ſuch Sum or Sums of Money, in Default of Payment at the Time to be fixed by ſuch Commiſſioners or Jury reſpectively, to be recovered in ſuch Manner as any other Damages are to be recovered from the ſaid Company of Proprietors by virtue of this Act.

The Right, &c. to Lands, in caſe Navigation not completed, &c. to be reconveyed to original Owners.

In caſe of Diſpute, Jury to award the Conſideration-money, &c.

CIX. And be it further enacted, That the ſeveral and reſpective Perſons who have ſubſcribed, or ſhall ſubſcribe, to advance any Money for and towards making and maintaining the ſaid Canal and collateral Cuts, ſhall, and they are hereby required to pay the Sum or Sums of Money by them reſpectively ſubſcribed, or ſuch Parts or Proportions thereof as ſhall from Time to Time be called for by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or the ſaid Committee, under and by virtue of the Powers and Directions of this Act; and in caſe ſuch Perſon or Perſons ſhall neglect or refuſe to pay the Monies by him, her, or them ſubſcribed, or the Parts or Proportions thereof ſo called for, at the Time and in Manner required for that Purpoſe, it ſhall and may be lawful to and for the ſaid Company of Proprietors, their Succeſſors and Aſſigns, to ſue for and recover the ſame in any Court of Law or Equity.

Subſcribers who neglect to pay their Subſcriptions, may be compelled, &c.

CX. And be it further enacted by the Authority aforeſaid, That the Coſts and Charges of obtaining and paſſing this Act, and of making the Surveys, Plans, and Eſtimates, incident thereto, and all other Coſts, Charges, and Expences, concerning the ſame, ſhall be borne, paid, and defrayed, by the ſaid Company of Proprietors, their Succeſſors or Aſſigns, by and out of the firſt Monies to be called for and received by virtue of this Act.

Expences of this Act how to be paid.

CXI. And be it further enacted, That all Fines, Penalties, and Forfeitures, for Offences againſt this Act, or againſt any Rule, Order, or Bye-law to be made in purſuance thereof, the levying and recovering of which are not herein before particularly directed, ſhall be levied by Warrant under the Hand and Seal or Hands and Seals of one or more Juſtice or Juſtices of the Peace of the ſaid Counties of *Worceſter* or *Stafford*, upon the Oath of one or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice or Juſtices is and are hereby authoriſed and required to adminiſter); and all ſuch reſpective Fines, Penalties, and Forfeitures, the Application whereof is not herein before particularly directed, ſhall be paid into the Hands of the Treaſurer or Receiver of the Monies to be raiſed by virtue of this Act, and ſhall be applied and diſpoſed of for the Uſe of the ſaid Navigation, and to or for no other Uſe or Purpoſe whatſoever.

Penalties and Forfeitures how to be recovered and applied.

CXII. And be it further enacted by the Authority aforeſaid, That no Summons, Order, Determination, Judgment, Warrant, Contract, Agreement, Bond, or other Writing whatſoever, under the Hands and Seals of any Juſtices of the Peace, or of the ſaid Commiſſioners, or any of them, or any other Perſon or Perſons whatſoever, or any Transfer of any Share or Shares, Appointment of Proxy, Mortgage or Aſſignment, or other Writing whatſoever, made in purſuance of the Powers given in and by this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever; and that no Proceedings to be had or taken in purſuance

Writings to be without Stamps.

Proceedings not to be quaſhed for Want of Form, &c.

of this Act, ſhall be quaſhed or vacated for want of Form, or removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary notwithſtanding.

Diſtreſs not to be deemed unlawful for want of Form.

CXIII. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards committed by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity, ſhall and may recover full Satisfaction for the ſpecial Damage in an Action upon the Caſe.

Perſons aggrieved may appeal to the Seſſions.

CXIV. Provided always, That if any Perſon or Perſons ſhall think himſelf, herſelf, or themſelves aggrieved by any Thing done in purſuance of this Act, every ſuch Perſon or Perſons may, within Six Calendar Months, appeal to the Juſtices of the Peace at the General Quarter Seſſions to be held in and for the County in which the Cauſe of Appeal ſhall ariſe, and not elſewhere; and the ſaid Juſtices in their ſaid Quarter Seſſions ſhall, in a ſummary Way, either hear and determine the ſaid Complaint, or, if they think proper, may adjourn the Hearing thereof to the next General or Quarter Seſſions of the Peace to be held for the ſaid County, and then hear and determine the ſame, and, if they ſee Cauſe, may mitigate any Fine, Penalty, or Forfeiture, in ſuch Manner as they ſhall think proper, and award ſuch Coſts to either of the Parties as they ſhall judge reaſonable.

Limitation of Actions.

CXV. And be it further enacted by the Authority aforeſaid, That if any Suit or Information ſhall be brought or commenced againſt any Perſon or Perſons for any Thing done or to be done in purſuance of this Act, or in the Execution of the Powers and Authorities, or the Orders and Directions, herein before given or granted, every ſuch Suit or Information ſhall be brought or commenced within ſix Calendar Months next after the Fact committed; or in caſe there ſhall be a Continuation of Damages, then within ſix Calendar Months next after the doing or committing ſuch Damages ſhall ceaſe, and not afterwards, and ſhall be laid and brought in the County where the Matters in Diſpute ſhall ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to have been ſo done, or if any Action, Suit, or Information, ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, then, and in ſuch Caſe, the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or ſuffer a Diſcontinuance of his, her, or their Action, Suit, or Information, after the Defendant or Defendants ſhall have appeared, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer or otherwiſe Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall have Double Coſts, and ſhall have ſuch Remedy for the ſame as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

General Iſſue.

Double Coſts.

Public Act.

CXVI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be allowed in all Courts whatſoever as a Public Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. XXIX.

An Act for veſting in *John Liardet*, Clerk, his Executors, Adminiſtrators, and Aſſigns, the ſole Uſe and Property of a certain Compoſition or Cement of his Invention, throughout his Majeſty's Kingdom of *Great Britain*, and in the Colonies and Plantations abroad, for a limited Time.

Preamble.

'WHEREAS his moſt Excellent Majeſty King *George* the Third, by his Letters Patent under the 'Great Seal of *Great Britain*, bearing Date at *Weſtminſter* the Third Day of *April*, which was in 'the Thirteenth Year of his Reign, did give and grant unto *John Liardet*, of *Great Suffolk-ſtreet*, in the 'Pariſh of *Saint Martin in the Fields*, in the County of *Middleſex*, Clerk, his Executors, Adminiſtrators, 'and Aſſigns, his ſole Privilege and Authority to make, uſe, exerciſe, and vend, a certain Compoſition 'or Cement, for all the Branches concerning Buildings to which the ſame was applicable, within that 'Part of *Great Britain* called *England*, his Dominion of *Wales*, and Town of *Berwick upon Tweed*, and 'in any of his Majeſty's Colonies and Plantations abroad, for the Term of fourteen Years: And whereas, 'unleſs the Term granted by the ſaid Letters Patent be prolonged, and the Property of the ſaid *John* '*Liardet* in the ſaid Invention better ſecured, not only within that Part of *Great Britain* called *England*, 'the Dominion of *Wales*, the Town of *Berwick upon Tweed*, and in his Majeſty's Colonies and Planta'tions abroad, but alſo within that Part of *Great Britain* called *Scotland*, it will neither be poſſible for the 'ſaid *John Liardet*, to receive an adequate Recompence for his Labour, Expence, and Time, nor for the 'Public at large to reap the various Advantages in Point of Utility and Oeconomy, as well as Ornament 'in Building, which would ariſe from this Invention were its Uſe univerſally diffuſed, and its Price low'ered, upon which the Demand, and conſequently the Profits of the Proprietor, muſt depend: And 'whereas the Cement from its Nature grows too hard for Uſe if not uſed ſoon after it is made, and there'fore muſt be made where uſed, or near it, from which Circumſtance the Uſe thereof has hitherto been 'confined to the Metropolis and a few Miles about it, as training Workmen and erecting Works is diffi'cult and expenſive: And whereas, if the Term is not enlarged, the ſame narrow Plan muſt be conti'nued, a general Plan of erecting Works and training Men all over the Kingdom, which is neceſſary if 'the

'the Uſe of the Cement is to be univerſal, cannot upon ſo ſhort a Proſpect be undertaken, the Circle 'cannot be enlarged, and the Price muſt continue ſuch as may indemnify the Proprietor for his Expence, 'out of the Profits ariſing from a very ſmall Conſumption only, during his preſent Term: To the End 'therefore that the ſaid *John Liardet* may be enabled and encouraged to proſecute and complete his ſaid 'Invention, ſo that the Public may reap all the Advantages to be derived therefrom in their fulleſt Extent,' may it pleaſe your Majeſty (at the humble Petition of the ſaid *John Liardet*) that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, the ſole Privilege and Advantage of making, uſing, exerciſing, and vending, the ſaid Compoſition or Cement mentioned in the ſaid Letters Patent, with the Additions and Improvements ſince made therein, within the Kingdom of *Great Britain*, and his Majeſty's Colonies and Plantations abroad, ſhall be, and the ſame is and are hereby declared to be, veſted in the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, for and during the Term of Eighteen Years from thenceforth next enſuing, and fully to be complete and ended; and that he the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, and every of them, by himſelf and themſelves, or by his or their Deputy or Deputies, Servants or Agents, or ſuch others as he, the ſaid *John Liardet*, his Executors, Adminiſtrators, or Aſſigns, ſhall at any Time agree with, and no others, from Time to Time, and at all Times during the Term of Years herein before laſt mentioned, ſhall, and lawfully may, make, uſe, exerciſe, and vend, the ſaid Compoſition or Cement herein before mentioned, with all and every the Additions and Improvements thereof, within the Kingdom of *Great Britain*, and in his Majeſty's Colonies and Plantations abroad, in ſuch Manner as to him the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, or any of them, ſhall in his or their Diſcretion ſeem meet; and that the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, and every of them, ſhall, and lawfully may, have and enjoy the whole Profit, Benefit, Commodity, and Advantage, from Time to Time coming, growing, accruing, and ariſing, by Reaſon of the ſaid Invention, for and during the ſaid Term of eighteen Years herein before mentioned, to have, hold, exerciſe, and enjoy, the ſaid Privileges and Authorities, and every Part thereof, unto the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, for and during and unto the full End and Term of eighteen Years as aforeſaid; and that no other Perſon or Perſons, within the Kingdom of *Great Britain*, or in any of his Majeſty's Colonies and Plantations abroad, ſhall at any Time, during the ſaid Term of eighteen Years, either directly or indirectly, make, uſe, or put in Practice, the ſaid Invention, or any Part of the ſame, nor in anywiſe counterfeit, imitate, or reſemble the ſame, nor ſhall make, or cauſe to be made, any Addition thereunto or Subſtraction from the ſame, whereby to pretend himſelf, herſelf, or themſelves, the Inventor or Inventors, Deviſor or Deviſors thereof, without the Licence, Conſent, or Agreement, of the ſaid *John Liardet*, his Executors, Adminiſtrators, or Aſſigns, in Writing under his or their Hand and Seal or Hands and Seals firſt had and obtained in that Behalf, upon ſuch Pains and Penalties as can or may be juſtly inflicted on ſuch Offender or Offenders for his, her, or their Contempt of this Act, and further to be anſwerable to the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, according to Law, for his and their Damages thereby occaſioned.

The ſole Privilege of making and vending the Cement veſted in John Liardet, his Executors, &c. for eighteen Years.

Penalty on other Perſons making Cement without Licence, &c.

'II. And whereas the ſaid *John Liardet* has hitherto furniſhed the ſaid Cement at the Rate of Sixpence '*per* Foot Square on the Surfaces of all plain Buildings, and Two-pence *per* Foot running Meaſure for 'Arriſes; to the End therefore that the Public may be aſſured of the Advantage of this Invention at the 'ſame Price during the Continuance of this Act,' be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for the ſaid *John Liardet*, his Executors, Adminiſtrators, or Aſſigns, during the Continuance of this Act, to aſk, demand, or take, any greater Price than Sixpence by the Foot Square, and Two-pence *per* Foot as aforeſaid for Arriſes, for covering any plain Work with the aforeſaid Cement or Compoſition.

John Liardet not to ſell his Cement dearer than certain Prices mentioned.

III. Provided always, and it is hereby declared, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prejudice or hinder any Perſon or Perſons from making or uſing any Compoſition or Cement, or any Thing relating thereto, for the Purpoſes aforeſaid, or for any other Purpoſe, which is or are not at preſent of the Invention or Application of the ſaid *John Liardet*, or which has or have been publicly uſed or exerciſed by any other Perſon or Perſons before the Date of the ſaid Letters Patent herein before recited; but that all ſuch Compoſition or Cement, and every Thing relating thereto, which is or are not at preſent of the Invention of the ſaid *John Liardet*, or is or are not particularly aſcertained and deſcribed in the Inſtrument or Specification herein after mentioned, ſhall be and remain to the Public, and to the reſpective Inventor or Inventors thereof, in like Manner as if this Act had never been made, any Thing herein contained to the contrary notwithſtanding.

This Act not to hinder the making any Compoſition which is not the Invention of John Liardet, &c.

IV. And be it hereby declared and enacted, That every Objection which might have been made to the ſaid Cement's not being a new Invention, within the true Intent and Meaning of an Act of the twenty-firſt of *James* the Firſt, ſufficient to invalidate Letters Patent, may be made in Bar to any Action brought by virtue or in conſequence of this Act.

V. Provided always, That if the ſaid *John Liardet*, his Executors, Adminiſtrators, or Aſſigns, or any Perſon or Perſons who ſhall, at any Time during the ſaid Term of eighteen Years, have or claim any Right, Title, or Intereſt, in Law or Equity, of, in, or to, the Power, Privilege, or Authority, of the ſole making, uſing, exerciſing, and vending, the ſaid Compoſition or Cement, ſhall make any Transfer or Aſſignment, or pretended Transfer or Aſſignment, of the ſaid Liberty or Privilege hereby veſted in the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, or any Share or Shares of the Benefit or Profits thereof, or ſhall declare any Truſts thereof to or for any Number of Perſons exceeding the Number of Five; or ſhall open, or cauſe to be opened, any Book or Books for public Subſcriptions to be made by any Number of Perſons exceeding the Number of Five, in order to the raiſing of any Sum or Sums of Money under Pretence of carrying on the ſaid Liberty or Privilege hereby veſted in the ſaid *John Liardet*, his

If John Liardet, &c. ſhall transfer the Privilege of making Cement to more than 5 Perſons, &c.

his Executors, Adminiſtrators, or Aſſigns; or ſhall, by him or themſelves, or his or their Agents or Servants, receive any Sum or Sums of Money whatſoever, of any Number of Perſons exceeding in the Whole the Number of Five, for ſuch or the like Intents or Purpoſes; or ſhall preſume to act as a Corporate Body, or ſhall divide the Benefit of the Liberty or Privileges hereby veſted in the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, into any Number of Shares exceeding the Number of Five; or ſhall commit or do, or procure to be committed or done, any Act, Matter, or Thing whatſoever, during ſuch Time as ſuch Perſon or Perſons ſhall have any Right or Title either in Law or Equity, which ſhall be contrary to the true Intent and Meaning of an Act of Parliament, made in the ſixth Year of the Reign of his late Majeſty King *George* the Firſt (intituled, *An Act for the better ſecuring certain Powers and Privileges, intended to be granted by his Majeſty by two Charters, for Aſſurance of Ships and Merchandiſes at Sea, and for lending Money upon Bottomry; and for reſtraining ſeveral extravagant and unwarrantable Practices therein mentioned)*; or in caſe the ſaid Power, Privilege, or Authority, ſhall at any Time become veſted in, or in Truſt for, more than the Number of five Perſons or their Repreſentatives at any one Time, otherwiſe than by Deviſe or Succeſſion, (reckoning Executors and Adminiſtrators as and for the ſingle Perſons whom they repreſent, as to ſuch Intereſt as they are or ſhall be intitled to in Right of ſuch their Teſtator or Inteſtate) that then, and in every of the ſaid Caſes, all Liberties and Advantages whatſoever, hereby veſted in the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, ſhall utterly ceaſe, determine, and become void, any Thing herein before contained to the contrary thereof in anywiſe notwithſtanding.

or ſhall do any Thing contrary to the recited Act of 6 Geo. I.

then this Act to become void.

VI. Provided alſo, and be it further enacted and declared by the Authority aforeſaid That if the ſaid *John Liardet*, his Executors, Adminiſtrators, or Aſſigns, or ſome or one of them, ſhall not particularly deſcribe and aſcertain the Nature of his ſaid Invention in its preſent improved State, and in what Manner the ſame is to be performed, by an Inſtrument in Writing under his Hand and Seal, and cauſe the ſame to be inrolled in the High Court of *Chancery*, within four Calendar Months after the paſſing of this Act; that then all the Liberties, Powers, Privileges, and Advantages, hereby veſted in the ſaid *John Liardet*, his Executors, Adminiſtrators, and Aſſigns, ſhall ceaſe, determine, and be and become abſolutely void, any Thing herein before contained to the contrary thereof in any-wiſe notwithſtanding.

John Liardet, &c. to cauſe a Specification of the Nature of his Invention to be inrolled in Chancery, within 4 Months, or to loſe the Benefit of this Act.

VII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be adjudged, deemed, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Public Act.

CAP. XXX.

An Act more effectually to prevent the ſtealing of Deer, and to repeal ſeveral former Statutes made for the like Purpoſe.

Preamble.

'WHEREAS the Statutes now in Force for the Diſcovery and Puniſhment of Deer Stealers are numerous, and many of them ineffectual: And whereas the good Purpoſes thereby intended might be better effected, if ſuch of the ſaid Statutes as are found to be defective were repealed, and ſuch good Proviſions as are therein contained, together with ſuch further Proviſions as may be expedient, were reduced into one Act;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That if any Perſon or Perſons ſhall courſe or hunt, or ſhall take in any Slip, Nooſe, Toyle, or Snare, or ſhall kill, wound, or deſtroy, or ſhall ſhoot at, or otherwiſe attempt to kill, wound, or deſtroy, or ſhall carry away, any Red or Fallow Deer, in any Foreſt, Chaſe, Purlieu, or ancient Walk, whether incloſed or not, or in any incloſed Park, Paddock, Wood, or other incloſed Ground, where Deer are, have been, or ſhall be uſually kept, without the Conſent of the Owner, or without being otherwiſe duly authoriſed, or ſhall be aiding, abetting, or aſſiſting therein or thereunto, every Perſon ſo offending, by courſing, hunting, ſhooting at, or otherwiſe attempting to kill, wound, or deſtroy, or by aiding therein or thereunto, ſhall forfeit, for every ſuch Offence, the Sum of twenty Pounds; and every Perſon ſo offending by killing, wounding, or deſtroying, or by taking in any Slip, Nooſe, Toyle, or Snare, or by carrying away, or by aiding therein reſpectively, ſhall, for every Deer ſo wounded, killed, deſtroyed, taken, or carried away, forfeit and pay the Sum of thirty Pounds; and if the Offender in any of the Caſes aforeſaid ſhall be a Keeper of, or Perſon in any Manner entruſted with the Cuſtody or Care of Deer, in the Foreſt, Chaſe, Purlieu, ancient Walk, or incloſed Park, Paddock, or Wood, or other incloſed Place, where the Offence ſhall be committed, every ſuch Offender ſhall forfeit and pay double the Penalty herein before appointed to be paid by other Offenders; and if any Perſon or Perſons, after having been convicted of any of the aforeſaid Offences, ſhall offend a ſecond Time againſt this Act, by committing any of the aforeſaid Offences, ſuch ſecond Offence, whether it be the ſame as the firſt Offence, or be any other of the aforeſaid Offences, ſhall be deemed and adjudged to be Felony, and the Perſon guilty thereof, being lawfully convicted upon Indictment, ſhall be tranſported to one of his Majeſty's Plantations in *America* for the Space of ſeven Years.

Penalty on Perſons who ſhall hunt, kill, wound, or ſhoot at, &c. any Fallow Deer, in any Foreſt, Park, &c. without being duly authoriſed.

Perſons convicted under former Acts, ſtill liable to Penalties, &c.

II. And be it further enacted, That every Perſon who hath been, or, before the Commencement of this Act, ſhall be, convicted under any Statute now in Force, for unlawfully hunting, courſing, killing, taking, or carrying away, any Deer out of any Foreſt, Chaſe, Purlieu, ancient Walk, Park, Paddock, Wood, or incloſed Ground, ſhall be ſubject and liable to the ſeveral Pains and Penalties by ſuch Statute provided, in like Manner as if this Act had not been made; and in caſe any ſuch Offender ſhall, after the Commencement of this Act, be guilty and convicted of any of the aforeſaid Offences againſt this Act (the legal Proof of ſuch firſt or former Conviction having been firſt made), every ſuch Perſon ſhall be deemed and adjudged to have committed a ſecond Offence againſt this Act, in like Manner as if this Act had

had been in Force at the Time of ſuch firſt Conviction, and as if ſuch Conviction had been made under the Proviſions of this Act.

'III. And, to the Intent that the Proſecution of Perſons who ſhall offend a ſecond Time in Manner 'aforeſaid, may be carried on with as little Expence and Trouble as is poſſible,' be it further enacted, That the Juſtice before whom any Perſon ſhall, after the Commencement of this Act, be convicted for the firſt Time of any of the Offences before deſcribed, ſhall tranſmit ſuch Conviction, under his Hand and Seal, to the Quarter Seſſion which next after ſuch Conviction ſhall be holden for the County, Riding, Diviſion, City, Town, or Place, wherein ſuch firſt Offence ſhall be committed, there to be filed by the Clerk of the Peace, and to be kept amongſt the Records of the Peace; and ſuch Conviction ſo filed, or a true Copy thereof certified and ſubſcribed by ſuch Clerk of the Peace, ſhall be ſufficient Evidence to prove the Conviction of ſuch firſt Offence as aforeſaid.

How Juſtices to proceed on Conviction of Offenders.

IV. And be it further enacted, That it ſhall be lawful for any one Juſtice of the Peace, upon Complaint made to him on Oath by any credible Perſon, that there is Reaſon to ſuſpect any Perſon or Perſons of having in his, her, or their Cuſtody or Poſſeſſion, or in any Dwelling-houſe, Out-houſe, Yard, Garden, or Place, any Red or Fallow Deer, which ſhall have been unlawfully killed, or the Head, Skin, or other Part thereof, or any Slip, Nooſe, Toyle, Snare, or other Engine, for the unlawful taking of Deer, by Warrant under his Hand and Seal, to cauſe ſuch Perſon and Perſons, and ſuch Dwelling-houſe, Out-houſe, Garden, or Place, to be ſearched; and if any Red or Fallow Deer, ſuſpected to have been unlawfully killed, or the Head, Skin, or other Part thereof, or any Slip, Nooſe, Toyle, Snare, or other Engine, ſuſpected to be uſed for the unlawful taking or killing of Deer, ſhall be found in his, her, or their Cuſtody or Poſſeſſion, or in ſuch Dwelling-houſe, Outhouſe, Garden, or Place, to cauſe the ſame and ſuch Perſon or Perſons ſo having Poſſeſſion, or in whoſe Dwelling-houſe, Outhouſe, Garden, or other Place, the ſame ſhall be found, to be brought before any Juſtice of the Peace having Juriſdiction; and if ſuch Perſon or Perſons ſhall not produce before ſuch Juſtice the Party of whom he, ſhe, or they received the ſame, or ſatisfy ſuch Juſtice that he, ſhe, or they came lawfully by ſuch Deer, or the Head, Skin, or other Part thereof, or had a lawful Occaſion for ſuch Slip, Nooſe, Toyle, Snare, or other Engine, or did not keep the ſame for any unlawful Purpoſe, then every ſuch Perſon ſhall forfeit any Sum not exceeding thirty Pounds, nor leſs than ten Pounds, at the Diſcretion of ſuch Juſtice.

Juſtices may grant Warrants to ſearch ſuſpected Houſes, &c. for Heads and Skins of Deer, &c. Penalty on Perſons in whoſe Cuſtody any ſuch ſhall be found, &c.

V. And be it further enacted, That if any Red or Fallow Deer, ſuſpected to have been unlawfully killed, or the Head, Skin, or other Part of ſuch Deer, ſhall, on a Search under a Warrant from any Juſtice of the Peace, be found in the Poſſeſſion or Cuſtody of any Perſon or Perſons, or in any Dwelling-houſe, Outhouſe, Garden, or other Place, or ſhall be proved to have been in the Poſſeſſion, Houſe, Outhouſe, Garden, or Place, of any Perſon or Perſons who may be juſtly ſuſpected to have come diſhoneſtly or unlawfully by the ſame as aforeſaid; and ſuch Perſon or Perſons ſo in Poſſeſſion, or the Owner or Occupier of ſuch Dwelling-houſe, Outhouſe, Garden, or other Place, ſhall not, under the Proviſions aforeſaid, be liable to Conviction; then, and in every ſuch Caſe, for the Diſcovery of the Party or Parties who actually killed or ſtole ſuch Deer, it ſhall and may be lawful to and for any Juſtice of the Peace having Juriſdiction, as the Evidence given and the Circumſtances of the Caſe ſhall require, to ſummon before him, at his Diſcretion, every Perſon through whoſe Hands ſuch Deer, or the Head, Skin, or other Part thereof ſo found, ſhall appear to have paſſed; and if the Perſon and Perſons from whom ſuch Deer, or the Head, Skin, or other Part thereof, ſhall appear to have been firſt received, or who having had Poſſeſſion thereof, ſhall not give Proof, to the Satisfaction of ſuch Juſtice, that he, ſhe, or they came lawfully by the ſame, ſuch Perſon or Perſons ſhall, on every Conviction, forfeit and pay any Sum not exceeding thirty Pounds, nor leſs than ten Pounds, at the Diſcretion of ſuch Juſtice.

In caſe the ſaid Perſons cannot be convicted, how Juſtices are to proceed.

VI. And be it further enacted, That in caſe it ſhall appear, on the Oath of a credible Witneſs, that any Perſon or Perſons hath or have had in his, her, or their Poſſeſſion, Houſe, Outhouſe, Garden, or Place, any Red or Fallow Deer, or the Skin, Head, or other Part thereof, and ſhall be reaſonably ſuſpected to have come diſhoneſtly or unlawfully thereby, then, and in every ſuch Caſe, every ſuch Perſon or Perſons, and all other Perſons through whoſe Hands the ſame ſhall appear to have paſſed under the like Suſpicion, ſhall and may be proceeded againſt in like Manner and Form, and on Conviction ſhall be ſubject and liable to the ſame Penalty or Penalties, as if ſuch Deer, or the Head, Skin, or other Part thereof, had been found in the Poſſeſſion, Houſe, Outhouſe, Garden, or Place, of ſuch Perſon or Perſons, upon a Search made under and by virtue of any ſuch Warrant as aforeſaid.

Suſpected Perſons having Fallow Deer, &c. in their Poſſeſſion, how to be proceeded againſt.

VII. And be it further enacted, That in caſe any Perſon or Perſons ſhall ſet, lay, or uſe, any Net, Wire, Slip, Nooſe, Toyle, or other Engine, for the Purpoſe of taking or killing Deer, within or upon any Foreſt, Chace, Purlieu, or ancient Walk, or in the Ring or outer Fence or Bank dividing the ſame from the adjoining Lands; or in any incloſed Park, Paddock, Wood, or Ground, where Deer are, have been, or ſhall be uſually kept, ſuch Perſon or Perſons, not being the Owner of ſuch Foreſt, Chace, Purlieu, ancient Walk, Park, Paddock, Wood, or Ground, or intruſted with the Care of the Deer within the ſame, and ſhall be convicted of any of ſuch Offences, every ſuch Offender ſhall forfeit and pay, for the firſt Offence, any Sum not exceeding ten Pounds, nor leſs than five Pounds; and if afterwards convicted of any of the Offences laſt mentioned, ſhall, on every Conviction after the firſt, forfeit and pay any Sum not exceeding twenty Pounds, nor leſs than ten Pounds; which ſaid reſpective Forfeitures ſhall be ſet at the Diſcretion of the Juſtice or Juſtices before whom the Offender or Offenders ſhall be convicted of ſuch firſt or further Offence.

Penalty on Perſons ſetting Nets, Wires, &c. for taking Deer, in any Foreſt, Chace, &c.

VIII. And be it further enacted, That if any Perſon or Perſons ſhall at any Time wilfully pull down or deſtroy, or cauſe to be wilfully pulled down or deſtroyed, the Pale or Pales, or any Part of the Walls of any Foreſt, Chace, Purlieu, ancient Walk, Park, Paddock, Wood, or other Ground, where any Red or Fallow Deer ſhall be then kept, without the Conſent of the Owner or Perſon chiefly intruſted with the Cuſtody

Penalty on Perſons pulling down Pales, or Walls, &c. of any Foreſt, Park, &c.

Cuſtody thereof, or being otherwiſe duly authoriſed, every Perſon ſo offending ſhall be ſubject unto the Forfeiture and Penalty hereby inflicted for the firſt Offence of killing of any Deer.

Penalty on Perſons carrying Fire-arms, into any Foreſt, Park, &c. with Intent to deſtroy Deer.

IX. And be it further enacted, That if any Perſon or Perſons, carrying any Gun, or other Fire-arms, or any Sword, Staff, or other offenſive Weapon, ſhall come into any Foreſt, Chace, Purlieu, or ancient Walk, or into any incloſed Park, Paddock, Wood, or into any other Ground where Deer are uſually kept, be the ſame incloſed or not incloſed, with an Intent unlawfully to ſhoot at, courſe, or hunt, or to take in any Slip, Nooſe, Toyle, Snare, or other Engine, or to kill, wound, deſtroy, or take away, any Red or Fallow Deer, it ſhall be lawful for every Ranger or Keeper, or Perſon intruſted with the Care of ſuch Deer, to ſeize and take from ſuch Perſon and Perſons, in and upon ſuch Foreſt, Chace, Purlieu, ancient Walk, Park, Paddock, Wood, or other Ground, to and for the Uſe of the Owner thereof reſpectively, all ſuch Guns, Fire-arms, Slips, Nooſes, Toyles, Snares, or other Engines, and all Dogs there brought for courſing Deer, in the ſame and like Manner as the Game-keepers of Manors are impowered by Law within their reſpective Manors to ſeize and take Dogs, Nets, or other Engines, in the Cuſtody of Perſons not qualified by the Laws to keep the ſame; and if any ſuch Perſon or Perſons ſhall there unlawfully beat or wound any Ranger or Keeper, or his or their Servants or Aſſiſtants, in the Execution of his or their Office or Offices, or ſhall attempt to reſcue any Perſon in the lawful Cuſtody of any ſuch Ranger, Keeper, Servant, or Aſſiſtant, every Perſon ſo offending ſhall be deemed and adjudged to be guilty of Felony, and on being lawfully convicted on Indictment, ſhall be tranſported to one of his Majeſty's Plantations in *America* for the ſpace of ſeven Years.

How Juſtices to proceed on Information of Offences.

X. And be it further enacted, That, upon Complaint or Information upon Oath, of any one or more credible Witneſs or Witneſſes, before any one Juſtice of the Peace having Juriſdiction, of any Offence committed againſt this Act, it ſhall and may be lawful to and for ſuch Juſtice (except in ſuch Caſes only where the Juſtice is ſpecially directed previouſly to ſummon the Party before him) to cauſe the Perſon or Perſons, who ſhall be charged by ſuch Complaint or Information, to be apprehended by Warrant under the Hand and Seal of ſuch Juſtice, and to be brought before him at ſuch Time and Place as ſhall be ſpecified in and by ſuch Warrant, and thereupon ſuch Juſtice ſhall and may proceed to hear the Matter of ſuch Complaint or Information, and to adjudge and determine the ſame; and in ſuch Caſe where it is provided by this Act that the Party complained of ſhall be ſummoned to appear, if the Party ſo ſummoned ſhall not appear according to ſuch Summons, then, upon due Proof made of the Service of ſuch Summons, either perſonally, or by leaving the ſame at his Dwelling-houſe, Lodgings, or other uſual Place of Abode, it ſhall be lawful for the Juſtice, before whom the Party was ſo ſummoned to appear, to apprehend ſuch Party by Warrant, and to proceed as if no previous Summons had been directed by this Act.

Penalties how to be recovered and applied.

XI. And be it further enacted, That all the pecuniary Penalties of this Act ſhall be recoverable before one or more Juſtice or Juſtices of the Peace for the County or other Diviſion in which the Offence ſhall be committed, on Proof of the Offence, by the Oath of one or more credible Witneſs or Witneſſes, or on Confeſſion of the Offender; and one Moiety of each Penalty ſhall belong to the King's Majeſty, his Heirs and Succeſſors, and be paid, for his and their Uſe, into the Hands of ſuch Perſon or Perſons as the ſaid Juſtice or Juſtices ſhall direct, and the other Moiety thereof ſhall belong and be paid to the Informer or Informers proſecuting for the ſame; and in caſe of Non-payment thereof, with the Charges incident to the Conviction, immediately upon the Conviction, the ſaid Penalty or Penalties, and the Charges incident, ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender, by Warrant under the Hand and Seal or Hands and Seals of the Juſtice or Juſtices before whom ſuch Conviction ſhall be made; and for want of ſufficient Diſtreſs, the Offender or Offenders, except in ſuch Caſes only where it is otherwiſe provided by this Act, ſhall be ſent by the ſaid Juſtice or Juſtices to the Common Gaol of the County or Place where the Offence ſhall be committed for the Space of one whole Year, without Bail or Mainprize, unleſs the ſaid Penalty, and Charges incident, ſhall be ſooner paid.

If not paid on Conviction, may be levied by Diſtreſs.

Juſtices may order Offenders into Cuſtody, if Penalties are not immediately paid.

'XII. And to the End that Perſons convicted of any of the Offences for which pecuniary Penalties 'are inflicted by this Act, may not, by Flight or Removal after Conviction, evade Impriſonment where 'ſuch Penalties ſhall not be paid on Conviction, and ſufficient Diſtreſs cannot be found for raiſing ſuch 'Penalties,' be it further enacted, That it ſhall and may be lawful for the Juſtice or Juſtices of the Peace, before whom any Offender ſhall be convicted of having incurred any pecuniary Penalty of this Act, immediately after ſuch Conviction, to order him or her into Cuſtody, in caſe he or ſhe ſhall not immediately pay the Penalty due on ſuch Conviction, during ſuch Time, not exceeding three Days, as ſuch Juſtice or Juſtices ſhall think proper to allow for Return of the Warrant for raiſing the Penalty by Diſtreſs and Sale as aforeſaid.

Proviſo.

XIII. Provided always, That if it ſhall appear to the Satisfaction of ſuch Juſtice or Juſtices, either by the Confeſſion of the Party convicted or otherwiſe, that ſuch Party hath not Goods or Chattels ſufficient whereon to levy the Penalty or Penalties ſo due, then, and in ſuch Caſe, the ſaid Juſtice or Juſtices ſhall and may, without iſſuing any Warrant of Diſtreſs, proceed to commit the Party ſo convicted, as if a Warrant of Diſtreſs had been iſſued, and a *Nulla bona* returned thereon.

Regulations for Juſtices where Security is given.

XIV. Provided alſo, That if any Perſon, committed for any firſt Offence againſt this Act, ſhall, before his Commitment to Priſon, procure Security to be given by two ſufficient Sureties, to the Satisfaction of the Juſtice or Juſtices before whom he ſhall be ſo convicted, for Payment of the Penalty or Penalties incurred, with the Charges incident, within ſix Days, incluſive of the Day of Conviction, then, and in ſuch Caſe, it ſhall be lawful for ſuch Juſtice or Juſtices to accept ſuch Security, and upon Non-payment thereof at the Time to be ſtipulated for that Purpoſe, to cauſe the Party convicted, and his ſaid Sureties, to be apprehended by Warrant under his or their Hand and Seal, or Hands and Seals, and them to commit to the Common Gaol of the County or Place where the Offence was committed, for ſuch Space of Time as the Party convicted was ſubject and liable to have been impriſoned in caſe no ſuch Security had been given, unleſs the Penalty or Charges ſhall be ſooner paid.

XV. And

Keeper of any Foreſt, Park, &c. may apprehend Perſons hunting, &c. of Deer, or laying any Net, &c. therein.

XV. And be it further enacted, That it ſhall and may be lawful for any Keeper or Under-keeper of any Foreſt, Chace, Purlieu, ancient Walk, Paddock, Park, or other Ground incloſed, where Deer are, have been, or ſhall be uſually kept, and their Servants or Aſſiſtants, to ſeize and apprehend, upon the Spot, any Perſon or Perſons whom they ſhall diſcover in the actual Fact of hunting, courſing, killing, wounding, ſhooting at, taking, deſtroying, or carrying away, any Red or Fallow Deer from any ſuch Foreſt, Chace, Purlieu, or ancient Walk, whether incloſed or not, or in any incloſed Park, Paddock, Wood, or in any other incloſed Ground, or attempting ſo to do, or in ſetting or laying any Net, Wire, Slip, Nooſe, Toyle, Snare, or other Engine therein, for the taking, killing, or deſtroying of Deer therein, and to carry ſuch Offender or Offenders before ſome neighbouring Juſtice of the Peace having Juriſdiction, to be dealt with according to Law.

In what Caſes Offenders committed, may be enlarged.

XVI. And be it further enacted, That in caſe any Offender for his firſt Offence againſt this Act ſhall, for want of a ſufficient Diſtreſs, be committed to Gaol, and ſhall, whilſt in Gaol, obtain the Conſent in Writing of the Proſecutor, and alſo of the Owner, Ranger, Foreſter, Keeper, or other Perſon chiefly intruſted with the Care of the Deer in the Foreſt, Chace, Purlieu, ancient Walk, Park, Paddock, or Place, wherein the Offence was committed, for his Enlargement; that then, and in every ſuch Caſe, it ſhall and may be lawful to and for the Juſtices of the Peace having Juriſdiction, at their Quarter or General Seſſions, to cauſe ſuch Offender to be brought before them, and thereupon by their Order to direct the Keeper of ſuch Gaol to ſet ſuch Offender at Liberty; and the ſaid Keeper is hereby directed to obey ſuch Order accordingly, any Thing herein before contained to the contrary notwithſtanding.

Any Offender making Diſcovery, &c. not liable to Penalties.

XVII. And, for the better Diſcovery of Offenders againſt this Act, be it further enacted, That any Perſon who ſhall offend againſt this Act, and ſhall make Diſcovery of any other Perſon or Perſons who hath or have offended againſt the ſame, ſo as he, ſhe, or they, be duly convicted of ſuch Offence according to this Act; then, and in ſuch Caſe, ſuch Diſcoverer ſhall be diſcharged of all the Forfeitures and Penalties of this Act, by him, her, or them incurred previous to ſuch Diſcovery.

How Juſtices to proceed for Conviction of Offenders.

'XVIII. And, in order to prevent the quaſhing of Convictions of Offenders againſt this Act for want 'of Form,' be it further enacted, That the Conviction and Convictions of all and every Offenders againſt this Act ſhall be certified by the Juſtice or Juſtices of the Peace before whom the ſame ſhall be made, to the next General Quarter Seſſions of the Peace, to be filed amongſt the Records of the ſaid Seſſions; and that ſuch Conviction ſhall be fairly written on Parchment or Paper in the following Form of Words, as the Caſe ſhall happen, or in any other Form of Words to the like Effect; that is to ſay, (to wit,)

Form of Conviction.

'BE it remembered, That on the Day of in the Year *A. B.* was,
'upon the Complaint of *C. D.* convicted before of the Juſtices of the Peace for
' in purſuance of an Act paſſed in the Year of the Reign of his Majeſty
'King *George* the Third, for *(as the Caſe ſhall be.)*
'Given under Hand and Seal, the Day and Year above written.'

Which ſaid Conviction ſhall be good and effectual in Law to all Intents and Purpoſes, and ſhall not be quaſhed, ſet aſide, or adjudged void or inſufficient, for want of any Form or Words whatſoever.

On what Conditions Certiorari to be allowed.

XIX. And be it further enacted, That no *Certiorari* ſhall be allowed to remove any Conviction made, or other Proceedings, of, for, or concerning any Matter or Thing in this Act, unleſs the Party or Parties convicted ſhall, before the Allowance of ſuch *Certiorari*, become bound to the Perſon or Perſons proſecuting in the Sum of one hundred Pounds, with ſufficient Sureties as the Juſtice or Juſtices of the Peace before whom the Offender was convicted, with Condition to pay unto the ſaid Proſecutors, within thirty Days after ſuch Conviction confirmed, on a *Procedendo* granted, their Full Coſts and Damages, to be aſcertained upon their Oaths; and ſhall become alſo bound to the Juſtice or Juſtices of the Peace before whom ſuch Conviction was made, with ſuch ſufficient Sureties as ſuch Juſtice or Juſtices ſhall approve of, in the Penalty of Sixty Pounds for each Offence, with Condition to proſecute ſuch Writ of *Certiorari* with Effect, and to pay ſuch Juſtice or Juſtices the Forfeitures due by ſuch Conviction, to be diſtributed as by this Act is directed, or to render the Perſon or Perſons convicted to ſuch Juſtice or Juſtices, within thirty Days next after ſuch Conviction ſhall be confirmed, or a *Procedendo* granted; and that in Default thereof, it ſhall be lawful to proceed to the levying of the Penalty mentioned in ſuch Conviction, in ſuch Manner as if no ſuch *Certiorari* had been awarded.

How Juſtices to proceed after Confirmation of Convictions.

XX. And be it further enacted, That, after the Confirmation of any Conviction or Convictions upon this Act, by any of the ſuperior Courts at *Weſtminſter*, and delivering the Rule to the ſaid Juſtice or Juſtices, whereby ſuch Conviction or Convictions hath or have been ſo confirmed, it ſhall and may be lawful for ſuch Juſtice or Juſtices to proceed againſt the Party or Parties convicted, in the ſame Manner as if a *Procedendo* had been granted.

Perſons aggrieved may appeal to the Quarter Seſſions;

XXI. Provided always, and it is hereby declared and enacted, That if any Perſon or Perſons ſhall think him, her, or themſelves aggrieved by the Judgment or Determination of any Juſtice or Juſtices of the Peace, upon Conviction of or for any of the Offences in this Act, and ſhall not have ſought his Remedy by removing the Matter by *Certiorari* as aforeſaid, ſuch Perſon or Perſons may appeal from the Judgment of the ſaid Juſtice or Juſtices, to the General or Quarter Seſſions of the Peace, to be held for the ſaid County, Diviſion, or Place, where ſuch Perſon or Perſons was or were convicted, next after the Expiration of twenty Days from the Time of ſuch Conviction; but the Perſon or Perſons ſo appealing ſhall, and he, ſhe, and they, are hereby required and directed to give at leaſt ſix Days Notice in Writing to the Proſecutor or Proſecutors of ſuch Perſon or Perſons as ſhall ſo appeal, of ſuch his, her, or their Intention of bringing and proſecuting ſuch Appeal, and of the Matter thereof, and ſhall enter into Recognizance before ſome Juſtice or Juſtices of the Peace for the County, Diviſion, or Place, wherein the Conviction or Judgment was made or given, with two ſufficient Sureties, to be approved by the ſaid Juſtice or

Juſtices, on Conviction to appear and try ſuch Appeal at the General or Quarter Seſſion which ſhall be held in and for the County, Diviſion, or Place, wherein ſuch Conviction or Judgment was made or given, next and immediately after the Expiration of ten Days from the Time of ſuch Conviction, and to abide by the Order or Determination of ſuch Court, and for Payment of ſuch Coſt and Charges as ſhall be awarded at the ſaid Court; and every ſuch Appeal and Appeals ſhall, by the Court at the ſaid General or Quarter Seſſions, to which ſuch Appeal or Appeals is or are made, be then examined, and the Facts and Circumſtances of the Caſe fully inquired into, and the Matter then finally heard and determined; and in caſe ſuch Judgment, Determination, or Conviction, as aforeſaid, ſhall be then and there affirmed, the Party appealing ſhall pay unto the Proſecutor or Proſecutors, his, her, or their full Coſts, to be aſcertained by Order of the ſaid Court of General or Quarter Seſſions.

whoſe Determination ſhall be final.

Perſons having paid the Penalty, or being impriſoned, may appeal, &c.

XXII. Provided alſo, That in caſe any Perſon or Perſons, thinking him, her, or themſelves aggrieved, as aforeſaid, ſhall have paid the Penalty inflicted by this Act for the Offence of which he, ſhe, or they ſhall have been convicted, or ſhall be then impriſoned; every ſuch Perſon or Perſons having ſo paid, or being ſo impriſoned, may appeal to ſuch Judgment, Order, Determination, or Conviction as aforeſaid, on entering into Recognizance by himſelf, herſelf, or themſelves only, and without any Surety or Sureties, conditioned as before mentioned, the ſaid Penalty remaining in the Hands of ſuch Juſtice or Juſtices, or ſuch Perſon or Perſons continuing in Priſon in the mean time, and until the Merits of the ſaid Appeal ſhall be heard and finally determined.

Proceedings not to be quaſhed for want of Form, &c.

XXIII. Provided alſo, That no ſuch Conviction made, or Judgment given as aforeſaid, ſhall be ſet aſide by the ſaid Court or General or Quarter Seſſions, for want of Form, or for want of ſtating, or through the miſtating of any Facts, Circumſtances, or Matter whatſoever, in caſe the Facts alleged in the ſaid Conviction, or on which the ſame ſhall be grounded, ſhall be proved to the Satisfaction of the ſaid Court; but ſuch Appeal and Appeals ſhall be decided on the Merits of the Caſe only; nor ſhall ſuch Conviction or Judgment be removed or removeable by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary notwithſtanding.

Defendants may plead the General Iſſue.

XXIV. Provided alſo, and be it enacted, That if any Perſon or Perſons ſhall be ſued or proſecuted for any Matter or Thing which he or they ſhall do in purſuance of this Act, it ſhall and may be lawful to and for the Perſon or Perſons ſo ſued or proſecuted to plead the General Iſſue, and give the Special Matter in Evidence; and if a Verdict ſhall paſs for the Defendant, or the Plaintiff ſhall become nonſuit, or ſuffer a Diſcontinuance; or if upon a Demurrer Judgment ſhall be given againſt the Plaintiff, the Defendant ſhall have and recover his Treble Coſts, and have the like Remedy for the ſame as any Defendant hath in any other Caſe by Law.

Treble Coſts.

Proſecutions under this Act to be commenced within 12 Months, &c.

XXV. And be it further enacted, That every Proſecution for any Offence againſt this Act, ſhall be commenced within twelve Calendar Months, but not after, from the Time of the Offence committed; and that ſuch Perſons as ſhall be proſecuted under this Act for any of the Offences aforeſaid, ſhall not be liable to Proſecution for the ſame Offences under any other Act of Parliament, or in any Court of Attachment, Swainmote, Eyre, or any Foreſt Court.

Limitation of Actions.

XXVI. And be it further enacted, That all Actions, Writs, and Proſecutions, to be commenced againſt any Perſon or Perſons for any Thing to be done under or in purſuance of this Act, ſhall be laid and tried in the County or Place where the Fact was committed, and ſhall be commenced within ſix Calendar Months after the Fact committed, and not otherwiſe.

Commencement of this Act.

XXVII. And be it further enacted, That this Act ſhall commence and begin to be in Force on the tenth Day of *June*, in the Year of our Lord one thouſand ſeven hundred and ſeventy-ſix: And from and immediately after the Commencement thereof, ſo much of the thirteenth Chapter of the firſt Part of the Statutes made in the thirteenth Year of the Reign of *Richard* the Second, as inflicts a Penalty on thoſe who ſhall uſe Heys, Nets, or other Engines, for deſtroying Deer; ſo much of the eleventh Chapter of the Statutes made in the nineteenth Year of the Reign of King *Henry* the Seventh, as relates to Deer; and alſo ſo much of an Act, made in the fifth Year of the Reign of Queen *Elizabeth*, intituled, *An Act for puniſhing of unlawful taking Fiſh, Deer, or Hawks*, as relates to Deer; and alſo ſo much of an Act, made in the third Year of the Reign of King *James* the Firſt, intituled, *An Act againſt unlawful hunting, and ſtealing of Deer and Conies*, as relates to Deer; and alſo ſo much of an Act, made in the ſeventh Year of the Reign of the ſaid King *James* the Firſt, intituled, *An Act for the Explanation of one Statute made in the ſecond Seſſion of this preſent Parliament, intituled*, 'An Act againſt unlawful hunting, and ſtealing of Deer 'and Conies,' as relates to Deer, except ſuch Part thereof as repeals any Part of the Statutes of the third of *James* before-mentioned; and alſo an Act, made in the thirteenth Year of the Reign of King *Charles* the Second, intituled, *An Act to prevent the unlawful courſing, hunting, or killing of Deer*; as alſo an Act, made in the third and fourth Years of the Reign of their late Majeſties King *William* and Queen *Mary*, intituled, *An Act for the more effectual Diſcovery and Puniſhment of Deer Stealers*; and alſo an Act, made in the fifth Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for making more effectual an Act of the third and fourth Years of the Reign of King* William *and Queen* Mary, *intituled*, 'An 'Act for the more effectual Diſcovery and Puniſhment of Deer Stealers;' and alſo ſo much of an Act, made in the tenth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for continuing an Act for the more effectual puniſhing wicked and evil-diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice; and for the continuing two Clauſes to prevent the cutting or breaking down the Bank of any River or Sea Bank, and to prevent the malicious cutting of Hop-binds, contained in an Act paſſed in the ſixth Year of his preſent Majeſty's Reign; and for the more effectual Puniſhment of Perſons removing any Materials uſed for ſecuring Marſh or Sea Walls or Banks, and of Perſons maliciouſly ſetting on Fire any Mine, Pit, or Delph of Coal, or Cannel Coal, and of Perſons unlawfully hunting or taking any Red or Fallow Deer in Foreſts or Chaces, or beating or wounding Keepers or other Officers in Foreſts, Chaces, or Parks; and for the more effectually*

Parts of various Statutes repealed:
13 Ric II.
19 Hen. VII.
5 Eliz.
3 Jac. I.
7 Jac. I.
13 Car. II.
3 & 4 Gul. & Mar.
5 Geo. I.
10 Geo. II.

effectually ſecuring the Breed of Wild Fowl; as relates to the ſecond Conviction of any Perſon or Perſons for unlawfully courſing, hunting, taking in Toyles, killing, wounding, or taking away, any Red or Fallow Deer, in any open or unincloſed Foreſt or Chace, or relates to beating or wounding Keepers or other Officers in Foreſts, Chaces, or Parks; ſhall be, and the ſame are hereby reſpectively repealed.

This Act not to extend to Scotland.

XXVIII. Provided always, and be it further enacted, That nothing contained in this Act ſhall extend to that Part of *Great Britain* called *Scotland*.

CAP. XXXI.

An Act for ſecuring a Fund, belonging to certain Perſons of the Theatre Royal, *Covent-garden*, applicable to charitable Uſes; and for other Purpoſes.

Preamble.

'WHEREAS in or about the Year one thouſand ſeven hundred and ſixty-five, a Contribution was begun at the Theatre Royal, *Covent-garden*, towards the charitable Purpoſe of eſtabliſhing a Fund, for the Support of ſuch Performers belonging to the ſaid Theatre as, through Age, Infirmity, or Accident, ſhould be obliged to retire from the Stage; and to the occaſional Relief of Performers in caſe of Sickneſs; and alſo to the Relief and Support of the Widows and Children of deceaſed Performers belonging to the ſaid Theatre: And whereas, by the Profits ariſing from the voluntary Contributions of the Performers belonging to the ſaid Theatre, and others, and alſo by the Profits which have ariſen from ſome Plays acted for the Increaſe of the ſaid Fund, a Capital, to the Amount of four thouſand three hundred Pounds, or thereabouts, is now in the Hands of certain Truſtees applicable to the Purpoſes aforeſaid: To the End therefore that the ſaid Fund, and the growing Produce thereof, may be effectually ſecured and duly applied,' may it pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, all and every the Subſcribers to the ſaid Fund for the Time being, during ſuch Time as he, ſhe, or they reſpectively, ſhall pay to the ſame, ſhall be, and are hereby declared to be, one Body Corporate and Politic, in Deed and in Name, and ſhall be called by the Name of *The Society eſtabliſhed for the Relief of indigent Perſons belonging to the Theatre Royal, Covent-garden*: And by the ſame Name ſhall have perpetual Succeſſion, and a Common Seal; and that they and their Succeſſors, by the ſame Name may ſue and be ſued, implead and be impleaded, anſwer and be anſwered unto, in all or any Courts or Court of Record, and Places of Judicature, within this Kingdom of *Great Britain*; and that they and their Succeſſors, by the Name aforeſaid, ſhall be able and capable in Law to have, hold, receive, enjoy, poſſeſs, and retain, for the Purpoſes aforeſaid, all and every ſuch Sum and Sums of Money as have been paid, given, deviſed, or bequeathed, or ſhall, at any Time or Times hereafter, be paid, given, deviſed, or bequeathed, to and for the Ends and Purpoſes herein before mentioned; and that they and their Succeſſors, by the Name aforeſaid, ſhall and may at any Time hereafter, without Licence in Mortmain, purchaſe, take, or receive, hold, and enjoy, any Lands, Tenements, or Hereditaments, not exceeding the yearly Sum of five hundred Pounds.

Subſcribers incorporated.

Their Name, and Powers.

A Committee appointed;

II. And be it further enacted, That, from and after the paſſing of this Act, *Thomas Hull*, *George Mattocks*, *Thomas Baker*, *John Dunſtall*, *Frederic Charles Reinhold*, *Robert Benſley*, *Matthew Clarke*, *Richard Rotton*, and *William Thomas Lewis*, ſhall be, and they are hereby appointed, a Committee for managing the ſaid Fund, until the thirty-firſt Day of *December*, which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſeventy-ſix; and that the ſaid Committee and their Succeſſors, to be elected in Manner herein after mentioned, or the Majority of ſuch Committee for the Time being, ſhall have full Power and Authority, from Time to Time, to diſpoſe of the ſaid Common Seal, and to alter or make new the ſame, and to direct the Uſe and Application thereof; and to make, ordain, and conſtitute, ſuch and ſo many Bye-laws, Conſtitutions, Orders, and Regulations, as to them, or the major Part of them, ſhall ſeem neceſſary and convenient for the Appropriation of the ſaid Fund, or touching, or in anywiſe concerning the Affairs and Buſineſs of the ſaid Society, and the ſame Bye-laws, Conſtitutions, Orders, and Regulations, ſo made, to put in uſe and enforce accordingly, and at their Will and Pleaſure to revoke, change, and alter the ſame, or any of them; which ſaid Bye-laws, Conſtitutions, Orders, and Regulations, ſo as aforeſaid made, ſhall be duly kept and obſerved by the ſaid Society, and every Member thereof, provided the ſame be not contrary or repugnant to the Statutes, Cuſtoms, or Laws of this Kingdom, or the true Intent and Meaning of this Act.

who may alter the Common Seal, &c.

make Bye-laws,

III. And be it further enacted, That the ſaid Committee, or the major Part of them, at a Meeting aſſembled by virtue of this Act, may, and are hereby impowered to appoint a Treaſurer or Treaſurers, and ſuch other Officers as they ſhall think neceſſary for the Purpoſes of this Act; and from Time to Time remove any ſuch Treaſurer or other Officer or Officers, and appoint another or others in his or their Stead, if they the ſaid Committee ſhall think fit; and ſhall, and are hereby required to take ſuch Security from their Treaſurer or Treaſurers, or other Officers, as ſhall be adequate to the Truſt repoſed in him or them.

and appoint Officers.

Officers to give Security.

IV. And be it further enacted, That the ſaid Committee ſhall meet together at ſome convenient Place, in or near the ſaid Theatre, on the aforeſaid thirty-firſt Day of *December*, or within ten Days after, for electing a Committee for the Year enſuing; and that, previous to ſuch Election, the Names of all the Committee for the Time being ſhall be written on diſtinct Pieces of Paper, being all of an equal Size, and rolled up in the ſame Manner, as near as may be, and be put into a Box, or ſome other convenient Receptacle, and ſhall be ſhaken together; after which ſome Perſon, not intereſted in ſuch Election, ſhall draw out the Names, one by one, until the Number remaining in the ſaid Box or Receptacle ſhall be

First Election of the Committee.

reduced to ſix, and the ſix Perſons whoſe Names ſhall ſo remain ſhall be ſix of the Committee for the enſuing Year; after which the ſaid major Part of the Committee preſent ſhall proceed to elect three other Perſons from amongſt the ſeveral Subſcribers to the ſaid Fund (either ſuch as were, or were not of the Committee for the preceding Year); and the three Perſons ſo elected, together with the ſix Perſons whoſe Names remained undrawn, as aforeſaid, ſhall be the Committee for putting this Act in Execution for the Year next enſuing: And the Committee ſhall alſo meet together on or before the thirty-firſt Day of *December* in every ſucceeding Year, and elect a Committee, in Manner before mentioned: And in caſe any one or more of the ſaid Committee hereby appointed, or to be elected in Manner aforeſaid, ſhall die, or refuſe to act in the Execution of this Act, the ſurviving or remaining Committee-men ſhall and may meet together at ſome convenient Place, in or near the ſaid Theatre, and the major Part of ſuch as ſhall ſo attend ſhall and may elect a Committee-man in the Room and Stead of each Committee-man ſo dying or refuſing to act as aforeſaid; and every Committee-man ſo to be elected, in any or either of the Caſes aforeſaid, ſhall have the ſame Powers and Authorities, for the Purpoſes of carrying this Act into Execution, as the Committee herein and hereby nominated and appointed are inveſted with.

Elections to be annual.

V. Provided always, and be it further enacted, That at every annual Election of a Committee for the Purpoſes of this Act, a Majority of the Committee-men for the enſuing Year ſhall conſiſt of Perſons belonging to or employed at the ſaid Theatre.

A Majority of Committee-men to belong to the Theatre.

VI. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

Public Act.

CAP. XXXII.

An Act to enable the Company of Proprietors of the Navigation from the *Trent* to the *Merſey*, to make a navigable Canal from the ſaid Navigation, on the South Side of *Harecaſtle*, in the County of *Stafford*, to *Froghall*, and a Rail-way from thence to or near *Caldon*, in the ſaid County; and to make other Rail-ways.

Preamble. Act 6 Geo. III. recited.

'WHEREAS by an Act, made in the ſixth Year of the Reign of his preſent Majeſty, intituled, '*An Act for making a navigable Cut or Canal from the River* Trent, *at or near* Wilden-ferry, *in* 'the *County of* Derby, *to the River* Merſey, *at or near* Runcorn-cap; certain Perſons therein named were 'united into one Body Politic and Corporate, by the Name of *The Company of Proprietors of the Navigation from the* Trent *to the* Merſey; with Power and Authority, at their own Coſts and Charges, by the 'Ways and Means therein mentioned, to make, complete, and maintain, a navigable Cut or Canal, paſſable for Boats, Barges, and other Veſſels, from the River *Trent*, below an ancient Ferry called *Wilden-ferry*, in the County of *Derby*, to the River *Merſey*, at or near *Runcorn-gap*; and ſeveral Commiſſioners 'were appointed by the ſaid Act to execute the ſeveral Powers therein expreſſed: And whereas the ſaid 'Company have, in purſuance of the ſaid Act, and of another Act, paſſed in the tenth Year of the Reign 'of his ſaid preſent Majeſty, intituled, *An Act to amend an Act, made in the ſixth Year of the Reign of his preſent Majeſty*, "for making a navigable Cut or Canal from the River *Trent*, at or near *Wilden-ferry*, "in the County of *Derby*, to the River *Merſey*, at or near *Runcorn-gap*;" and of another Act, paſſed in the 'fifteenth Year of the Reign of his ſaid preſent Majeſty, intituled, *An Act to amend and render more effectual 'two Acts, paſſed in the ſixth and tenth Years of the Reign of his preſent Majeſty, for making a navigable Cut 'or Canal from the River* Trent, *at or near* Wilden-ferry, *in the County of* Derby, *to the River* Merſey, *at 'or near* Runcorn-gap; proceeded to make the ſaid Cut or Canal, and have completed eighty-two Miles 'thereof, and within that Compaſs have made the great Tunnel through *Harecaſtle-hill*, of the Length of 'two thouſand eight hundred Yards, and alſo the Tunnel through *Preſton-hill*, of the Length of one thou'ſand two hundred and forty-one Yards; and alſo all the Locks neceſſary for the ſaid Canal; and are 'proceeding to complete the Remainder of the ſaid Canal with all poſſible Expedition: And whereas, 'from a Survey lately made, it appears, that a Branch may be made from the ſaid Canal, on the South 'Side *Harecaſtle*, in the County of *Stafford*, by *Hanley*, *Norton*, and *Chedleton*, to *Froghall*, from whence 'a Rail-way may be made to or near ſeveral Lime-works and Limeſtone-quarries, at or near *Caldon* in the 'ſaid County, whereby the Conveyance of Coals, Lime, Limeſtone, Timber, and other Goods, Wares, 'and Merchandiſes, will be facilitated, and rendered leſs expenſive, and the Utility of the Undertaking, 'authoriſed by the ſaid former Acts, will be greatly increaſed to the Public: And whereas, if Powers 'were given to make Rail-ways from the ſaid propoſed Branch to the ſeveral Coal-mines and Limeſtone-'quarries lying near the Courſe of the ſaid Branch, it would be of Advantage to the Public: And whereas 'the ſaid Company are willing and deſirous to extend, continue, make, and complete, ſuch new-propoſed 'Branch and Rail-ways at their own Expence, in Manner herein-after mentioned, and to do and per-'form ſuch Things as ſhall be neceſſary for the ſupporting, maintaining, and rendering the ſame effectual:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Company, their Succeſſors and Aſſigns, ſhall be, and they are hereby fully authoriſed and impowered, from Time to Time, and at all Times hereafter, at their own proper Coſts and Charges, as hereafter mentioned, to make, complete, and maintain, a navigable Cut or Canal, paſſable for Boats, Barges, and other Veſſels, from the ſaid Canal ſo made and completed on the South Side *Harecaſtle* in the County of *Stafford*, by *Hanley*, *Norton*, and *Chedleton*, to *Froghall*, and from thence to make, complete, and maintain, a Rail-way for the Conveyance of Coal, Stone, and other Goods, to or near ſeveral Lime-works, and Limeſtone-quarries,

Acts 10 Geo. III.

and 15 Geo. III. recited.

Company of Proprietors impowered to make a Branch from the South Side Harecaſtle to or near Caldon, &c.

quarries at or near *Caldon*, in the County of *Stafford*; and alſo to make, complete, and maintain, other Rail-ways from the ſaid propoſed Canal and Rail-way to the ſeveral Coal-mines, and Limeſtone-quarries, lying near the Courſe of the ſaid Canal and Rail-way firſt-mentioned, or the Termination thereof, from Time to Time, as they ſhall think proper, ſo that no ſuch other or collateral Rail-way do exceed the Length of one thouſand Yards; and to ſupply the ſaid propoſed Cut or Canal, whilſt the ſame ſhall be making, and when made, with Water, from ſuch Springs as ſhall be found in making the ſaid Cut or Canal, and from ſuch Brooks and Streams as are or ſhall be found within the Diſtance of one thouſand Yards from any Part of the ſaid intended Cut or Canal, for the more conveniently ſupplying the ſaid Cut or Canal with Water; and, for that Purpoſe, in, upon, and through, the Lands and Grounds of or belonging to the King's Majeſty, his Heirs or Succeſſors, or of any other Perſon or Perſons, Bodies Politic, Corporate, or Collegiate whatſoever, (not being at this Time Ground whereon a Dwelling-houſe or Out-houſe ſtands, or a Garden, Yard, Park, Paddock, planted Walk, or Avenue to any Houſe, Lawn incloſed or adjoining to a Manſion-houſe) to enter, and to bore, dig, cut, trench, ſough, remove, and lay Earth, Stone, Rubbiſh, Trees, Roots of Trees, Beds of Gravel or Sand, or any other Matters and Things, (except as herein-after is excepted) which may be dug or got in the making thereof, or which may hinder, prevent, or obſtruct, the making, uſing, completing, extending, and maintaining the ſaid propoſed navigable Cut or Canal, and Rail-ways, and for making, uſing, completing, extending, and maintaining, ſuch Trenches, Paſſages, Gutters, and Watercourſes, as ſhall be neceſſary and proper to convey Water to and from the ſaid Cut or Canal, according to the Tenor and Purport of this Act; and alſo to make, build, erect, and ſet up, in or upon the ſaid intended Cut or Canal, and Rail-ways, or upon the Lands adjoining or near the ſame reſpectively, ſuch and ſo many Bridges, Tunnels, Aqueducts, Sluices, Locks, Weirs, Pens for Water, Stanks, Reſervoirs, Drains, Wharfs, Quays, Landing-places, Weigh-beams, Cranes, and other Works, Ways, Roads, and Conveniencies, as and where they the ſaid Company, their Succeſſors and Aſſigns, ſhall think requiſite and convenient for the Purpoſes of the ſaid Canal and Railways; and alſo from Time to Time to alter, repair, and amend the ſame, and to make, widen, enlarge, or alter, any Bridges, Ways, Roads, Paſſages, Cuts, Locks, Tunnels, Aqueducts, Sluices, Trenches, or other Conveniencies, as well for the carrying and conveying Goods, Commodities, and other Things, to or from the ſaid Cut, Canal, or Rail-ways, as for the carrying and conveying of all Manner of Materials, neceſſary for the making, erecting, finiſhing, altering, repairing, or amending the ſaid Works of and belonging to the ſaid propoſed Canal and Rail-ways; and alſo to place, lay, work, and manufacture the ſaid Materials on the Grounds near to the Place or Places where the ſaid Works, or any of them, ſhall or are intended to be made, erected, repaired, or done; and alſo to make, maintain, repair, and alter, any Fences or Paſſages, over, under, or through the ſaid propoſed Canal and Rail-ways, or the Tunnels, Aqueducts, Soughs, Trenches, Paſſages, Gutters, and Sluices reſpectively, which ſhall communicate therewith; and alſo to make, ſet up, and appoint, ſuch Towing-paths, Banks, Roads, and Ways, convenient for towing, haling, or drawing of Boats, Barges, or other Veſſels, paſſing in, through, or upon the ſaid Cut or Canal, as they the ſaid Proprietors, their Succeſſors and Aſſigns, ſhall think convenient; and alſo to dig, take, and carry away, Soil, Clay, Gravel, or Stone, proper, requiſite, and convenient, for carrying on and continuing the ſaid Works and Undertakings, in or from any Grounds of any Perſon or Perſons adjoining or lying contiguous thereto, (not being, at the Time of paſſing this Act, a Houſe, Garden, Yard, Park, Paddock, planted Walk, or Avenue to a Houſe, or Lawn incloſed or adjoining to a Manſion-houſe) and to conſtruct, erect, and keep in Repair, any Piers, Arches, and other Works, in, upon, and acroſs any Rivers or Brooks, for the making, uſing, maintaining, and repairing the ſaid propoſed Canal and Rail-ways, and Towing-paths on the Sides thereof; and alſo to conſtruct, erect, make, and do, all other Matters and Things which they ſhall think neceſſary and convenient for the making, effecting, extending, preſerving, improving, completing, and uſing, the ſaid propoſed Canal and Rail-ways, in purſuance and within the true Meaning of this Act; they the ſaid Company doing as little Damage as may be in the Premiſes and making Satisfaction in Manner herein-after mentioned to the Owners or Proprietors of, or Perſons intereſted in, ſuch Lands, Tenements, or Hereditaments, Waters, Watercourſes, Brooks, or Rivers reſpectively, as ſhall be taken and uſed, diverted or prejudiced, for all Damages to be by them ſuſtained in or by the Execution of all or any of the Powers of this Act; and this Act ſhall be ſufficient to indemniſy the ſaid Company, and their Servants, Agents, and Workmen, and all other Perſons whatſoever, for what they or any of them ſhall do by virtue of the Powers hereby granted.

and to ſupply the ſame with Water.

Proprietors may enter on Lands, and lay Earth, Stone, &c.

Proprietors may make Rail-ways, build Bridges, &c. on Lands adjoining;

and alſo make Towing-paths, Banks, &c. for haling Veſſels;

making Satisfaction to the Owners.

'II. And whereas divers Levels and Surveys have been taken, to aſcertain the Practicability of making 'the ſaid intended Cut or Canal, and Rail-way, (and a Map or Plan, and a Book of Reference thereto, 'have been made in conſequence of ſuch Levels and Surveys) through, acroſs, under, or over, the ſeveral 'Eſtates, Lands, or Grounds, now or late belonging, or reputed to belong, to the ſeveral and reſpective 'Perſons, and ſuch Roads, Rivers, and Brooks, as are particularly mentioned in the ſaid Book of Reference;' be it therefore further enacted and declared, That there ſhall be two Parts made of the ſaid Map or Plan, and Book of Reference, which ſhall be certified by the Right Honourable the Speaker of the Honourable the Houſe of Commons, and ſeverally depoſited with, and kept by, the Clerk of the Peace for the County of *Stafford*, and the Clerk to the ſaid Company of Proprietors for the Time being, to which all Perſons ſhall have Liberty to reſort, and make Extracts and Copies thereof, as Occaſion ſhall require; and the ſaid Maps or Plans, and Books of Reference, ſo certified, or true Copies thereof, ſhall be, and are hereby declared to be, good Evidence in all Courts of Law, or elſewhere; and the Clerk for the Time being to the ſaid Company of Proprietors, upon ſix Days Notice to him given for that Purpoſe, ſhall from Time to Time produce the ſaid Map or Plan, and Book of Reference, in his Cuſtody, before the Commiſſioners herein after appointed, and their Succeſſors, or any Jury or Juries to be impannelled by virtue of

Two Parts to be made of the Map and Book of Reference, which ſhall be certified by the Speaker of the Houſe of Commons,

and then allowed to be given in Evidence.

of the ſaid former Acts, or this Act, at the Time and Place to be mentioned in ſuch Notice, in order that the ſame may be then and there given in Evidence.

Canal to be made purſuant to the Plan, &c.

III. And be it further enacted, That the ſaid Company, in making the ſaid intended Cut or Canal, and Rail-way, ſhall not deviate more than ſixty Yards from the Courſe of Direction in the ſaid Map or Plan, and ſet forth in the ſaid Book of Reference; nor cut, carry, and convey the ſame into, through, acroſs, under, or over, any other Part or Parts of the ſeveral Eſtates, Lands, and Grounds, now or late belonging, or reputed to belong, to ſuch Perſon or Perſons, and ſuch Roads, Rivers, and Brooks reſpectively, than are mentioned in the ſaid Book of Reference, without the Approbation and Conſent in Writing, ſigned by the Perſon or Perſons to whom ſuch Eſtates, Lands, or Grounds, do or ſhall reſpectively belong, or without an Order of the Commiſſioners, or any ſeven or more of them, at a Meeting to be held for that Purpoſe (of which fourteen Days Notice in Writing, ſigned by the Clerk for the Time being to the ſaid Company, ſpecifying the Deviation deſired to be made, ſhall be given to the Owner or Owners of ſuch Lands or Grounds); and if at the Time mentioned in ſuch Notice, the ſaid Commiſſioners, or any ſeven or more of them, ſhall think it reaſonable that ſuch Deviation therein mentioned ought to be made, it ſhall and may be lawful for them to make ſuch Order in the Premiſes as to them ſhall ſeem proper, and the ſaid Company ſhall and may make the ſaid Cut or Canal, and Rail-way, in the Manner mentioned in ſuch Order.

Land-owners being omitted in the Book of Reference, not to obſtruct the making the Canals, &c.

IV. Provided always, and it is hereby further enacted and declared, That the ſaid Company ſhall and may make the ſaid intended Cut or Canal, and Rail-way, through, acroſs, or over, the Lands or Grounds of any Perſon or Perſons whomſoever, into whoſe Eſtates, Lands, or Grounds, ſuch Deviations as aforeſaid ſhall extend, (although their Name or Names are not mentioned in the ſaid Book of Reference) or into the Eſtates, Lands, or Grounds of any Perſon or Perſons, whoſe Name or Names ſhall appear, to the Satisfaction of the ſaid Commiſſioners, or any ſeven or more of them, and be by them certified under their Hands, to be by Miſtake omitted in the ſaid Book of Reference, or that, inſtead thereof, the Name or Names of ſome other Perſon or Perſons, to whom ſuch laſt-mentioned Eſtates, Lands, and Grounds, do not belong, have or hath by Miſtake been inſerted therein, any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Commiſſioners appointed,

'V. And, for the better and more effectual Execution of the Powers and Purpoſes of this Act,' be it further enacted by the Authority aforeſaid, That the ſeveral Perſons named and appointed Commiſſioners in the ſaid recited Act of the ſixth Year of his preſent Majeſty, qualified reſpectively as therein mentioned, and the Right Honourable Lord Viſcount *Trentham*, the Right Honourable Lord *Langdale*, *William Adams*, *Joſeph Adams*, *Charles Boyer Adderley*, *Thomas Aſhwood*, *Samuel Boyer*, *Ralph Baddeley*, *Hugh Booth*, *James Bent*, *John Beckett*, *Luke Bennett*, *John Beech*, *Bullock*, M. D. *George Buxton* junior, *Henry Beard*, *Joſiah Clowes*, *William Clowes* junior, *Charles Chatterley*, *Ephraim Chatterley*, *John Child*, the Reverend *John Dewes*, *John Davenport*, *John Daintry*, *Michael Daintry*, *Peter Davies*, *James Falconer* Doctor in Divinity, *Thomas Fletcher* junior, *Thomas Fenton*, *John Fenton* Clerk, *Samuel Freeth*, *Nigel Bowyer Greſley*, *Edward Green*, *Hugh Henſhall*, *John Hales*, *John Hand*, *John Holliday*, *John Edenſor Heathcote*, *William Kinnerſley*, *Joſeph Key*, *William Lowndes*, *Thomas Leigh*, *John Middleton* Clerk, *Thomas Middleton* Clerk, *Ralph Moreton junior*, *Thomas Mills* junior, *Francis Mare*, *Richard Moland*, *Thomas Mytton*, *Henry Mytton*, *John Sparrow*, *James Smallwood*, *Walter Sneyd*, *Thomas Swinnerton*, *James Swettenham*, *George Smith*, *Thomas Twemlow*, *George Twemlow*, *John Turner*, *Thomas Tomkinſon*, *Joſiah Wedgwood*, *Robert Williamſon*, and *Sampſon Whieldon*, ſhall be, and they and their Succeſſors are hereby appointed Commiſſioners for ſettling, determining, and adjuſting all Queſtions, Matters, and Differences, which ſhall or may ariſe between the ſaid Company, and the ſeveral Proprietors of, and Perſons intereſted in, any Lands or Grounds, Tenements, Hereditaments, or Waters, that ſhall or may be affected or prejudiced by the Execution of any of the Powers hereby granted; and that ſuch and the like Powers and Authorities as were reſpectively granted by the ſaid recited Acts, made in the ſixth and tenth Years of the Reign of his preſent Majeſty, to the Commiſſioners thereby appointed, and their Succeſſors, or any Number of ſuch Commiſſioners, ſhall be, and are hereby granted to and veſted in the Commiſſioners hereby appointed, and their Succeſſors, with reſpect to all Matters which ſhall or may ariſe in, or in relation to, all or any of the Purpoſes of this Act; and the Proviſions, Powers, and Authorities, Fines, Penalties, and Forfeitures, contained in the ſaid former Act reſpectively, relative to the ſettling, determining, and adjuſting, all Queſtions, Matters, and Differences, touching the Execution of all or any of the Purpoſes thereof, ſhall, with reſpect to the ſettling, determining, and adjuſting ſuch and the like Queſtions, Matters, Differences, and Damages, operate, and be put in Execution, in ſuch and the ſame Manner, and as fully and effectually, to all Intents and Purpoſes, as if the ſaid Proviſions, Powers, Authorities, Fines, Penalties, and Forfeitures, were herein ſpecially repeated and re-enacted, with reſpect to the Commiſſioners hereby appointed, and their Succeſſors.

who are to ſettle and determine Differences.

Tonnage allowed to be taken.

VI. And be it further enacted by the Authority aforeſaid, That, in Conſideration of the great Charges and Expences which the ſaid Company muſt neceſſarily bear and ſuſtain, in the making and maintaining the ſaid propoſed Canal, Rail-ways, and all the other Works hereby authoriſed to be erected and made, it ſhall be lawful for the ſaid Company, from Time to Time, and at all Times hereafter, to aſk, demand, take, and recover, to and for their own proper Uſe and Benefit, for Tonnage and Wharfage, for all Coal, Stone, Timber, and other Goods, Wares, Merchandizes, and Commodities whatſoever, which ſhall be navigated, carried, or conveyed, upon or through the ſaid propoſed Canal, Rail-ways, or Paſſages, ſuch Rates and Duties as the ſaid Company ſhall think fit, not exceeding the Sum of one Penny Halfpenny *per* Mile for every Ton of Coal, Stone, Timber, and other Goods, Wares, Merchandiſes, and Commodities, which ſhall be navigated, carried, or conveyed, upon or through the ſaid Canal, Rail-ways, or Paſſages, and ſo in Proportion for any Quantity more or leſs than one Ton, and for any Diſtance more or leſs than one Mile; and alſo the further Sum of one Half-penny *per* Mile for every Ton of Coals, Cannel, and Slack,

Slack, brought from any of the Coal-mines within the Pariſhes of *Kingſley* and *Cheadle*, lying on the South Side of the River *Churnett*, which ſhall be navigated, carried, or conveyed, upon any Part of the ſaid Canal and Rail-way, or either of them, between the Turnpike-road in *Chedleton*, and the Termination of the ſaid Rail-way near *Caldon* aforeſaid, and ſo in proportion for any Quantity more or leſs than one Ton, or for any Diſtance more or leſs than one Mile; which ſaid Rates and Duties ſhall be paid at ſuch Place or Places, near to the ſaid Canal, Rail-ways, or Paſſages, in ſuch Manner, and under ſuch Regulations, as the ſaid Company ſhall direct or appoint: And in caſe of Neglect, or Denial of Payment on Demand of any ſuch Rates or Duties, or any Part thereof, to ſuch Perſon or Perſons as aforeſaid, the ſaid Company may ſue for the ſame by Action of Debt, or upon the Caſe, in any Court of Record; in which Actions no Eſſoin, Privilege, Protection, or more than one Imparlance, ſhall be allowed, nor in any Action of Debt for the ſame ſhall any Wager of Law be admitted; or ſuch Perſon or Perſons ſo to be appointed as aforeſaid may, and he and they is and are hereby impowered to ſeize and diſtrain any ſuch Boat or Veſſel, or Goods, for or in reſpect whereof any Rate or Duty ought to be paid, or any Part of ſuch Goods, and detain the ſame until Payment thereof, together with reaſonable Charges for ſuch Seizure and Diſtreſs; and if ſuch Diſtreſs ſhall not be redeemed within five Days after the taking thereof, the ſame to be appraiſed and ſold as the Law directs in caſe of Diſtreſs for Rent.

If Duties not paid on Demand, Company may ſue for the ſame, or diſtrain the Boat, &c.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Company, or the Committee for the Time being to be by them appointed, or any ſeven or more of ſuch Committee, at any of their Meetings aſſembled, to borrow and take up, at legal or leſs Intereſt, any Sum or Sums of Money, not exceeding the Sum of twenty-five thouſand Pounds, on the Credit of the Navigation and Undertaking authoriſed by this preſent Act, as to them ſhall ſeem meet and convenient; and they are hereby fully authoriſed and impowered to aſſign over the ſaid Navigation, Undertaking, and Premiſes, and the Tolls, Rates, and Duties, ariſing by virtue of this preſent Act, or any Part thereof (the Coſts and Charges of aſſigning the ſame to be paid out of ſuch Tolls, Rates, and Duties), as a Security for any ſuch Sum or Sums of Money to be borrowed, with Intereſt, to ſuch Perſon or Perſons, or their Truſtees, who ſhall advance the ſame, under the Common Seal of the ſaid Company, by the following Words of Aſſignment, or by any other Words to the ſame Effect; *(videlicet)*

Company impowered to borrow 25,000*l.*

and to aſſign over the Navigation as a Security.

'BY virtue of an Act, made in the ſixteenth Year of the Reign of his Majeſty King *George* the Third, 'to enable the Company of Proprietors of the Navigation from the Trent to the Merſey to make a navigable 'Canal from the ſaid Navigation, on the South Side of Harecaſtle, in the County of Stafford, to Froghall, and 'a Rail-way from thence to or near Caldon, in the ſaid County; and to make other Rail-ways; we, the Com-'pany of Proprietors of the Navigation, incorporated by an Act made in the ſixth Year of his preſent Ma-'jeſty's Reign, in conſideration of the Sum of of lawful *Britiſh* 'Money to us in Hand paid by do aſſign unto the ſaid 'his Executors, Adminiſtrators, and Aſſigns, all and ſingular the Tolls, Rates, and Duties, ariſing to 'the ſaid Company, by virtue of the ſaid Act made in the ſixteenth Year of his preſent Majeſty, and alſo 'the ſaid Navigation, Undertaking, and Premiſes, thereby authoriſed, and all the Eſtate, Right, Title, 'and Intereſt of the ſaid Company of, in, and unto the ſame, to hold unto the ſaid 'his Executors, Adminiſtrators, and Aſſigns, until the ſaid Sum of together with 'Intereſt for the ſame, after the Rate of *per Centum per Annum*, ſhall be repaid.'

Form of Aſſignment.

And all and every Perſon and Perſons to whom ſuch Aſſignment or Aſſignments ſhall be made, ſhall be equally intitled to their Proportion of the ſaid Tolls, Rates, Duties, and Premiſes, according to the reſpective Sums in ſuch Aſſignment mentioned to be advanced, to ſecure the Repayment thereof, with the Intereſt as aforeſaid, without any Preference by reaſon of Priority of Aſſignment, or on any other Account whatſoever; and the Money ſo borrowed ſhall be applied, in the firſt place, for diſcharging the Expences incurred in, and in relation to, the obtaining of this Act; and afterwards for making, continuing, completing, and maintaining the ſaid navigable Cut or Canal, and other Works authoriſed by this Act, and in carrying this Act, and the ſeveral Proviſions, Powers, and Authorities, herein contained, into effectual Execution; which Aſſignment or Aſſignments may be transferred in ſuch Manner as is directed with reſpect to Aſſignments made in purſuance of the ſaid recited Act, made in the tenth Year of his preſent Majeſty; and the Aſſignee or Aſſignees ſhall, in like Manner, be intitled to the Money due on ſuch Aſſignment or Aſſignments reſpectively, and the whole Benefit thereof, in as full and ample Manner as the Aſſignee or Aſſignees of any Aſſignment or Aſſignments made under or by virtue of the ſaid Act made in the tenth Year of his preſent Majeſty (Entries of ſuch Aſſignments and Transfers reſpectively, where the Conſideration amounts to upwards of one hundred Pounds, being made in ſuch Manner as is directed by the ſaid laſt-mentioned Act); and that the Intereſt of the Money which ſhall be borrowed by Mortgage as aforeſaid ſhall be paid half-yearly to the ſeveral Parties intitled thereto, in preference to and before the Payment of any Dividends to the ſaid Company of Proprietors, or any of them, for the ſame Half-year; and that all ſuch Transfers, Securities, and Aſſignments, ſhall be free from all Stamp-duties.

No Preference to Creditors on account of Priority of Aſſignments.

Application of Money borrowed.

Aſſignments may be tranſferred.

Intereſt of Money borrowed to be paid half-yearly.

'VIII. And whereas the ſaid propoſed Cut or Canal, and Rail-way, will be of great Advantage to the 'ſeveral Proprietors of Collieries or Coal-mines ſituate in the Pariſhes of *Kingſley* and *Cheadle*, on the 'South Side of the River *Churnett*, near *Froghall* aforeſaid; and in conſideration thereof, and as an In-'ducement to the ſaid Company to make and complete the ſaid Canal and Rail-way by *Froghall* aforeſaid, '*Edward Leigh*, *Thomas Mytton*, and *John Beech*, Eſquires, who are Proprietors of conſiderable Col-'lieries or Coal-mines within one or both of the ſaid Pariſhes, have agreed to advance and pay to the ſaid 'Company, on or before the twenty-fifth Day of *December* next, the Sum of five thouſand Pounds, to be 'laid out and expended towards making and completing the Canal, Rail-way, and other Works hereby 'authoriſed to be made, on ſuch Security as herein after mentioned;' be it therefore enacted by the Authority

One Half of the Duties veſted in Proprietors of Coal-mines, as a Security for 5000 l.

thority aforeſaid, That, as a Security for the ſaid Sum of five thouſand Pounds, and Intereſt, one undivided Moiety or Half Part (the Whole into two equal Parts or Shares to be divided) of and in all and ſingular the Tolls, Rates, and Duties, ariſing by virtue of this Act from Coals, Cannel, or Slack, the Produce of the ſaid Pariſhes of *Kingſley* and *Cheadle*, lying South of the ſaid River *Churnett*, which ſhall be navigated, carried, or conveyed, upon the ſaid Canal and Rail-way, or either of them, between the Turnpike-road in *Chedleton* aforeſaid, and the Termination of the ſaid Rail-way, near *Caldon* aforeſaid, ſhall be, and the ſame is hereby veſted in the ſaid *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Adminiſtrators, and Aſſigns (redeemable nevertheleſs by the ſaid Company as herein after mentioned), and ſhall be received by the ſaid Company with the other Tolls, Rates, and Duties, and paid by them to the ſaid *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Adminiſtrators, or Aſſigns, by four quarterly Payments in the Year; which Payments ſhall be made and continue until the ſaid Sum of five thouſand Pounds, together with Intereſt for the ſame, from the Time the Principal ſhall be advanced, after the Rate of four Pounds ten Shillings *per Centum per Annum*, ſhall be fully paid and ſatisfied; and the Receipt or Receipts of the ſaid *Edward Leigh*, *Thomas Mytton*, and *John Beech*, or either of them, or their or either of their Executors, Adminiſtrators, or Aſſigns, ſhall be a good and ſufficient Diſcharge and Indemnification to the ſaid Company for ſo much Money paid by them as aforeſaid, as ſhall be mentioned and contained in ſuch Receipt or Receipts reſpectively; and moreover, that the ſaid Company, their Succeſſors and Aſſigns, ſhall, out of the Money to ariſe under the Authority of this Act, well and truly pay, or cauſe to be paid, to the ſaid *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Adminiſtrators, or Aſſigns, Intereſt for the ſaid Sum of five thouſand Pounds, from the Time the ſame ſhall be advanced, until the ſaid Navigation and Rail-way, between *Chedleton* and the Termination near *Caldon* aforeſaid, ſhall be made and completed, after the Rate of four Pounds ten Shillings *per Centum per Annum*, in caſe the ſame ſhall not happen to be made and completed within two Years from the paſſing of this Act.

to be paid quarterly.

As ſoon as the ſaid 5000 l. with Intereſt, ſhall be paid, the Half Part of the Duties to be re-veſted in the Company, &c.

IX. Provided always, That if the ſaid Company, their Succeſſors or Aſſigns, ſhall and do, at any Time hereafter, well and truly pay, or cauſe to be paid, to the ſaid *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Adminiſtrators, or Aſſigns, the ſaid Sum of five thouſand Pounds, together with Intereſt for the ſame after the Rate aforeſaid, or ſo much thereof as ſhall then remain due, then, and in ſuch Caſe, the ſaid Moiety or Half Part of the ſaid Tolls and Duties laſt mentioned ſhall from thence become wholly re-veſted in the ſaid Company, and the ſaid quarterly Payments herein before directed to be made out of the ſame to the ſaid *Edward Leigh*, *Thomas Mytton*, and *John Beech*, their Executors, Adminiſtrators, or Aſſigns, and all other the Eſtate and Intereſt of the ſaid *Edward Leigh*, *Thomas Mytton*, and *John Beech*, of and in the ſaid Tolls and Duties, ſhall ceaſe, determine, and become void, any Thing herein before contained to the contrary notwithſtanding.

Preamble; reciting a Contract, wherein certain Proprietors of Limeſtone-quarries agree to deliver to the Company, yearly, Limeſtone at the Rate of Seven-pence per Ton.

'X. And whereas there are very great Quantities of excellent Limeſtone in the Pariſhes of *Caldon* and *Alveton*, in the ſaid County of *Stafford*, lying near the Termination of the ſaid intended Rail-way, within the Eſtates of many different Perſons, which Stone may be conveyed, by means of the ſaid intended Rail-way and navigable Canal, and of the ſaid Navigation between the *Trent* and the *Merſey*, to a very great Extent; and the Price of Lime, under the Proviſions and Regulations of this Act, will be much reduced, which will greatly contribute to the Improvement of Land, and be highly beneficial to the Public: And whereas the ſaid Company of Proprietors, in order to aſcertain the Price of ſuch Limeſtone, and to make thoſe Advantages general and permanent, have made a Contract in Writing with *Thomas Gilbert*, *John Gilbert*, *Richard Hill*, *George Smith*, *Sampſon Whieldon*, *Henry Copeſtake*, *Robert Bill*, and *William Woolliſcroft*, being Proprietors of the different Quarries of Limeſtone lying near the Termination of the ſaid intended Rail-way, according to their reſpective Eſtates and Intereſts in the ſaid Limeſtone, by which the ſaid Limeſtone Proprietors have agreed, yearly, and every Year for ever hereafter, to deliver to the ſaid Company, their Succeſſors or Aſſigns, or to ſuch Perſon or Perſons, and at ſuch Time and Times, as the ſaid Company, or their Clerk, ſhall nominate and appoint, ſuch Quantities of good and merchantable Limeſtone, ready got and broke, in the Pits where got (as near as conveniently may be to the Rail-way intended to be carried to the ſaid Quarries), as the ſaid Company, or their Clerk or Agent, ſhall direct or appoint, at and after the Rate of Seven-pence *per* Ton for every Ton of ſuch Stone, each Ton to conſiſt of twenty-one hundred Weight, at a hundred and twenty Pounds to the Hundred; of which Quantity Notice is to be given before the laſt Day of *October* in the preceding Year: And further, that if they, their Heirs or Aſſigns, ſhould, at any Time thereafter, neglect or refuſe to deliver ſuch Quantities as ſhould be required, it ſhould be lawful for the ſaid Company, their Succeſſors and Aſſigns, and ſuch Perſon or Perſons as they, or their Clerk or Agent, ſhould from Time to Time nominate or appoint, to enter into and upon the Lands, Grounds, or Stone-quarries, of any of the ſaid Proprietors of Limeſtone, their Heirs or Aſſigns, and to get, take, and carry away, ſuch Quantities of Limeſtone as they ſhould think proper, out of any of the Pits or Quarries aforeſaid, paying after the Rate of Two-pence a Ton, to be computed as aforeſaid, for the ſame (ſuch Stone to be got in a regular and proper Manner): And it was further agreed, that the ſaid Company ſhould, as ſoon as conveniently might be after paſſing this Act, make proper and convenient Rail-ways, from the ſaid Rail-way from *Froghall*, to or near the Face of each of the ſaid Limeſtone-pits, in the ſeveral Pieces of Land or Ground wherein the ſaid ſeveral Parties had Limeſtone as aforeſaid, and keep the ſame at all Times in proper Repair; and ſhould take the Tonnage to be allowed by the ſaid intended Act, according to the Length of ſuch reſpective Rail-way, for the Stone to be conveyed upon the ſame: And whereas the ſaid *John Gilbert*, *Richard Hill*, *George Smith*, and *Sampſon Whieldon*, are intereſted in the ſaid Limeſtone lying in the ſaid Pariſh of *Alveton*, by virtue of a Leaſe made by the Right Honourable the Earl of *Shrewſbury*; and the ſaid Earl is ſeiſed of the Freehold thereof, ſubject to ſuch Leaſe; and the ſaid Earl hath agreed with the ſaid Company, that the ſaid Agreement ſhall for ever continue

'and

'and remain binding upon the ſaid Earl, and all Perſons claiming under him, and his and their Leſſees 'and Tenants, from Time to Time, with reſpect to the ſaid Limeſtone lying in the ſaid Pariſh of *Alveton*: 'And whereas the ſaid Company have made ſuch Contract and Agreement with Intent to ſerve the Public 'with Limeſtone on the cheapeſt and moſt reaſonable Terms, and are deſirous of having the ſaid Agree-'ment executed and performed in ſuch Manner as ſhall diſtribute the Benefit thereof moſt generally and 'equally:' Be it therefore further enacted by the Authority aforeſaid, That the ſaid Contract and Agreement ſo made as aforeſaid ſhall be, and is hereby ratified and confirmed, and ſhall be and for ever remain binding upon the ſaid Company, their Succeſſors and Aſſigns, and the ſaid ſeveral Proprietors of Limeſtone aforeſaid, their reſpective Heirs, Executors, and Adminiſtrators; and that the ſaid Limeſtone ſhall be got and provided by the ſaid ſeveral Proprietors thereof, at the Rate and Price aforeſaid, in ſuch Proportions as ſhall be agreed amongſt them, and approved by the ſaid Company, before the laſt Day of *September* for the Year then next ſucceeding; and, in Default of ſuch Agreement and Approbation, the ſame ſhall be got and provided in the Proportions following; (that is to ſay) Two Fifth Parts thereof by the ſaid Earl of *Shrewſbury*, his Leſſees or Tenants, out of the Quarry lying in the ſaid Pariſh of *Alveton*; One Fifth Part thereof out of the Lands of the ſaid *Thomas Gilbert*, called *The Low Pieces*, in the ſaid Pariſh of *Caldon*; One other Fifth Part out of the Land of the ſaid *Henry Copeſtake*, called *Hemingſlow* or *Caldonlow*, in the ſaid Pariſh of *Caldon*; and the remaining Fifth Part out of the Land of the ſaid *Robert Bell*, *Sampſon Whieldon*, and *William Woolliſcroft*, called *The Quarter Piece*, in the Pariſh of *Caldon* aforeſaid: And to the Intent the Public may be ſupplied with Limeſtone as punctually and conveniently as may be, the ſaid Company, their Succeſſors and Aſſigns, ſhall, and are hereby required to direct one of their Clerks, whoſe Name and Place of Reſidence they ſhall notify to the Public, to provide a Book, and make Entries therein of the Quantities of Limeſtone which any Perſon or Perſons ſhall order under the Authority of this Act, which Order ſhall be given, and Entry made, on or before the laſt Day of *September*, for Stone to be delivered in the then ſucceeding Year; and the ſaid Company, their Succeſſors and Aſſigns, ſhall, and are hereby required to diſtribute ſuch Orders amongſt the ſaid ſeveral Proprietors of Limeſtone, in the Proportions aforeſaid, as near as conveniently may be, and notify the ſame to them on or before the fifteenth Day of *October* then next following.

The above-mentioned Contract ratified and confirmed.

A Book to be provided, and Entries to be made therein of the Quantities of Limeſtone ordered, &c.

'XI. And, for the better and more certain Accommodation of the Public, and the greater Security 'and Convenience of the Proprietors of Limeſtone,' be it further enacted, That no ſuch Order ſhall be given, and entered in the ſaid Book, for any leſs Quantity of Stone than one hundred Tons; and that a Depoſit ſhall be made, at the Time ſuch Order ſhall be given and entered, with the Clerk of the ſaid Company as aforeſaid, of Two-pence *per* Ton, in proportion to the Quantity of Stone ordered, and ſhall be afterwards paid to the Perſon or Perſons to whom the ſaid Company ſhall allot the providing and furniſhing ſuch Stone, in Part of Payment of the ſame; which Stone ſhall, for the greater Convenience in carrying away the ſame, be got, and ready to be delivered, in Manner following; that is to ſay, any Quantity between one hundred and three hundred Tons ſhall be got and ready to be delivered within any Time to be named in ſuch Order, not being ſooner than two Months from the Time of giving the ſame; any Quantity between three hundred and ſix hundred Tons, within any Time to be named in ſuch Order, not being ſooner than three Months from the Time of giving the ſame; any Quantity between ſix hundred and one thouſand Tons, within any Time to be named in ſuch Order, not being ſooner than five Months from the Time of giving the ſame; and any Quantity exceeding one thouſand Tons ſhall be delivered in Manner following, *viz.* One Fourth Part thereof before the firſt Day of *January*, One other Fourth Part before the firſt Day of *April*, One other Fourth Part before the firſt Day of *July*, and the remaining Fourth Part before the firſt Day of *October*, in the Year next ſucceeding ſuch Order; and all the ſaid Stone to be ſo ordered ſhall be carried away by the Perſon or Perſons ordering the ſame, from Time to Time, as the ſame ſhall be got, if conveniently may be (Obſtructions by Froſt, or other unavoidable Accidents, excepted): And that it ſhall and may be lawful for any Perſon or Perſons to give and enter Orders for any Quantity or Quantities of Limeſtone, at other Times than that before mentioned, upon the Perſon or Perſons giving ſuch Order making a Depoſit of Four-pence *per* Ton for the Quantity ordered, and agreeing to take the ſame at the Times when it will be convenient to have the ſame got, without interfering with the Orders ſo to be given on or before the ſaid laſt Day of *September*: And in caſe the Quantity of Stone ſo to be ordered on or before the laſt Day of *September*, ſhall not be provided and furniſhed according to ſuch Depoſit, and the Directions aforeſaid, unavoidable Obſtructions by Froſt excepted, the ſaid Company ſhall repay ſuch Depoſit to the Perſon making the ſame, and giving ſuch Order, his Executors or Adminiſtrators, and alſo a further Sum, by way of Forfeiture, equal to that ſo depoſited, or in Default of Payment thereof the ſame ſhall and may be reſpectively recovered from the ſaid Company, their Succeſſors or Aſſigns, by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*; and the ſaid Company of Proprietors, their Succeſſors and Aſſigns, ſhall and may, in like Manner, recover the ſame from the Proprietor or Proprietors of Stone who had received ſuch Depoſit, and undertaken to execute ſuch Order, and make Default therein: And in caſe the Perſon or Perſons ordering ſuch Stone, and making ſuch Depoſit, ſhall not carry away the ſaid Stone according to the Directions and true Intent and Meaning of this Act, he or they, for ſuch Default, ſhall forfeit ſuch Depoſit; and moreover, in caſe of ſuch Neglect and Default as aforeſaid in the Proprietor or Proprietors of Limeſtone, with reſpect to Limeſtone ordered and entered in ſuch Book on or before the laſt Day of *September*, it ſhall and may be lawful for the ſaid Company of Proprietors, their Succeſſors or Aſſigns, or for the Perſon or Perſons to whom ſuch Stone was to be delivered, to enter into the Pit or Quarry of ſuch Proprietor or Proprietors of Limeſtone having ſo made Default, and to employ any Perſon or Perſons to get the Quantity ſo required, upon paying the Sum of Two-pence *per* Ton only, of the Meaſure aforeſaid, for ſuch Stone, they getting the ſame in a regular and proper Manner.

No Order to be entered for leſs than 100 Tons; and a Depoſit of Two-pence per Ton to be left with the Clerk of the ſaid Company.

Orders for Limeſtone may be given at other Times of the Year, on depoſiting 4d. per Ton, &c.

Penalty on either Party making Default, &c.

'XII. And, in order to prevent the Conſumption of Water by the conveying of Lime or Limeſtone, 'which, by the ſaid firſt-recited Act, is to pay leſs Rates, Tolls or Duties, than are thereby authoriſed 'to be taken upon other Goods paſſing through the Locks upon the ſaid Navigation from the *Trent* to the '*Merſey*, when there ſhall not be ſufficient Water to ſupply the Lockage for Goods which pay the full 'Tolls, Rates, or Duties, authoriſed to be taken by the ſaid Act;' be it further enacted, That it ſhall not be lawful for any Boat, or other Veſſel, carrying Lime or Limeſtone, to paſs through any Lock or Locks upon the ſaid Navigation between the *Trent* and the *Merſey*, except at Times when the Water flows over the Weir made to convey the waſte Water from the Pound out of which ſuch Lock or Locks is or are to be filled, without paying the like Rate, Toll, or Duty, which other Goods are liable to pay.

At what Times Veſſels loaded with Lime or Limeſtone may paſs through the Locks, &c.

'XIII. And whereas the ſaid Company do intend to make a Part of the ſaid propoſed Canal through 'the Pool or Pound of Water at *Cunſall-forge*, the Property of the Right Honourable *Marmaduke* Lord '*Langdale*, ſituate at *Cunſall*, in the ſaid County of *Stafford*, and to cleanſe and deepen the ſaid Pool or 'Pound of Water, which will be of Advantage to the ſaid Forge;' be it therefore further enacted by the Authority aforeſaid, That it ſhall not be lawful for the Tenants or Occupiers of the ſaid Forge or Pool, or Pound of Water, to draw the Water in the ſaid Pool or Pound more than nine Inches lower than the Cap or Top of the Weir now erected at the ſaid Pool or Pound of Water; and if the Tenants or Occupiers of the ſaid Forge, Pool, or Pound of Water, ſhall at any Time draw the Water in the ſaid Pool or Pound lower than the ſaid nine Inches, ſo as to obſtruct the Paſſage of any Boat or Boats along or through the ſame, then, and in ſuch Caſe, the ſaid Company, or any Perſon or Perſons navigating upon the ſaid Pool or Pound of Water, ſhall and may, and they are hereby authoriſed and impowered, to ſhut down the Flood-gates of or belonging to the ſaid Pool or Pound of Water, and to continue the ſame ſo ſhut, until the ſaid Pool or Pound of Water ſhall be raiſed within three Inches of the Top of the ſaid Weir.

Occupiers of the Forge or Pool at Cunſall not to draw Water lower than nine Inches from the Top of the Weir.

XIV. Provided always, and be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall authoriſe or impower the ſaid Company, their Succeſſors or Aſſigns, or their Agents, Workmen, or Servants, to take or convey into the ſaid propoſed Canal, any Water out of any of the Streams or Brooks that now flow into the River *Churnett* (except what ſhall be neceſſary for filling the ſaid Canal, and the Purpoſe of Lockage); and that all the waſte Water that ſhall or may flow out of the Pound at the Summit of the ſaid propoſed Canal, ſhall be diſcharged into the ſaid River, higher than the Mills called *Chedleton Mills*, ſituate at *Chedleton* aforeſaid; and the ſaid Company are hereby required, at all Times hereafter, to keep the Lock of the ſaid Pound next to the River *Trent* in good and ſufficient Repair, in order to prevent the Water of the ſaid Pound being waſted and diverted from the ſaid River *Churnett*, any Thing herein contained to the contrary notwithſtanding.

Proviſo, for preſerving the Water of the River Churnett.

XV. And be it further enacted by the Authority aforeſaid, That, for the more eaſy and effectual making, completing, repairing, maintaining, and uſing, the ſaid propoſed Canal, Rail-ways, and the ſeveral other Works, Matters, and Things aforeſaid, the ſaid Company, their Agents, Servants, Workmen, and Labourers, and all and every other Perſon and Perſons, Commiſſioner and Commiſſioners, Bodies Politic, Corporate, or Collegiate, whatſoever, ſhall have, and be ſeiſed and poſſeſſed of, and is and are hereby inveſted with, ſuch and the like Eſtates, Authorities, Powers, Abilities, Intereſts, Privileges, and Advantages; and ſhall be, and is and are hereby made ſubject and liable to ſuch and the like Rules, Conditions, Directions, Regulations, Limitations, Reſtrictions, Controuls, Payments, Penalties, Forfeitures, Puniſhments, and Benefit of Appeal, as are mentioned, directed, given, granted, preſcribed, eſtabliſhed, and inflicted, in and by the ſaid Acts, made in the ſixth, tenth, and fifteenth Years of the Reign of his preſent Majeſty, to every Intent and Purpoſe whatſoever; and that the ſaid Acts, and all the Clauſes, Proviſoes, Powers, Authorities, Orders, Rules, Regulations, Limitations, Reſtrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Puniſhments, Matters, and Things therein reſpectively contained (except ſuch Parts of the ſaid Act paſſed in the ſixth Year of the Reign of his ſaid Majeſty, as are varied or altered by the ſaid Act paſſed in the tenth Year of the Reign of his preſent Majeſty, and alſo except ſuch Parts of both of the ſaid Acts, or either of them, as are hereby altered or varied), ſhall extend, and are hereby extended to, and ſhall take Effect, operate, and be put in Execution, in, for, and in reſpect of, the continuing, making, completing, repairing, maintaining, and uſing, the ſaid propoſed Cut or Canal, and the ſeveral Works, Matters, and Things, by this Act authoriſed to be made, done, and performed, and for the Puniſhment of Offences in relation thereto, and for the ſelling and conveying of Lands, Tenements, and Hereditaments, and aſcertaining the Value thereof, and for determining and aſſeſſing of Damages, and all other Matters and Things which ſhall relate to, or happen or ariſe by, or in conſequence of, the Execution of all or any of the Powers of this Act, in ſuch and the ſame Manner, and as fully and effectually, to all Intents and Purpoſes whatſoever, as the ſame can or may operate and be executed to, upon, for, or in reſpect of, the Cut or Canal, and the ſeveral Works, Matters, and Things, in the ſaid former Acts reſpectively mentioned, or authoriſed to be made, done, and performed, and as if all the ſaid Clauſes, Proviſoes, Powers, Authorities, Orders, Rules, Regulations, Limitations, Reſtrictions, Prohibitions, Directions, Exemptions, Indemnities, Penalties, Forfeitures, Puniſhments, Matters, and Things, were herein repeated, re-enacted, and applied to the ſaid Cut or Canal, Rail-ways, Tunnels, Soughs, Trenches, Sluices, Piers, Arches, Bridges, and the ſeveral other Matters and Things by this Act authoriſed to be made, done, and performed, or as the ſame would have been done if the ſaid Cut or Canal, Rail-ways, Works, Matters, and Things, hereby authoriſed to be continued, made, and done, had been authoriſed to be made, done, and performed, by the ſaid former Acts, or either of them.

Powers contained in three Acts (6, 10, and 15 Geo. III.) extended to the Works to be executed by this Act;

except as excepted.

CAP.

CAP. XXXIII.

An Act to remove the Danger of Fire amongſt the Ships in the Port of *Briſtol*, by preventing the landing certain Commodities on the preſent Quays; and for providing a convenient Quay and proper Places for landing and ſtoring the ſame; and for regulating the ſaid Quay, and the Lighters, Boats, and other Veſſels carrying Goods for Hire within the ſaid Port of *Briſtol*; and for other Purpoſes therein mentioned.

Preamble.

'WHEREAS the Port of *Briſtol* is a Place of great Trade and Commerce, and the Ships and Veſſels lying at the Quays thereof are by the Efflux of the Tide left dry twice in every twenty-four Hours, whereby they frequently receive Damage: And whereas great Quantities of Timber, Deals, Staves, Tar, Pitch, Roſin, and Turpentine, have for many Years paſt been imported into the ſaid Port, particularly in the Summer Months, during which Time it has frequently happened that there has not been Room within a convenient Diſtance from the ſaid Quays for ſtoring the ſame, by reaſon whereof, and of the Expence of removing the ſame, which on Articles ſo cumbrous and of ſuch low Value amounts to a great Charge, the Quays have been often through Neceſſity greatly incumbered, and the Danger of Fire to the Ships in the Port much dreaded: And whereas the Maſter, Wardens, and Commonalty, of the Society of Merchant Venturers of the ſaid City of *Briſtol*, have from Time to Time expended very large Sums of Money for the Benefit of the Navigation and Trade of the ſaid Port, and with a View to provide a Remedy for the afore-mentioned Inconveniencies, have purchaſed certain Docks and Yards in the Pariſh of *Cliſton*, in the County of *Glouceſter*, adjoining to the River *Avon* within the ſaid Port, and have, at a very conſiderable Expence, rendered one of the ſaid Docks, now called *The Floating-dock*, capable of receiving and floating the largeſt Ships uſing the ſaid Port: And whereas the Danger of Fire to the Ships in the ſaid Port and to the City of *Briſtol* would be greatly leſſened, and it would be more beneficial to all Perſons uſing the Trade of the ſaid Port, if the ſaid Floating-dock was enlarged on the North-weſtern Side thereof, and rendered capable of containing a greater Number of Ships than at preſent, and if a convenient Quay, with proper Storehouſes, Warehouſes, Sheds, and Yards, were built, erected, made, and laid out for landing, ſtoring, and laying up, the afore-mentioned Articles of Trade: And whereas the ſaid Society are willing to enlarge the ſaid Floating-dock, and to build ſuch Quay as aforeſaid, and to erect and make the ſeveral other Works before mentioned; but cannot effect the ſame, and completely remedy the Inconveniencies afore-recited, without the Aid of Parliament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful for the ſaid Maſter, Wardens, and Commonalty, of the Society of Merchant Venturers of the ſaid City of *Briſtol*, and they are hereby authoriſed and impowered to enlarge the ſaid Dock called *The Floating-dock*, on the North-weſtern Side thereof, in ſuch Manner as they ſhall think proper; and likewiſe to build and make a convenient Quay on ſuch North-weſtern Side, with proper Storehouſes, Warehouſes, Sheds, Yards, and Places, for landing, ſtoring, and laying up the ſaid Goods.

Maſter, Wardens, and Commonalty, of the Society of Merchant Venturers, impowered to enlarge the Floating-dock, and to build Storehouſes, &c.

II. And be it further enacted, That all the Land and Ground ſituate on the North-weſtern Side of, and adjoining to, the ſaid Floating-dock, and extending in Breadth on or towards the North-weſt from the Quay-wall of the ſaid Floating-dock (whether in its preſent State, or as the ſame ſhall be enlarged) two hundred Feet, and extending of the ſame Breadth from the Water of *Avon* to the North-eaſt End of the ſaid Dock (whether in its preſent State, or as the ſame ſhall be hereafter enlarged), ſhall be, and the ſame is hereby declared to be, a Quay for the landing all Sorts and Kinds of Timber (including Mahogany), Planks and Boards, Deals and Staves, Tar, Pitch, Roſin, and Turpentine, in whatever Quantities the ſame ſhall from Time to Time be imported into the ſaid Port of *Briſtol* in any Ship or Veſſel whatſoever: Provided the Owners of ſuch Goods do firſt paſs a regular Entry thereof, and pay the Cuſtom and other Duties, and before they unſhip any of the Goods give Notice of the Day and Hour of Landing, in Writing, to the principal Officers of the Cuſtoms at the ſaid Port of *Briſtol* for the Time being, that they may direct the proper Officers to attend accordingly; and provided that none of the Goods be unſhipped but in the Preſence of a Waiter or Officer ſo appointed thereunto, otherwiſe the ſaid Goods to be liable to Forfeiture according to Law.

Ground allotted for a new Quay.

Rules to be obſerved by Merchants.

III. And be it further enacted by the Authority aforeſaid, That, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and ſeventy-ſeven, it ſhall not be lawful for any Perſon or Perſons whomſoever to land any Timber, Planks, or Boards of any Sort or Kind, Deals, Staves, Tar, Pitch, Turpentine, Roſin, or other the Commodities aforeſaid, on any Part of the preſent Quays within the ſaid City of *Briſtol*, from or out of any Ship or Veſſel coming into the ſaid Port of *Briſtol* (except in the Caſes herein after mentioned), Two Third Parts of the Cargo whereof ſhall conſiſt of all or any of the ſaid Articles, or from or out of any Lighter, Boat, or other Veſſel, bringing the ſame from any ſuch Ship or Veſſel, upon Pain of forfeiting, for every ſuch Offence, the Sum of fifty Pounds; and the Maſter or Owner, or other Perſon having the Command, Charge, or Care, of any Ship or Veſſel coming into the ſaid Port of *Briſtol* after the ſaid twenty-fourth Day of *June*, which ſhall be in the Year one thouſand ſeven hundred and ſeventy ſeven, Two Third Parts of the Cargo whereof ſhall conſiſt of all, any, or either of the ſaid Articles (the Proportion of ſuch Cargo to be aſcertained by the Tonnage of the whole Cargo), ſhall cauſe the ſaid Ship or Veſſel to be unladen of all ſuch Articles at the ſaid new-intended Quay, upon Pain of forfeiting fifty Pounds for each Offence.

Timber, Planks, &c. not to be landed on the preſent Quays, after June 24, 1777;

on Penalty of 50 l.

This Act not to extend to Timber brought coaſtwiſe;

IV. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to Timber, Planks, or Boards, brought coaſtwiſe into the ſaid Port; but that the ſame ſhall and may be landed on that Part of the preſent Quay (commonly called *The Back of Briſtol*) in the ſame Manner as ſuch Timber hath been uſually landed there.

nor to prevent landing at private Wharfs, &c.

V. Provided alſo, That nothing herein contained ſhall extend, or be conſtrued to extend, to prevent any Owner or Maſter of any Ship or Veſſel, or the Owner or Owners of any Timber, Planks, or Boards, Deals, Staves, Tar, Pitch, Roſin, or Turpentine, or any of the Commodities herein before recited, or his or their Agent, Factor, or Conſignee, from landing or unlading the ſame, or any Part thereof, at any private Quay or Wharf within the ſaid Port, where the ſame may now, or at any Time hereafter (by Conſent of the proper Officer of his Majeſty's Cuſtoms within the ſaid Port), be landed or unloaded, nor to prevent any ſuch Perſon or Perſons from landing or unlading any of the ſaid Articles at the preſent Quay within the ſaid City of *Briſtol*, ſuch Perſon producing a Certificate, under the Hands of any two of his Majeſty's Juſtices of the Peace for the ſaid City and County of the City of *Briſtol*, to the proper Officer of his Majeſty's Cuſtoms within the ſaid Port of *Briſtol* (ſuch Certificate to be grounded on the Oath of the Party applying for the ſame), that, at the Arrival of ſuch Ship or Veſſel, a Birth or Place could not be had fit for ſuch Ship or Veſſel to lie in for landing and unlading ſuch Articles as aforeſaid upon the ſaid new-intended Quay; any Thing in this Act to the contrary hereof notwithſtanding.

Duties now payable on the Importation of certain Articles, &c. to continue ſo on being landed at the new Quay.

VI. And be it further enacted by the Authority aforeſaid, That the Duties which are now due and payable for Wharfage, Tonnage, Tannage, Plankage, and the Duties commonly called *The Town Duties*, and all other Duties and Cuſtoms whatſoever now payable in the ſaid Port of *Briſtol* on the Arrival of any Ship or Veſſel at the Quay or *Back of Briſtol*, or on the Importation of Timber (including Mahogany), Planks, or Boards, Deals, Staves, Tar, Pitch, Roſin, and Turpentine, or any of the Commodities aforeſaid, ſhall ſtill continue due and payable, and ſhall be paid to the ſeveral Perſons who now are, or hereafter ſhall be, intitled to the ſame, for all Ships and Veſſels which ſhall arrive at the ſaid intended Quay, and for all Timber (including Mahogany), Planks, and Boards, Deals, Staves, Tar, Pitch, Roſin, and Turpentine, and all other the Commodities aforeſaid which ſhall be landed on the ſaid new-intended Quay in the ſaid Pariſh of *Clifton*, in like Manner as if the ſaid Ships or Veſſels had arrived at the Quay or *Back of Briſtol*, or as if the ſaid Goods had been landed on either of the preſent Quays, within the ſaid City of *Briſtol*; and alſo that the Rates which are now due and payable, or which ſhall be hereafter ſettled, for lading or unlading ſuch Goods or Merchandiſe on the preſent Quays within the ſaid City of *Briſtol*, ſhall be paid for the lading or unlading the ſame on the ſaid new-intended Quay in the ſaid Pariſh of *Clifton*.

Rates to be paid for ſtoring of Goods, &c.

'VII. And, in order to defray the Expence of making, building, maintaining, and ſupporting, the 'ſaid new Quay, and the Storehouſes, Warehouſes, Yards, Sheds, and Places, to be built and made for 'the Purpoſes aforeſaid;' be it further enacted by the Authority aforeſaid, That, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and ſeventy-ſeven, there ſhall be paid to the ſaid Maſter, Wardens, and Commonalty of the Society of Merchant Venturers of the ſaid City of *Briſtol* (over and above the Charge for piling Deals and other Goods uſually piled, and other Labour now uſually paid for in the ſaid Port of *Briſtol*), by the Proprietors of ſuch Goods, for all ſuch Timber (including Mahogany), Planks, and Boards, Deals, Staves, Tar, Pitch, Roſin, and Turpentine, and other the Commodities aforeſaid, as the Owner, or Perſon having the Care thereof, ſhall chuſe to have ſtored or placed in the ſaid Storehouſes, Warehouſes, Sheds, Yards, or Places, to be built and made as aforeſaid, the ſeveral Rates aſcertained in the Schedule inſerted at the End of this Act.

Mayor and Juſtices may lower the Rates, &c.

VIII. And be it further enacted by the Authority aforeſaid, That the Mayor and Juſtices of the ſaid City of *Briſtol* and County of the ſame City, in their Court of Quarter Seſſions to be held in and for the ſaid City of *Briſtol* and County of the ſame City, ſhall have full Power and Authority, from Time to Time (for good and ſufficient Cauſe), to lower the ſaid Rates hereby granted, or any of them, and from Time to Time, for ſuch good Cauſe, to raiſe again the ſaid Rates, or any of them, provided the ſaid Rates do never exceed the Rates authoriſed to be taken by virtue of this Act; and the ſaid Mayor and Juſtices, in their ſaid Court of Quarter Seſſion, ſhall have Power and Authority to make Rules, Orders, and Regulations, for the better Management of the ſaid new-intended Quay in the ſaid Pariſh of *Clifton*, and to ſettle equal and reaſonable Rates for Labour, as well by Horſes, Carts, and Carriages, as by Men, to be done thereat; and if any Perſon or Perſons ſhall take or demand more than the Rates ſo to be ſettled, he, ſhe, or they ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Shillings.

Tar, Pitch, &c. not to be left on the Quay longer than ſeven Days after gauging.

IX. And be it further enacted by the Authority aforeſaid, That it ſhall not be lawful for any Perſon or Perſons whomſoever to leave on the ſaid new-intended Quay any Tar, Pitch, Roſin, or Turpentine, for any longer Time than ſeven Days after the ſame ſhall be gauged or paſſed by the proper Officer or Officers of his Majeſty's Cuſtoms; and in caſe any Perſon or Perſons ſhall leave any of the ſaid Articles upon the ſaid Quay, contrary to the true Intent and Meaning hereof, that then, and as often as ſuch Caſe ſhall happen, it ſhall and may be lawful to and for the ſaid Maſter, Wardens, and Commonalty, of the Society aforeſaid, by their Agents or Servants for the Time being, to houſe or ſtore all ſuch Tar, Pitch, Roſin, and Turpentine, in the Warehouſes, Storehouſes, or Places, to be provided for that Purpoſe as aforeſaid; and the like Rates ſhall be paid as if the Owner thereof had directed the ſame to be ſtored or houſed by the ſaid Society.

Piece of Ground to be appointed for laying up Balks, Maſts, &c.

'X. And, in order to prevent Inconveniencies from Balks, Maſts, Spars, Timber, Planks, or other 'Articles not uſually piled, being ſuffered to remain on the ſaid new-intended Quay,' be it further enacted by the Authority aforeſaid, That the ſaid Society of Merchants ſhall ſet out and appoint from Time to Time one or more Piece or Pieces of the Ground adjoining the ſaid new-intended Quay, within the Meads called *Rownham's Meads*, for laying and placing Balks, Maſts, Spars, and Timber (including Mahogany), and alſo Planks of the Thickneſs of three Inches or upwards, and of the Length of twenty-five Feet or upwards,

upwards, and all other Articles not uſually piled; and in caſe the ſaid Society of Merchants ſhall omit or neglect ſo to do, then it ſhall and may be lawful for the Mayor and Juſtices of the Peace of the ſaid City and County of the City of *Briſtol*, in their Court of Quarter Seſſions, on Complaint being made to them by any three or more Perſons intereſted in ſuch Goods, from Time to Time to ſet out and appoint one or more proper Piece or Pieces of the Ground adjoining the ſaid new-intended Quay, within the Meads commonly called *Rownham's Meads*, and alſo from Time to Time to change or alter the ſame, and to ſet out and appoint any other Piece or Pieces of Ground within the ſaid Meads commonly called *Rownham's Meads* (and not being at that Time built upon), for laying and placing Balks, Maſts, Spars, and Timber (including Mahogany), and alſo Planks of the Thickneſs of three Inches, or upwards, and of the Length of twenty-five Feet, or upwards, and all other Articles uſually piled; and in caſe any Balks, Maſts, Spars, or Timber (including Mahogany), or any Plank of the Dimenſions aforeſaid, or other Articles uſually piled, ſhall, after the Landing thereof, be left on the ſaid new-intended Quay for any longer Time than ſhall be neceſſary for removing the ſame to ſuch Place or Places as ſhall be ſet out and appointed for laying or placing the ſame as aforeſaid, that then, and as often as it ſhall ſo happen, it ſhall and may be lawful for the ſaid Society, by their Agents or Servants, to remove the ſame, at the Expence of the Proprietors thereof, to ſuch Place or Places as ſhall be ſo ſet out and appointed for placing or laying the ſame as aforeſaid.

'XI. And whereas it will be of great Importance to the Trade and Commerce of the ſaid City of *Briſtol*, 'that the ſaid new-intended Quay ſhould be at all Times kept in good Repair, and that proper Sheds 'ſhould be erected for houſing or ſtoring Tar, Pitch, Roſin, and Turpentine, with Reſervoirs for pre-'ſerving the Leakage of ſuch Tar, and that proper Places ſhould be provided for the laying and placing 'Timber (including Mahogany), Deals, and Staves, and all other the Commodities aforeſaid which ſhall 'be landed at the ſaid new-intended Quay;' be it therefore further enacted, That in caſe the ſaid Society of Merchants ſhall not erect and make a ſufficient Number of proper Warehouſes, Storehouſes, and Sheds, for the ſtoring all ſuch Tar, Pitch, Roſin, and Turpentine, as ſhall be landed at the ſaid new-intended Quay, or ſhall not provide a ſufficient Quantity of Ground for Yards for laying up and placing all ſuch Timber (including Mahogany), Deals, and Staves, and other the Commodities aforeſaid, as ſhall be landed at the ſaid Quay, and by reaſon thereof the Maſter of any Ship or Veſſel coming into the ſaid Port, or the Owner or Owners of any of the ſaid Goods, ſhall be put to any extraordinary Expence, or ſhall ſuſtain any Loſs or Damage, that then, and in either of the ſaid Caſes, the ſaid Society ſhall make good all ſuch extraordinary Expences, and all ſuch Loſs or Damage as aforeſaid; and the ſame ſhall and may be recovered by Action at Law to be brought in any of his Majeſty's Courts of Record at *Weſtminſter*.

The Society of Merchants to provide ſufficient Warehouſes, &c. for ſtoring Goods;

or, in Default thereof, to make good all Damages.

'XII. And whereas four undivided Sixth Parts or Shares of nine Acres, or thereabouts, of Ground 'lying in *Rownham's Meads* in the Pariſh of *Clifton* (of which Ground the ſaid Society are ſeiſed of the 'other two undivided Sixth Parts or Shares), and alſo a certain other Piece or Parcel of Ground within 'the ſaid Meads, and containing by Eſtimation four Acres, or thereabouts, will be neceſſary to be made 'uſe of for the Purpoſes aforeſaid, and a certain other Parcel of Land, containing Half an Acre, or there-'abouts, heretofore Parcel of the ſaid Meads called *Rownham's Meads*, will be convenient to be pur-'chaſed by the ſaid Society; all which Premiſes were heretofore the Eſtate of *Shute Adams* Eſquire, de-'ceaſed: And whereas it may happen that ſome Perſons, or Bodies Politic, Corporate, or Eccleſiaſtical, 'Feoffees in Truſt, Femes-covert, Infants, or others, who are ſeiſed or poſſeſſed of, intitled unto, or in-'tereſted in, the ſaid recited Ground, and Parts or Shares of Ground, may be willing to treat and agree 'to ſell ſuch Premiſes, but are incapable of ſelling, granting, or conveying the ſame;' be it therefore further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Bodies Politic, Corporate, or Eccleſiaſtical, Corporations Aggregate or Sole, and all Feoffees in Truſt, Executors, Adminiſtrators, Guardians, or other Truſtees whomſoever, and for all Femes-covert, Infants, and every Perſon or Perſons whomſoever, who are or ſhall be ſeiſed, poſſeſſed of, or intereſted in, any ſuch Ground and Premiſes, or Part or Share or Parts or Shares of Ground and Premiſes, to ſell and convey all ſuch Ground and Premiſes, or Part or Share, Parts or Shares, of Ground and Premiſes, or any Part thereof, and all their Eſtate, Right, Title, and Intereſt whatſoever, of, in, or to the ſame, to the ſaid Maſter, Wardens, and Commonalty, of the Society of Merchant Venturers of the City of *Briſtol*, their Succeſſors and Aſſigns, or to ſuch Perſon or Perſons, and their Heirs for ever, as the ſaid Maſter, Wardens, and Commonalty, of the Society of Merchant Venturers ſhall direct, in Truſt for them the ſaid Maſter, Wardens, and Commonalty, of the ſaid Society of Merchant Venturers, and their Succeſſors and Aſſigns, for the Purpoſes in this Act contained, or for which the ſame are now uſed; and that all Contracts, Agreements, Sales, and Conveyances, which ſhall be ſo made by virtue and in purſuance of this Act, ſhall, without any Fine or Fines, Recovery or Recoveries, or other Conveyances or Aſſurances in the Law whatſoever, be good, valid, and effectual, to all Intents and Purpoſes; any Law, Statute, Uſage, or any other Matter or Thing whatſoever, to the contrary thereof in any wiſe notwithſtanding; and all ſuch Perſons are and ſhall be hereby indemnified for what they ſhall do by virtue and in purſuance of this Act.

Bodies Politic, &c. poſſeſſed of certain Lands in Clifton, impowered to ſell the ſame.

XIII. And be it further enacted by the Authority aforeſaid, That if any Body Politic, Corporate, or Eccleſiaſtical, Corporations Aggregate or Sole, Femes-covert, Infants, or other Perſon or Perſons whomſoever, in and by this Act impowered and qualified to contract for, ſell, convey, and diſpoſe of, the Premiſes herein before mentioned, ſhall refuſe to treat and agree as aforeſaid, or by reaſon of Abſence or otherwiſe ſhall be prevented from treating and agreeing, or ſhall decline or refuſe to ſell, convey, and diſpoſe of, the Premiſes whereof, wherein, or whereunto they reſpectively ſhall be ſo ſeiſed, poſſeſſed, intereſted, or intitled, as aforeſaid, or their reſpective Rights, Titles, Claims, or Intereſts, in, to, or out of the ſame, unto the ſaid Maſter, Wardens, and Commonalty, of the ſaid Society of Merchant Venturers, their Succeſſors and Aſſigns, or to ſuch Perſon or Perſons as they ſhall nominate or appoint for the Purpoſes aforeſaid,

If any Body Politic, &c. refuſe to treat,

or cannot produce a Title to the Premiſes,

Maſter, Wardens, &c. may apply to Commiſſioners herein after named.

aforeſaid, according to the Tenor, true Intent, and Meaning of this Act; or ſhall not produce or make out a clear Title to the Premiſes they are in Poſſeſſion of, or to the Intereſt they claim therein, to the Satisfaction of the ſaid Maſter, Wardens, and Commonalty, of the ſaid Society of Merchant Venturers, their Succeſſors and Aſſigns; it ſhall and may be lawful for the ſaid Maſter, Wardens, and Commonalty, of the ſaid Society, within three Years, to be computed from the twenty-fourth Day of *June* one thouſand ſeven hundred and ſeventy-ſix, to apply to the Commiſſioners herein after named, or to the Survivors of them, and requeſt ſuch Commiſſioners to put in Execution the Powers and Authorities hereby given to them; and on ſuch Application, they the ſaid Commiſſioners, and the Survivors of them, or any three or more of them, ſhall be, and are hereby veſted with ſuch and the like Powers and Authorities for hearing and determining in the County of *Glouceſter* the Matter in Diſpute, as were given and granted to his Majeſty's Juſtices of the Peace for the City of *Briſtol* and County of the ſame City, in certain Caſes reſpecting Houſes, Buildings, Grounds, and Eſtates, ſituate within the City of *Briſtol*, in and by an Act, paſſed in the ſixth Year of his preſent Majeſty's Reign, intituled, *An Act for widening ſeveral Streets, Lanes, Ways, and Paſſages, within the City of* Briſtol, *and for opening ſeveral new Streets and Paſſages within the ſame, and for explaining, amending, and enlarging the Powers of the ſeveral Acts paſſed for paving, cleanſing, lighting, watching, and regulating the Streets and other Places within the ſaid City and Liberties thereof*; and ſuch Commiſſioners ſhall iſſue a Precept or Precepts to the Sheriff of the County of *Glouceſter*, who is hereby authoriſed, directed, and required, accordingly to impannel and return a competent Number of ſubſtantial and diſintereſted Perſons, reſident within the Hundreds next adjoining to the Hundred of *Barton Regis* in the County of *Glouceſter*, and qualified to ſerve on Juries, and not leſs than twenty-four; and out of ſuch Perſons ſo to be impannelled, ſummoned, and returned, a Jury of twelve Perſons ſhall be drawn, in ſuch Manner as Juries for the Trial of Iſſues joined in his Majeſty's Courts at *Weſtminſter*, by an Act, made in the third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; which Perſons ſo to be impannelled, ſummoned, and returned, as aforeſaid, are hereby required to come and appear before the ſaid Commiſſioners, at ſuch Time and Place as in ſuch Precept or Precepts ſhall be directed and appointed, and to attend there from Day to Day until diſcharged by the ſaid Commiſſioners.

A Jury to be ſummoned.

On Neglect, &c. of Commiſſioners, the Maſter, &c. may apply to the Quarter Seſſions,

XV. Provided always, That if, for or on any Account whatſoever, the ſaid Commiſſioners ſhall not be able to put in Execution, or ſhall not put in Execution, within three Calendar Months after ſuch Application ſhall be made to them, the Powers and Authorities hereby given to them as aforeſaid, that then, and in ſuch Caſe, it ſhall and may be lawful for the ſaid Maſter, Wardens, and Commonalty of the ſaid Society, to apply to the Juſtices of the Peace at any General Quarter Seſſions of the Peace to be held for the ſaid County of *Glouceſter*, or to the Juſtices of the Peace at any General Quarter Seſſions of the Peace, or any Adjournment thereof, to be held for the ſaid City of *Briſtol* and County of the ſame City, giving fourteen Days Notice of ſuch Application to the other Party or Parties concerned in the Matter in Diſpute, and requeſt ſuch Juſtices to proceed in the Manner herein after directed; and on ſuch Application it ſhall and may be lawful to and for the Juſtices ſo aſſembled at ſuch General Quarter Seſſions, and to whom ſuch Application ſhall be made, and they are hereby authoriſed and required to cauſe the ſame to be inquired into by and upon the Oaths of the Jury who ſhall attend at ſuch Seſſions; and all Perſons concerned ſhall have their lawful Challenges (but not challenge the Array of the Pannel) againſt any of the ſaid Jurymen when they come to be ſworn; and the ſaid Juſtices, as aforeſaid, are hereby reſpectively authoriſed and impowered, by Precept or Order, from Time to Time, as Occaſion ſhall require, to call before them all and every Perſon and Perſons whomſoever who ſhall be thought neceſſary to be examined as Witneſſes before them, and to examine them, on their Oath or Oaths, touching the Premiſes; and the ſaid Juſtices as aforeſaid, if they think fit, ſhall and may likewiſe authoriſe the ſaid Jury to view the Place or Places or Matters in queſtion in ſuch Manner as they ſhall direct; and the ſaid Juſtices as aforeſaid ſhall have Power to adjourn ſuch Meeting from Day to Day, and from Place to Place, as Occaſion ſhall require; and ſuch Jury, Witneſſes, and Parties, ſhall attend until the Inquiry aforeſaid ſhall be concluded; and the ſaid Jury, upon their Oaths, ſhall inquire of the Value of ſuch Ground, and Part or Share or Parts or Shares of Ground, which ſhall be neceſſary to be purchaſed, and of the reſpective Eſtate and Intereſt of every Perſon ſeiſed or poſſeſſed of or intereſted therein, or in any Part thereof, and ſuch Jury ſhall aſſeſs the Sum or Sums to be paid, or other Satisfaction to be made, to every ſuch Perſon or Perſons for the Purchaſe of ſuch their Eſtates and Intereſts which ſhall be neceſſary to be ſo purchaſed, and the ſaid Juſtices as aforeſaid ſhall and may give Judgment for ſuch Sum and Sums of Money ſo to be aſſeſſed, or other Satisfaction to be made; which ſaid Verdict or Verdicts, and the ſaid Judgment, Decree, and Determination thereon, ſhall be binding and concluſive, to all Intents and Purpoſes whatſoever, againſt all and every Perſon and Perſons, Bodies Politic and Corporate, claiming any Eſtate, Right, Title, Truſt, Uſe, or Intereſt, in, to, or out of the ſame, either in Poſſeſſion, Remainder, or Expectancy, as well Infants and Iſſue unborn, Lunatics, Idiots, and Femes-covert, and Perſons under any other legal Incapacity or Diſability, and all *Ceſtuique* Truſts, his, her, and their Heirs, Succeſſors, Executors, and Adminiſtrators, as againſt all other Perſons whomſoever; and the ſaid Verdicts, Judgments, and Decrees, and all other Proceedings of the ſaid Juſtices as aforeſaid and Juries, ſo to be made, given, and pronounced, as aforeſaid, ſhall be fairly written or engroſſed, and kept and entered amongſt the Records of the ſaid Quarter Seſſions; and the ſaid Verdicts, Judgments, and Decrees, and all other ſuch Proceedings, ſhall be deemed and taken to be Records to all Intents and Purpoſes whatſoever, and the ſame, or a Copy thereof, atteſted under the Hand of the Clerk of the Peace of the County of *Glouceſter* for the Time being, if the ſame ſhall be heard and determined in the County of *Glouceſter*, or under the Hand of the Town-clerk of the City and County of the City of *Briſtol*, if the ſame ſhall be heard and determined in the ſaid City and County of the City of *Briſtol*, ſhall be deemed and taken to be good and effectual Evidence and Proof

who ſhall cauſe the Matter in Diſpute to be inquired into by a Jury.

Jurors may be challenged,

and Witneſſes examined on Oath.

Verdict of the Jury, &c. to be final;

and to be entered amongſt the Records, &c.

Proof in any Court or Courts of Law or Equity whatſoever; and all Perſons may have Recourſe to the ſame *gratis*, and take Copies thereof, paying for every Copy, not exceeding two hundred Words, the Sum of Sixpence, and ſo proportionably for any greater Number of Words.

In caſe Corporation omit to pay Sums awarded,

XV. Provided always, and be it enacted by the Authority aforeſaid, That if the Maſter, Wardens, and Commonalty, of the Society aforeſaid, ſhall not, upon the Execution of the Conveyances by the neceſſary Party or Parties who ſhall appear to be intereſted in or intitled unto the Premiſes aforeſaid, and upon Tender thereof to the Maſter of the ſaid Society for the Time being, pay or cauſe to be paid all ſuch Sum or Sums of Money, as ſhall be ſo aſſeſſed or awarded for the Purchaſe of the reſpective Eſtates and Intereſts in ſuch Lands or Hereditaments as aforeſaid, to ſuch Perſon or Perſons to whom the ſame ſhall be decreed to be paid, that then the ſame ſhall and may be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of the ſaid Society, by Warrant under the Hand and Seal of any Juſtice of the Peace for the ſaid County of *Glouceſter*, or for the ſaid City and County of the City of *Briſtol*, together with all Coſts and Charges attending the ſame, returning the Overplus (if any) after ſuch Sum or Sums of Money, and all ſuch Coſts and Charges, ſhall be fully paid and ſatisfied.

the ſame may be levied by Diſtreſs, &c.

Expences of a Jury how to be paid.

XVI. Provided always, and be it enacted by the Authority aforeſaid, That if ſuch Jury ſhall adjudge the ſaid Premiſes to be of greater Value than the ſaid Society of Merchants ſhall offer for the ſame, that then the Coſts and Charges of every Sort and Kind attending the obtaining ſuch Aſſeſſment by a Jury ſhall be paid by the ſaid Society of Merchants; and if ſuch Jury ſhall not adjudge the ſaid Premiſes to be of greater Value than the ſaid Society of Merchants ſhall offer for the ſame, that then the ſaid Coſts and Charges ſhall be paid by the Party or Parties refuſing to treat, or to accept the Price offered by the ſaid Society.

On Payment of Purchaſe-money by the Society, Premiſes to be conveyed, &c.

XVII. And it is hereby further enacted and declared, That, upon ſuch Payment by the ſaid Society of Merchants of ſuch Sum or Sums of Money ſo to be aſſeſſed and decreed as aforeſaid, the Perſon or Perſons to whom the ſame ſhall be ſo aſſeſſed and decreed ſhall make and execute, or procure to be made and executed, good, valid, and legal Conveyances and Aſſurances in the Law to the ſaid Maſter, Wardens, and Commonalty, of the Society aforeſaid, their Succeſſors and Aſſigns, or to ſuch Perſon or Perſons as they ſhall nominate or appoint in Truſt for them, of ſuch Ground and Premiſes, and every Part thereof, or of ſuch Eſtate or Intereſt for which ſuch Sum or Sums of Money ſhall be ſo aſſeſſed, and ſhall procure all neceſſary Parties to execute ſuch Conveyances and Aſſurances, and ſhall do all Acts, Matters, and Things, requiſite and neceſſary to make a clear, good, and perfect Title to ſuch Premiſes to the ſaid Maſter, Wardens, and Commonalty, of the Society aforeſaid, their Succeſſors and Aſſigns, or to ſuch Perſon or Perſons as they ſhall appoint as aforeſaid; and ſuch Conveyances and Aſſurances ſhall contain all ſuch reaſonable and uſual Covenants as ſhall, on the Part of the ſaid Maſter, Wardens, and Commonalty of the Society aforeſaid, their Succeſſors and Aſſigns, be required: And in caſe ſuch Perſon or Perſons, to whom any ſuch Sum or Sums ſhall be ſo awarded or due as aforeſaid, ſhall not be able to evidence their Title to the Premiſes to the ſaid Maſter, Wardens, and Commonalty, of the Society aforeſaid, and to make, or procure to be made, good, valid, and legal Conveyances thereof in Manner before mentioned, or ſhall refuſe ſo to do, being thereto required, and ſuch Sum or Sums, ſo aſſeſſed and due as aforeſaid, being produced and tendered to be paid to them on their making ſuch Title, and executing and procuring to be executed ſuch Conveyances or Aſſurances as aforeſaid; or in caſe ſuch Perſon or Perſons, to whom ſuch Sum or Sums of Money ſhall be ſo aſſeſſed or due as aforeſaid, cannot be found, or refuſe to appear at their Dwelling-houſe or laſt known Place of Abode, or if, by reaſon of Diſputes depending in any Court of Law or Equity, or for Defect of Evidence or otherwiſe, it ſhall not appear to the ſaid Juſtices in their Court of Quarter Seſſions, or Adjournment thereof as aforeſaid, what Perſon or Perſons is or are intitled; or if any Mortgagee or Mortgagees ſhall refuſe to take in his, her, or their Mortgage-money due on the Premiſes, after Notice given to him, her, or them, for that Purpoſe, as herein after is provided, then, and in all and every ſuch Caſe and Caſes, it ſhall and may be lawful to and for the ſaid Juſtices, at their Seſſions as aforeſaid, to order the Sum or Sums ſo aſſeſſed as aforeſaid, as the Value or Purchaſe-money for ſuch Ground and Premiſes, or as ſhall be due on ſuch Mortgage, to be paid into the Chamber of the ſaid City of *Briſtol* for the Uſe of the Parties intereſted in the ſaid Premiſes, to be paid to them and every of them according to their reſpective Eſtates and Intereſts in the ſaid Premiſes, as the ſaid Juſtices in their ſaid Seſſions ſhall, by any Order to be made by them, direct; and the Chamberlain of the ſaid City, who ſhall receive ſuch Sum and Sums, is hereby required to give a Receipt or Receipts for ſuch Sum or Sums of Money, mentioning and ſpecifying for what Premiſes and for what Uſe the ſame is or are received, to ſuch Perſon as ſhall pay ſuch Sum or Sums into the ſaid Chamber as aforeſaid; which Receipt or Receipts ſhall be entered on Record, and regiſtered in ſuch Place, and in ſuch Manner, as ſuch Verdicts, Judgments, and other Proceedings as aforeſaid, are herein before required to be kept; and immediately on ſuch Payment and Regiſtry, all the Eſtate, Right, Title, Intereſt, Uſe, Truſt, Property, Claim, and Demand, in Law and Equity, of the Perſon or Perſons reſpectively for whoſe Uſe the ſame was paid in, to, or out of ſuch Ground and Premiſes, ſhall veſt in the ſaid Maſter, Wardens, and Commonalty, of the Society aforeſaid, their Succeſſors and Aſſigns, for the Purpoſes of this Act; and they ſhall be deemed in Law to be in the actual Poſſeſſion thereof, to all Intents and Purpoſes, as fully and effectually as if every Perſon having any Eſtate in the ſaid Premiſes had actually conveyed the ſame by Leaſe and Releaſe, Bargain and Sale inrolled, Feoffment with Livery and Seiſin, Fine and Recovery, or any other legal Conveyance whatſoever; and ſuch Payments ſhall not only bar all Right, Title, Intereſt, Claim, and Demand, of the Perſon or Perſons to whoſe Uſe ſuch Payment was made, but alſo ſhall extend to, and be deemed and conſtrued to bar the Dower and Dowers of the Wife or Wives of ſuch Perſon or Perſons, and all Eſtates Tail, in Reverſion, or Remainder, againſt the Iſſue and Iſſues of ſuch Perſon or Perſons, and every Perſon claiming under them, to all Intents and Purpoſes whatſoever.

If Parties cannot evidence their Title to the Premiſes, &c.

or if Mortgagees refuſe to take in their Mortgage-money.

ſuch Purchaſe-money, or Mortgage, to be paid into the Chamber of the City of Briſtol.

Chamberlain to give Receipts for Sums received,

which ſhall be entered on Record,

and the Premiſes veſted in the Society.

XVIII. Pro-

Purchaſe-money to be placed out at Intereſt, &c.

XVIII. Provided always, That it ſhall and may be lawful to and for the ſaid Juſtices in their ſaid Seſſions, or ſome Adjournment thereof, after ſuch Payment into the ſaid Chamber, and Regiſtry as aforeſaid, on the Application of any Perſon or Perſons intereſted in ſuch Ground or Premiſes, or any Part thereof, or the Monies ſo paid into the ſaid Chamber for the Purchaſe thereof, or in reſpect of any Right or Intereſt therein, to place out and inveſt, or cauſe to be placed out and inveſted, ſuch Sum or Sums of Money, or any Part thereof, in ſome of the public Funds, or on Government Securities, or in the ſaid Chamber of *Briſtol*, at Intereſt, in the Name of any Perſon or Perſons authoriſed and appointed by the ſaid Juſtices for that Purpoſe, in Truſt to transfer and aſſign the ſame to ſuch Perſon or Perſons to whom the Money ſo paid ſhall belong, on their executing proper Conveyances as aforeſaid; and in the mean time in Truſt to pay the Intereſt and Dividends ariſing therefrom to ſuch Perſon or Perſons who ſhall be from Time to Time intitled to receive the ſame.

Meſne Profits recoverable, &c.

XIX. Provided alſo, and it is hereby enacted, That all and every Perſon and Perſons who would be intitled to recover the meſne Profits of the Premiſes againſt the Perſon or Perſons in Poſſeſſion, in caſe the ſame had not been ſo conveyed as aforeſaid, ſhall be intitled to recover the Sum or Sums to ariſe from ſuch Intereſt and Dividends as aforeſaid, by Action of Debt againſt the Perſon or Perſons who ſhall receive the ſame; and the ſaid Juſtices, in their ſaid Seſſions, or at ſome Adjournment thereof, are hereby impowered and authoriſed to make ſuch Order as aforeſaid on the Chamberlain of the ſaid City, for the Payment of ſuch Sum or Sums of Money, or any Part thereof, as ſhall be neceſſary, in order to their being inveſted in the Funds or Government Securities, or in the ſaid Chamber of *Briſtol*; and the ſaid Maſter, Wardens, and Commonalty, of the Society of Merchant Venturers of the City of *Briſtol*, their Succeſſors and Aſſigns, ſhall be quieted in the Poſſeſſion of the Ground and Premiſes for which ſuch Monies ſhall be ſo paid as aforeſaid, and ſhall not be anſwerable or accountable, in any Court of Law or Equity, for the Money to be ſo depoſited and placed out as aforeſaid, any otherwiſe than according to the Tenor, Purport, and true Meaning of this Act.

Mortgagees, on Payment or Tender of Mortgage-money, to convey the Premiſes, &c.

XX. And be it further enacted by the Authority aforeſaid, That every Mortgagee or Mortgagees of any Land which ſhall be purchaſed in purſuance of this Act, his, her, or their Heirs, Executors, Adminiſtrators, and Aſſigns reſpectively, on having ſix Months Notice in Writing given to him, her, or them, from the ſaid Maſter, Wardens, and Commonalty, of the Society aforeſaid, or any Perſon authoriſed by them, that they will pay off and diſcharge the Principal and Intereſt Money which, at the Expiration of the ſaid ſix Months, ſhall be due on ſuch Mortgage, ſhall, at the End of the ſaid ſix Months, after every ſuch Notice of Payment, or Tender, of the Principal and Intereſt Money which ſhall be then due, convey and aſſign his, her, and their reſpective Eſtates and Intereſts, in and to the ſaid mortgaged Premiſes, to ſuch Perſon or Perſons as they, the ſaid Maſter, Wardens, and Commonalty, of the Society aforeſaid, ſhall nominate or appoint, in Truſt for the ſaid Maſter, Wardens, and Commonalty, of the Society aforeſaid, their Succeſſors and Aſſigns, to the Uſes and Purpoſes of this Act; and if any ſuch Mortgagee or Mortgagees, his, her, or their Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall refuſe ſo to do, then all Intereſt on every ſuch Mortgage, from the Expiration of the ſaid ſix Months after any ſuch Notice given as aforeſaid, ſhall ceaſe and determine.

Money payable to Bodies Corporate, &c. to be inveſted in Purchaſe of other Eſtates.

XXI. And it is hereby further enacted, That the principal Money to ariſe from the Sale of any Lands or Hereditaments which ſhall be purchaſed, for the Purpoſes intended by this Act, of any Body Corporate or Eccleſiaſtical, Corporation Aggregate or Sole, Feoffees in Truſt, Guardians, Committees, or other Truſtees, or from any Feme-covert or Infant, ſhall be paid to ſuch Perſons as they ſhall reſpectively nominate to receive the ſame in Truſt, with all convenient Speed to be re-inveſted in the Purchaſe of other Meſſuages, Lands, Tenements, and Hereditaments; which Meſſuages, Lands, Tenements, and Hereditaments, ſhall be conveyed and ſettled to and upon and ſubject to the like Uſes, Truſts, Limitations, Remainders, and Contingencies, as the Lands and Hereditaments which ſhall be purchaſed from them reſpectively by the ſaid Maſter, Wardens, and Commonalty, of the Society aforeſaid, were reſpectively ſettled, limited, or aſſured, at the Time of ſuch the purchaſing of the ſame, or ſo many thereof as, at the Time of making ſuch Conveyances and Settlements, ſhall be exiſting and capable of taking Effect.

Contracts or Agreements already made, not invalidated by this Act.

XXII. Provided always, and it is hereby enacted and declared, That nothing herein contained ſhall invalidate or make void, or tend to invalidate or make void, any Contract or Agreement already made between any Perſon or Perſons whomſoever touching or concerning the Sale of any Land, or Parts or Shares of Land, in or heretofore Part of *Rownham's Meads* aforeſaid, for the Purpoſes of this Act, or which may tend to the facilitating the Operation thereof, or which will be convenient to be purchaſed by the ſaid Society; but that all and every ſuch Contract or Agreement ſhall ſtand in and have the ſame Force as if this Act had not been made; and the Party or Parties who are or ſhall be bound thereby, or are or ſhall be willing to carry the ſame into Execution, are and ſhall be hereby enabled ſo to do.

Commiſſioners appointed.

XXIII. And be it further enacted by the Authority aforeſaid, That the Perſons herein after mentioned ſhall be Commiſſioners for the Purpoſes in this Act mentioned; (that is to ſay) *Morgan Smith* Eſquire, *Thomas Tyndall* Eſquire, *Robert Jackſon* Eſquire, *William Miles* Eſquire, *Samuel Farr* Doctor in Phyſic, *John Merlot* Eſquire, *John Freeman* the younger Eſquire, *Henry Durbin* Eſquire, *John Durbin* the younger Eſquire, Mr. *Henry Farr Yeatman*, the Reverend Doctor *John Caſberd*, and the Reverend Doctor *Stonhouſe*.

Part of the Pariſh of Clifton exempted from the judicial Juriſdiction of Glouceſterſhire, and made Part of Briſtol.

'XXIV. And whereas the Buſineſs which will be carried on at the ſaid Floating-dock and new-intended 'Quay, and at the ſeveral Docks, Yards, and other Places, near or adjoining thereto, and herein after 'mentioned and deſcribed, in the ſaid Pariſh of *Clifton*, will be chiefly tranſacted by or between Perſons 'engaged in the Trade of the ſaid Port of *Briſtol*;' be it therefore enacted and declared by the Authority aforeſaid, That, from and after the twenty-ninth Day of *September*, one thouſand ſeven hundred and ſeventy-

ſeventy-ſix, all that Part of the Pariſh of *Cliſton* aforeſaid, which lies between the Bound-ſtone of the City of *Briſtol* on the Eaſt Part of a little Brook anciently called *Woodwell lake*, but now a Sluice carried under Ground near a Place where a Limekiln ſtood, and where is now a Dock commonly called *Limekiln-dock*, and a certain Ferry commonly called *Rownham Paſſage*, and between the River *Avon* and the Road which leads from the ſaid Bound-ſtone to the ſaid Ferry called *Rownham Paſſage*, ſhall be, to all Intents and Purpoſes whatſoever, except as herein after mentioned, wholly exempted and ſeparated from the County of *Glouceſter*, and from all Juriſdiction, Power, and Authority, of Sheriffs, Eſcheators, Coroners, Juſtices, and other the Officers and Miniſters of the King's moſt Excellent Majeſty, his Heirs and Succeſſors whatſoever, of the ſaid County of *Glouceſter* for ever; and may and ſhall be taken and accepted as Member, Part, and Parcel, of the aforeſaid City of *Briſtol* and County of the ſame City, and within the Juriſdiction, Power, and Authority, of the Mayor, Sheriffs, Coroners, Eſcheators, Juſtices, and other the Officers and Miniſters of the King's moſt Excellent Majeſty, his Heirs and Succeſſors, of the ſaid City and County of the ſame for ever, as fully and amply as if the ſame had been Part and Parcel of the ſaid County and City before and at the Time of granting the ſeveral Charters under which the Mayor, Burgeſſes, and Commonalty of the City of *Briſtol* do now hold and exerciſe Criminal and Civil Juriſdiction within the ſaid City, and the Suburbs, Liberties, and Precincts thereof, or as if the ſeveral Powers and Authorities thereby given were herein repeated and applied to the ſaid Diſtrict hereby united to and made a Part of the ſaid City; and that all and every the Powers and Authorities, given and granted to the Mayor, Aldermen, and Common Council, for the City and County of the City of *Briſtol*, in and by an Act of Parliament, paſſed in the firſt Year of the Reign of the late King *William* and Queen *Mary*, intituled, *An Act for certain Courts of Conſcience in the Cities of* Briſtol *and* Glouceſter, *and the Liberties thereof*, ſhall be and are hereby extended to that Part of the ſaid Pariſh of *Cliſton* which lies between the Limits herein before deſcribed, and ſo as aforeſaid united to and made a Part of the City of *Briſtol* and County of the ſame City, and exempted and ſeparated from the County of *Glouceſter*.

This Act not to make any Alteration in relation to Taxes, &c. in Clifton.

XXV. Provided always, That nothing herein contained ſhall extend, or be conſtrued to extend, to the making any Alteration within the Diſtrict ſo exempted and ſeparated from the County of *Glouceſter*, and added to the City of *Briſtol*, touching any Tax, Rate, Levy, or Aſſeſſment whatſoever, now or hereafter to be raiſed in the ſaid Pariſh of *Clifton*, or to the charging the ſaid Diſtrict with any Tax, Rate, Levy, or Aſſeſſment, uſually raiſed within the ſaid City of *Briſtol* and County of the ſame City, or touching any Matter relative to any eccleſiaſtical, parochial, or manerial Juriſdiction or Right, or to the taking away the Right of any Perſon or Perſons whomſoever, having, or hereafter to have, any Freehold within the Diſtrict aforeſaid, to vote for the Election of any Knight of the Shire for the ſaid County of *Glouceſter*, or of any Coroner or other Officer whatſoever, but that all the ſame Rights, Matters, and Things ſhall be, remain, and continue, as if this Act had not been made.

Mayor and Juſtices may ſettle the Rates of Porterage, &c.

XXVI. And be it further enacted by the Authority aforeſaid, That the ſaid Mayor and Juſtices of the ſaid City of *Briſtol*, in their Court of Quarter Seſſions aſſembled, ſhall have Power to order and ſettle the Rates to be paid and payable for Porterage, and alſo for the Hallage or Lighterage of all Kinds of Goods and Merchandiſe which ſhall be carried or conveyed to and from the ſaid City of *Briſtol* to and from the ſaid ſeveral Docks and Places herein before particularly deſcribed in the ſaid Pariſh of *Clifton*, and alſo to and from any Place or Places within the ſaid City of *Briſtol*; and if any Perſon or Perſons ſhall take or demand more than the Rates ſo to be ſettled, he, ſhe, or they ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Shillings.

All Veſſels kept for carrying Goods for Hire, in the Port of Briſtol, to be regiſtered.

'XXVII. And whereas it would be a great Benefit to the Trade and Commerce of the ſaid Port of '*Briſtol*, if the Lighters, Boats, and other Veſſels carrying Goods for Hire within the ſaid Port, were put 'under proper Regulations;' be it therefore further enacted by the Authority aforeſaid, That, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and ſeventy-ſix, all and every Perſon and Perſons who ſhall keep or uſe, for carrying of Goods for Hire, any Lighter, Boat, or other Veſſel, within the ſaid Port of *Briſtol*, ſhall cauſe the ſame to be regiſtered by the Quay-warden for the Time being of the ſaid Port of *Briſtol*, in a Regiſter to be by him kept for that Purpoſe; in which Regiſter the ſaid Quay-warden ſhall enter, in numerical Progreſſion, the Name of the Owner or Owners of every ſuch Lighter, Boat, or other Veſſel, together with the Tonnage thereof; to which Regiſter all Perſons, who may be intereſted in any Queſtion touching the ſame, ſhall have Recourſe at all ſeaſonable Times without Fee or Reward: And all and every Perſon and Perſons who ſhall keep or uſe, for the carrying of Goods for Hire, any Lighter, Boat, or other Veſſel, within the ſaid Port of *Briſtol*, ſhall produce ſuch Lighter, Boat, or other Veſſel, to ſuch Quay-warden, at or as near as may be to a certain Slip commonly called *The Gibb-ſlip*, within the ſaid Port, and ſhall at the ſame Time cauſe the Tonnage of the ſaid Lighter, Boat, or other Veſſel, when properly filled or loaded, to be aſcertained to the Satisfaction of the ſaid Quay-warden, and ſo in like Manner when ſuch Lighter, Boat, or other Veſſel, ſhall be three-fourths filled or loaded, and ſo in like Manner when ſuch Lighter, Boat, or other Veſſel, ſhall be half filled or loaded; and ſhall alſo cauſe his Name, and the Number in the Regiſter, and the Tonnage of ſuch Lighter, Boat, or other Veſſel, in the different Degrees before-mentioned, to be marked in a legible Manner at the Head and Stern of ſuch Lighter, Boat, or other Veſſel, in large plain Letters and Figures, painted or made with White-lead and Oil upon a black Ground, to the Satisfaction of the ſaid Quay-warden, and ſhall at all Times afterwards preſerve and keep clean and legible the ſame Name, Number, and Tonnage, ſo marked as aforeſaid; and the Owner of every ſuch Lighter, Boat, or other Veſſel, ſhall be paid for the Uſe of the ſame according to the Tonnage ſo to be aſcertained as aforeſaid; and the Owner of every ſuch Lighter, Boat, or other Veſſel, ſhall pay to the ſaid Quay-warden, as a Fee for his Trouble in ſeeing ſuch Lighter, Boat, or other Veſſel, ſo weighed and marked, and for regiſtering the ſame, the Sum of Five Shillings, and no more; and ſuch Quay-warden ſhall attend within the uſual Cuſtom-houſe Hours of Buſineſs to ſee every ſuch Lighter, Boat, or other Veſſel, weighed, marked, and regiſtered as aforeſaid, upon twenty-four

Other Regulations relating to ſuch Veſſels.

four Hours Notice given to him for that Purpoſe, upon Pain of forfeiting, to the Owner of ſuch Lighter, Boat, or other Veſſel, the Sum of fifty Shillings for every Time he ſhall neglect to do his Duty according to the Intent of this Act, unleſs ſuch Quay-warden ſhall be prevented from attending upon account of Sickneſs, or ſome other Cauſe which ſhall be deemed reaſonable by the Mayor, or one of his Majeſty's Juſtices of the Peace for the ſaid City and County of the City of *Briſtol*, upon Complaint to be made by ſuch Owner of ſuch Lighter, Boat, or other Veſſel.

Quay-warden to examine all ſuch Veſſels, &c. yearly;

XXVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Quay-warden for the Time being ſhall yearly, and every Year, on the twenty-fourth Day of *June*, or within ſeven Days then next following, within the uſual Cuſtom-houſe Hours of Buſineſs, review and examine all the ſaid Lighters, Boats, and other Veſſels, at or near the ſaid *Gibb-ſlip*, and ſee that the Name, Number, and Tonnage marked thereon are plain and legible, and whether any Frauds have been committed by Alterations made therein, or otherwiſe; and ſuch Quay-warden ſhall affix, or cauſe to be affixed, on ſome conſpicuous Place near the ſaid *Gibb-ſlip*, three Days Notice of the Time or Times when he will attend to make ſuch Review: And in caſe he ſhall find that any Fraud hath been committed, or Alteration made in the Name, Number, or Tonnage, marked on ſuch Lighter, Boat, or other Veſſel, or any Cauſe of Complaint, he ſhall make a Preſentment thereof to the Truſtees for the Time being in the ſaid Port of *Briſtol* appointed in and by an Act of Parliament, paſſed in the twentieth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the Relief and Support of maimed and diſabled Seamen, and the Widows and Children of ſuch as ſhall be killed, ſlain, or drowned, in the Merchants Service*; in order that the Offenders may be dealt with according to Law; and in caſe the Owner of any ſuch Lighter, Boat, or other Veſſel as aforeſaid, ſhall neglect or refuſe to produce his Lighter, Boat, or other Veſſel, to be reviewed and examined as aforeſaid, Notice of the Time of ſuch Review being given as aforeſaid, and ſhall afterwards uſe ſuch Lighter, Boat, or other Veſſel, before it ſhall have been reviewed and examined by ſuch Quay-warden, every ſuch Owner ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Shillings for every Tide he ſhall ſo make uſe of ſuch Lighter, Boat, or other Veſſel; and the ſaid Quay-warden ſhall from Time to Time be paid for his Trouble, in taking and making ſuch Review and Examination, by the Owner or Owners of ſuch Lighter, Boat, or other Veſſel, the Sum of Sixpence for every ſuch Lighter, Boat, or other Veſſel, ſo reviewed and examined.

and if he ſhall diſcover any Fraud, to preſent the ſame, &c.

Penalty on Quay-warden for Neglect of Duty, &c.

XXIX. And be it further enacted by the Authority aforeſaid, That if the Quay-warden for the Time being ſhall neglect or refuſe to attend to ſee the Tonnage of ſuch Lighter, Boat, or other Veſſel aſcertained, and ſuch Lighter, Boat, or other Veſſel marked, as aforeſaid, he ſhall forfeit and pay, to the Owner of ſuch Lighter, Boat, or other Veſſel, for every ſuch Offence, the Sum of ten Shillings for every Tide which ſhall elapſe before he ſhall attend and perform his Duty as aforeſaid; and in caſe the Name, Number, or Tonnage, which ſhall be ſo as aforeſaid marked on any Lighter, Boat, or other Veſſel, ſhall be wilfully obliterated or altered, or the Tonnage of ſuch Lighter, Boat, or other Veſſel, wilfully leſſened; that then, and in any of the Caſes aforeſaid, the Owner or Owners of ſuch Lighter, Boat, or other Veſſel, ſhall forfeit and pay the Sum of ten Pounds for every ſuch Offence.

Offences againſt this Act to be determined by Juſtices, &c. Penalties and Forfeitures how to be recovered and applied.

XXX. And be it hereby enacted by the Authority aforeſaid, That all Offences againſt this Act, not hereby otherwiſe directed to be heard and determined, ſhall and may be heard and determined by his Majeſty's Juſtices of the Peace for the ſaid City and County of the City of *Briſtol* in their Court of Quarter-ſeſſions, and that their Determination ſhall be final; and that all Penalties and Forfeitures for Offences againſt this Act, and the Expences of recovering the ſame, ſhall and may be recovered by Diſtreſs and Sale of the Offender's Goods, to be made by virtue of a Warrant under the Hand and Seal of any one of his Majeſty's Juſtices of the Peace for the ſaid City and County of the City of *Briſtol*, rendering to the Party the Overplus, if any; and all ſuch Penalties and Forfeitures, when recovered, (if not otherwiſe directed to be applied and diſpoſed of by this Act) ſhall be paid to the Treaſurer for the Time being to the Truſtees for the ſaid Port of *Briſtol* appointed to put in Execution the ſaid Act, paſſed in the twentieth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the Relief and Support of maimed and diſabled Seamen, and the Widows and Children of ſuch as ſhall be killed, ſlain, or drowned, in the Merchants Service*; and ſhall be applied to and for the Purpoſes of the ſaid Act within the ſaid Port of *Briſtol*, at the Diſcretion of the ſaid Truſtees.

Regulations for unloading, &c. of Veſſels in the Floating-dock.

'XXXI. And whereas the ſaid Society do now receive, from the Owners of Ships and Veſſels lying 'within the ſaid Floating-dock, the ſeveral Rates herein after mentioned; that is to ſay, For every Ship or 'Veſſel of the Burthen of three hundred Tons or upwards, nine Shillings a Week; for every Ship or 'Veſſel of the Burthen of two hundred Tons or upwards, and under three hundred Tons, ſeven Shillings 'a Week; for every Ship or Veſſel of the Burthen of one hundred and fifty Tons or upwards, and under 'two hundred Tons, ſix Shillings a Week; and for every Ship or Veſſel under the Burthen of one hun'dred and fifty Tons, five Shillings a Week: And whereas it is proper that empty Ships and Veſſels in 'the ſaid Floating-dock ſhould give way to Ships and Veſſels coming into the ſaid Dock to unload, and 'that Ships and Veſſels coming into the ſaid Dock to unload ſhould, upon Payment of the Rates before 'mentioned, have the preference of continuing therein before Ships or Veſſels which do not come to un'load at the ſaid new-intended Quay;' be it therefore enacted by the Authority aforeſaid, That all empty Ships or Veſſels, which ſhall at any Time be in ſuch Floating-dock, ſhall make room and give way to a Veſſel coming into the ſaid Dock to unlade a Cargo, or any Part thereof; and that all ſuch Ships and Veſſels, as have not brought in a Cargo or Part of a Cargo to be unladen at the ſaid Quay, ſhall make room and give way to any Veſſel which ſhall have brought in a Cargo or Part of a Cargo to be unladen there, if the Owner, Maſter, or Commander, of ſuch laſt mentioned Ship or Veſſel ſhall be deſirous of continuing her therein; and if at any Time there ſhall not be ſufficient Room for all ſuch Veſſels, as ſhall have brought in a Cargo or Part of a Cargo to be unladen, to continue in the ſaid Floating-dock, ſuch empty Veſſel as ſhall have been there longeſt ſhall leave the ſaid Dock, in order to make Room for ſuch

ſuch other Veſſel as ſhall, according to the Rule hereby eſtabliſhed, be intitled to the Preference of continuing in the ſaid Dock: And if any Owner, Maſter, Commander, or Perſon having the Charge or Care of any ſuch Ship or Veſſel lying in the ſaid Floating-dock, ſhall act contrary to the Rules and Orders hereby eſtabliſhed, he ſhall, for every ſuch Offence, forfeit the Sum of fifty Pounds. Penalty for acting contrary thereto.

XXXII. Provided always, That no Ship or Veſſel, which by this Act ſhall be obliged to be unladen at the ſaid Quay, ſhall pay any Fee or Reward for opening the Gates in order to paſs in or out of the ſaid Dock. Proviſo.

XXXIII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced, or any Complaint made againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be brought or commenced, and Complaint made, within three Months next after the Fact committed, and not afterwards; and every ſuch Action or Suit ſhall be laid and brought in the City and County of the City of *Briſtol*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance of, and by the Authority of this Act: And if the ſame ſhall appear to be ſo done, or that ſuch Action or Suit ſhall be brought or commenced in any other County or Place than as aforeſaid, that then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his or their Action or Suit after the Defendant or Defendants ſhall have appeared, or if upon Demurrer Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may recover Treble Coſts, and have ſuch Remedy for the ſame as any Defendant or Defendants hath or have in other Caſes by Law. Limitation of Actions. General Iſſue. Treble Coſts.

XXXIV. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame. Public Act.

The SCHEDULE referred to by this Act.

'FOR houſing Tar, a Farthing *per* Barrel *per* Week, and ſo in Proportion:
'For houſing Pitch, Half the Price for houſing Tar:
'For turning Pitch and Tar in, a Halfpenny *per* Barrel, and the ſame Rate for turning out:
'For houſing Roſin or Turpentine, Two-pence *per* Ton groſs *per* Week, and ſo in Proportion:
'For turning in Roſin or Turpentine, Four-pence *per* Ton groſs, and the like Rate for turning out, and 'ſo in Proportion:
'For every Hundred ſquare Feet of Ground (and ſo in Proportion for a leſs Quantity) which ſhall be occupied by any Kind of Plank not exceeding two Inches and a Half thick, Boards, or Staves, or any 'other Articles which ſhall be piled, Nine-pence *per* Week, and ſo in Proportion; and that over and 'above the Expence of piling, which is to be paid for by the Proprietor of ſuch Goods:
'All Kind of *American* Deals of irregular Lengths to pay Three-fourths of the above Rate:
'For every hundred ſquare Feet of Ground (and ſo in Proportion for a leſs Quantity) which ſhall be occupied by Balks, Maſts, Spars, and all Kinds of Timber, or by Plank of the Thickneſs of three 'Inches or upwards, and of the Length of twenty-five Feet or upwards, Sixpence *per* Week, and ſo in 'Proportion; and that over and above the Expence of placing away, which is to be paid for by the 'Proprietors of ſuch Goods.

CAP. XXXIV.

An Act for granting to his Majeſty ſeveral Duties on Coaches, and other Carriages therein mentioned; and ſeveral Rates and Duties upon Indentures, Leaſes, Bonds, and other Deeds; and upon Cards, Dice, and Newſpapers; and for raiſing the Sum of Two Millions by Annuities, and a Lottery to be attended with Annuities.

Moſt Gracious Sovereign,

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, being deſirous to raiſe the neceſſary Supplies, which we have granted to your Majeſty in this Seſſion of Parliament, in the moſt ſafe, eaſy, and expeditious Manner we are able, have 'voluntarily reſolved to give and grant unto your Majeſty the ſeveral and reſpective Rates and Duties 'herein after expreſſed;' and to that End and Purpoſe do moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an additional Rate or Duty of Twenty Shillings *per Annum* be raiſed, levied, collected, and paid, for and upon every Coach, Berlin, Landau, Chariot, Calaſh with four Wheels, Chaiſe-marine, Chaiſe with four Wheels, and Caravan, or by what Name ſoever ſuch Carriages now are, or hereafter may be called or known, kept by or for any Perſon for his or her own Uſe, or to be let out to Hire (other than and except ſuch Coaches and other Carriages as now are, or hereafter may be, licenſed by the Commiſſioners for the Duties ariſing by Hackney Coaches); which ſaid yearly additional Duty of twenty Shillings ſhall from Time to Time be paid down by the Perſon or Perſons keeping the ſame, in like Manner, and at the ſame Time, and be raiſed, levied, collected, and paid, by the ſame Means and Methods, and under the like Rules, Regulations, Directions, and Penalties, as the annual Duty of four Pounds, given and granted by an Act of Parliament, made in the twentieth Year of the Preamble. An additional Duty of 20s. per Ann. laid on all Coaches, Berlins, &c. except Hackney Coaches.

Reign of his late Majeſty King *George* the Second, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Coaches, and other Carriages therein mentioned; and for raiſing the Sum of one million, by way of Lottery, to be charged upon the ſaid Rates and Duties*; is directed to be raiſed, levied, collected, and paid.

After July 5, 1776, Stage-coaches to pay a Duty of 5 l. per Ann. each.

II. And be it further enacted by the Authority aforeſaid, That, from and after the fifth Day of *July* one thouſand ſeven hundred and ſeventy-ſix, there ſhall be raiſed, levied, collected, and paid, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, for and upon every Coach, Berlin, Landau, Chariot, Calaſh with four Wheels, Chaiſe-marine, Chaiſe with four Wheels, and Caravan, or by what Name ſoever ſuch Carriages now are, or hereafter may be, called or known, that ſhall be kept by or for any Perſon or Perſons as Public Stage-coaches, employed in carrying Paſſengers for Hire to and from different Places within this Kingdom, (other than and except ſuch Coaches and other Carriages as now are, or hereafter may be, licenſed by the Commiſſioners for the Duties ariſing by Hackney Coaches) the yearly Sum of five Pounds for every ſuch Coach, Berlin, Landau, Chariot, Calaſh with four Wheels, Chaiſe-marine, Chaiſe with four Wheels, and Caravan, or by what Name ſoever ſuch Carriages now are, or hereafter may be, called or known, ſo to be kept and employed as aforeſaid; which ſaid Duty ſhall be paid by the Perſon or Perſons who keep the ſame.

Notice to be given, and Payment made, agreeable to Act 20 Geo. II.

III. And be it further enacted by the Authority aforeſaid, That the Perſon or Perſons keeping any ſuch Carriage or Carriages, ſo to be employed as Stage-coaches as aforeſaid, ſhall, from Time to Time, give like Notices, and make Entry and Payment in like Manner, and under the like Rules, Regulations, Means, and Methods, Directions and Penalties, as Perſons keeping Coaches and other Carriages for their own Uſe, or to let out to Hire, are, by the above recited Act, directed to do; any Law, Statute, Cuſtom, or Uſage, to the contrary notwithſtanding.

A Clauſe in ſaid Act, exempting Perſons from paying for more than 5 Carriages, repealed.

'IV. And whereas, by the ſaid recited Act, it was provided, That no Perſon ſhould be obliged to pay 'the yearly Sum of four Pounds for more than five ſuch Carriages, on which the Duty of four Pounds a 'Year was thereby charged, to be kept by or for him or her, for his or for her Uſe only;' be it further enacted and declared by the Authority aforeſaid, That, from and after the paſſing of this Act, the ſaid Proviſo, ſo far as relates to the exempting ſuch Carriages, being more than five in Number, be, and the ſame is hereby repealed and made null and void.

After July 5, 1776, an additional Stamp-duty of 1 s. laid on all Indentures, Bonds, &c. heretofore liable to a Shilling Stamp.

V. And be it further enacted by the Authority aforeſaid, That, from and after the fifth Day of *July* one thouſand ſeven hundred and ſeventy-ſix, there ſhall be raiſed, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, the Rate and Duty following; (that is to ſay) For every Skin, or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which ſhall be ingroſſed, written, or printed, in *Great Britain*, any Indenture, Leaſe, Bond, or other Deed, for which a Stamp-duty of one Shilling is payable, by virtue of an Act, made in the thirtieth Year of the Reign of his late Majeſty King *George* the Second, over and above all other Rates and Duties by the ſaid Act, or by any other Act of Parliament impoſed, an additional Stamp-duty of one Shilling.

After June 1, 1776, an additional Duty of 6 d. laid on every Pack of playing Cards, and 2 s. 6 d. on every Pair of Dice, made for Sale.

VI. And be it further enacted by the Authority aforeſaid, That, from and after the firſt Day of *June*, one thouſand ſeven hundred and ſeventy-ſix, there ſhall be raiſed, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, the Rates and Duties following; (that is to ſay) For every Pack of playing Cards, made fit for Sale or Uſe, in *Great Britain*, the Sum of Sixpence, over and above the Duties now payable thereon; and for and upon every Pair of Dice, made fit for Sale or Uſe, in *Great Britain*, the Sum of two Shillings and Sixpence, over and above the Duties now payable thereon; ſuch reſpective Duties to be paid by the Makers of ſuch Cards and Dice reſpectively.

After July 5, 1776, an additional Duty of one Halfpenny laid on every Sheet or Half Sheet of Newſpaper.

VII. And be it further enacted by the Authority aforeſaid, That, from and after the fifth Day of *July* one thouſand ſeven hundred and ſeventy-ſix, there ſhall be raiſed, levied, collected, and paid, throughout the Kingdom of *Great Britain*, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, the Rate and Duty following; (that is to ſay) For and upon every Newſpaper, or Paper containing public News, Intelligence, or Occurrences, printed in *Great Britain*, to be diſperſed and made public, whether the ſame be contained in Half a Sheet or any leſs Piece of Paper, or in any Paper larger than Half a Sheet, and not exceeding one whole Sheet; upon every Sheet, and Half Sheet thereof, over and above all other Rates and Duties by any Act of Parliament impoſed, an additional Duty of one Halfpenny.

The ſaid Duties to be under the Management of the Commiſſioners of Stamp-duties.

VIII. And be it further enacted by the Authority aforeſaid, That for the better and more effectual levying, collecting, and paying, all the ſaid additional and new Duties herein before granted, the ſame ſhall be under the Government, Care, and Management, of the Commiſſioners for the Time being appointed to manage the Duties charged on ſtamped Vellum, Parchment, and Paper, who, or the major Part of them, are hereby required and impowered to employ the neceſſary Officers under them for that Purpoſe, and to cauſe ſuch new Stamps to be provided, to denote the ſaid ſeveral additional Duties, as ſhall be requiſite in that Behalf; and to do all other Things neceſſary to be done for putting this Act in Execution, with relation to the ſaid ſeveral Rates and Duties herein before granted, in the like, and in as full and ample a Manner as they, or the major Part of them, are authoriſed to put in Execution any former Law, concerning ſtamped Vellum, Parchment, or Paper.

Commiſſioners may provide a new Stamp, to denote all the ſeveral Duties.

IX. Provided always, and be it further enacted by the Authority aforeſaid, That, to prevent the Multiplication of Stamps upon ſuch Pieces of Vellum or Parchment, or Sheets or Pieces of Paper, on which ſeveral Duties are, by ſeveral Acts of Parliament, impoſed, it ſhall and may be lawful for the ſaid Commiſſioners, inſtead of the diſtinct Stamps directed to be provided to denote the ſeveral Duties on the Vellum, Parchment, or Paper, charged therewith, to cauſe one new Stamp to be provided, to denote the ſaid ſeveral Duties, and the Duty granted by this Act, on every Piece of Vellum or Parchment, or Sheet or Piece of Paper, charged with the ſaid ſeveral Duties.

X. And

X. And be it further enacted by the Authority aforeſaid, That all Vellum, Parchment, and Paper, liable to the Duty of one Shilling hereby charged, ſhall, from and after the fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſix, before the ſame ſhall be ingroſſed, written, or printed upon, be brought to the Head Office for ſtamping or marking Vellum, Parchment, and Paper; and the ſaid Commiſſioners, by themſelves, or by their Officers employed under them, ſhall forthwith upon Demand to them made by any Perſon or Perſons, from Time to Time, ſtamp or mark, as this Act directs, any Quantities or Parcels of Vellum, Parchment or Paper, as ſhall be ſo brought to them for that Purpoſe, the Perſons ſo bringing the ſame, paying to the Receiver-general of the Stamp-duties for the Time being, or his Deputy or Clerk, the ſeveral Duties payable for the ſame by virtue of this Act; which Stamp or Mark, to be put thereupon in purſuance of this Act, ſhall be a ſufficient Diſcharge for the Duty hereby payable for the Vellum, Parchment, or Paper, ſo ſtamped or marked.

After July 5. 1776, all Vellum, &c. liable to the new Duty, to be carried to the Stamp-office, &c. before it is printed or wrote on.

XI. And be it further enacted by the Authority aforeſaid, That the ſeveral Duties herein before granted ſhall be paid from Time to Time, into the Hands of the Receiver-general for the Time being of the Duties on ſtamped Vellum, Parchment, and Paper, who ſhall keep a ſeparate and diſtinct Account of the ſeveral Rates and Duties, and pay the ſame (the neceſſary Charges of raiſing, paying, and accounting for the ſame, being deducted) into the Receipt of the *Exchequer*, for the Purpoſe herein after expreſſed, at ſuch Time, and in ſuch Manner, as any former Duties on ſtamped Vellum, Parchment, or Paper, are directed to be paid.

To whom the Duties are to be paid.

XII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners for the Time being ſhall take care that the ſeveral Parts of the Kingdom of *Great Britain* ſhall, from Time to Time, be ſufficiently furniſhed with Vellum, Parchment, and Paper, ſtamped and marked as by this Act is directed; to the End that the Subjects of his Majeſty, his Heirs and Succeſſors, may have it in their Election either to buy the ſame of the Officers and Perſons to be employed by the ſaid Commiſſioners, at the uſual and moſt common Rates above the ſaid Duties, or to bring their own Vellum, Parchment, or Paper, to be ſtamped and marked as aforeſaid.

Commiſſioners to furniſh the ſeveral Parts of the Kingdom with ſtamped Vellum, Parchment, &c.

XIII. And be it further enacted by the Authority aforeſaid, That the Price of ſuch ſtamped Vellum, Parchment, or Paper, ſhall be yearly ſet, and ſuch Price marked, and ſuch Allowance made, on preſent Payment of the ſaid Duties for any Quantity of the ſaid Vellum, Parchment, or Paper, ſo to be ſold, in ſuch Manner as by any former Law relating to ſtamped Vellum, Parchment, or Paper is directed.

The Price whereof to be ſettled yearly, &c.

XIV. And be it further enacted by the Authority aforeſaid, That ſuch Stamps as the ſaid Commiſſioners are hereby directed and authoriſed to provide and uſe, ſhall and may be altered and renewed, in ſuch Manner as any other Stamps on Vellum, Parchment, or Paper, are by any former Law, relating to ſtamped Vellum, Parchment, or Paper, directed to be altered and renewed; and that all Perſons who ſhall have in their Cuſtody or Poſſeſſion, any Vellum, Parchment, or Paper, marked with the Stamp or Mark which ſhall be ſo altered or renewed, or on which, being already ſtamped with a Stamp denoting any former Duty, a new Stamp is hereby directed to be impreſſed, ſhall have the like Remedy and Allowance as by any former Law relating to ſtamped Vellum, Parchment, or Paper, is in like Caſes directed.

Stamps may be altered and renewed, &c.

XV. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall counterfeit or forge, or procure to be counterfeited and forged, any Seal, Stamp, or Mark, to reſemble any Seal, Stamp, or Mark, directed or allowed to be uſed by this or any other Act of Parliament, for the Purpoſe of denoting the Duties by this or any other Act of Parliament granted; or ſhall counterfeit or reſemble the Impreſſion of the ſame, with an Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties; or ſhall utter, vend, or ſell, any Vellum, Parchment, or Paper, or any Cards, Dice, or Newſpapers, liable to any Stamp-duty, with ſuch counterfeit Stamp or Mark, knowing the ſame to be counterfeit; or ſhall privately and fraudulently uſe any Seal, Stamp, or Mark, directed or allowed to be uſed by this or any other Act of Parliament relating to the Stamp-duties, with Intent to defraud his Majeſty, his Heirs and Succeſſors, of any of the ſaid Duties; every Perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged a Felon, and ſhall ſuffer Death, as in Caſes of Felony, without Benefit of Clergy.

Any Perſon counterfeiting a Stamp, &c. or ſelling Parchment, Cards, &c. marked therewith, ſhall ſuffer Death as a Felon.

XVI. And be it further enacted by the Authority aforeſaid, That all Powers, Proviſions, Articles, Clauſes, Diſtribution of Penalties and Forfeitures, and all other Matters and Things, preſcribed or appointed by any former Act or Acts of Parliament relating to the Duties on Vellum, Parchment, and Paper, on which any Indenture, Leaſe, Bond, or other Deed, ſhall be ingroſſed, written, or printed; or to the Rates and Duties on Cards, Dice, and Newſpapers, and not hereby altered, ſhall be of full Force and Effect with relation to the additional Duties hereby impoſed, and ſhall be applied and put in Execution for the raiſing, levying, collecting, and ſecuring, the ſaid additional and new Rates and Duties hereby impoſed, according to the true Intent and Meaning of this Act, as fully, to all Intents and Purpoſes, as if the ſame had ſeverally and reſpectively been hereby enacted, with relation to the ſaid additional and new Rates and Duties hereby impoſed.

Powers, Penalties, and Forfeitures, of former Acts, relating to the Duties on Vellum, Parchment, &c. applicable to this Act.

'XVII. And whereas a fraudulent Practice has prevailed of ſelling Cards that have been already uſed in 'Play, calling the ſame Second-hand Cards, to the great Injury of the Revenue,' for Remedy whereof, be it further enacted by the Authority aforeſaid, That, if any Perſon ſhall, from and after the paſſing of this Act, ſell or diſpoſe of any Cards (by Way of Second-hand Cards) in Packs or Parcels, after the Wrapper or Cover, in which the ſame have been incloſed and tied, ſhall have been broke open, unleſs he or ſhe ſhall, before ſuch Sale, mark the Back or plain Side of every painted or pictured Card, in ſuch Manner as to render the ſame unfit to be uſed in Play; every Perſon ſo offending ſhall, for every Pack of Cards ſo ſold, forfeit the Sum of five Pounds; to be recovered and diſtributed in the Manner directed by an Act, made in the twenty-ninth Year of his late Majeſty King *George* the Second, intituled, *An Act for granting to his Majeſty an additional Duty on Cards and Dice.*

Any Perſon ſelling Cards to be played with, after the Cover has been broke open, ſhall forfeit, for each Pack, 5 l.

XVIII. And

Produce of the Duties to be carried to the Sinking Fund.

XVIII. And be it further enacted by the Authority aforeſaid, That all the Monies ariſing by the ſaid ſeveral and reſpective Rates and Duties, (the neceſſary Charges of raiſing and accounting for the ſame excepted) ſhall, from Time to Time, be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the public Revenues, and ſhall, for the Purpoſe aforeſaid, be carried into, and made Part of, the Fund commonly called *The Sinking Fund*.

Preamble; reciting a Reſolution of the Houſe of Commons.

'XIX. And whereas the Commons of *Great Britain*, in Parliament aſſembled, have reſolved that, towards raiſing the Supply granted to his Majeſty in this Seſſion of Parliament, the Sum of two millions ſhall be raiſed in Manner following; (that is to ſay) the Sum of one million four hundred thouſand Pounds by Annuities, after the Rate of three Pounds *per Centum per Annum*, with an additional Capital in reſpect of the ſame, in Manner herein after mentioned; and the Sum of ſix hundred thouſand Pounds by a Lottery, attended with like Annuities, after the Rate of three Pounds *per Centum per Annum*; and that every Contributor towards raiſing the ſaid Sum of two millions, ſhall, in reſpect of every one hundred Pounds ſubſcribed, upon Payment of ſeventy Pounds to the Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, at the Times, and in the Manner, herein after mentioned, have, and be intitled to, the Principal Sum of ſeventy-ſeven Pounds and ten Shillings, in three Pounds *per Centum* Annuities, redeemable by Parliament, (making together, in the Whole, one million five hundred and fifty thouſand Pounds) and, on Payment of the remaining Sum of thirty Pounds on every one hundred Pounds ſo ſubſcribed, to three Tickets in a Lottery, to conſiſt of ſixty thouſand Tickets, of the Value of ten Pounds each, amounting to ſix hundred thouſand Pounds; and that the Whole of the ſaid Sum of ſix hundred thouſand Pounds be diſtributed into Prizes, ſuch Prizes to be converted into like three Pounds *per Centum* Annuities, as aforeſaid: And whereas, purſuant to, and upon the ſeveral Terms and Conditions expreſſed in, the ſaid Reſolution, ſeveral Perſons have, in Books opened at the Bank of *England* for that Purpoſe, ſubſcribed together the whole Sum of two millions, and made Depoſits of fifteen Pounds *per Centum*, on the reſpective Sums by them ſubſcribed, with the Caſhiers of the Governor and Company of the Bank of *England*;' be it therefore enacted by the Authority aforeſaid,

All Perſons who have made Depoſits, purſuant to the aforeſaid Reſolution, are required to pay the Remainder of their Subſcriptions at certain Times ſpecified.

That it ſhall and may be lawful to and for all Perſons, Bodies Politic or Corporate, and their Executors, Adminiſtrators, Succeſſors, and Aſſigns, who have made ſuch Depoſits with the Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, (which Caſhier or Caſhiers is and are hereby appointed the Receiver and Receivers of ſuch Contributions, without any other Warrant to be had on that Behalf) to advance and pay, and they are hereby required to advance and pay, unto the ſaid Caſhier or Caſhiers, of the ſaid Governor and Company of the Bank of *England*, the ſeveral Remainders of the Sums by them reſpectively ſubſcribed towards the ſaid Sum of two millions, at or before the reſpective Days and Times, and in the Proportions herein after limited and appointed in that Behalf; (that is to ſay) in reſpect of the ſaid Sum of one million four hundred thouſand Pounds, the further Sum of fifteen Pounds *per Centum*, on or before the thirtieth Day of *May*, one thouſand ſeven hundred and ſeventy-ſix; the further Sum of twenty Pounds *per Centum*, on or before the twenty-eighth Day of *June* then next following; the further Sum of fifteen Pounds *per Centum*, on or before the thirty-firſt Day of *July* then next following; the further Sum of fifteen Pounds *per Centum*, on or before the tenth Day of *September* then next following; and the remaining Sum of twenty Pounds *per Centum*, on or before the twenty-fourth Day of *October* then next following: And in reſpect of the Sum of ſix hundred thouſand Pounds to be raiſed by Lottery, the further Sum of twenty-five Pounds *per Centum*, on or before the fourteenth Day of *June* one thouſand ſeven hundred and ſeventy-ſix; the further Sum of thirty Pounds *per Centum*, other Part thereof, on or before the tenth Day of *Auguſt* then next following; and the remaining Sum of thirty Pounds *per Centum*, on or before the third Day of *October* then next following.

Contributors entitled to an Annuity of 3 per Cent. per Ann. from April 5, 1776.

XX. And be it further enacted by the Authority aforeſaid, That every Contributor, his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, ſhall have, and be intitled to, an Annuity, after the Rate of three Pounds *per Centum per Annum*, upon his, her, or their Part or Share in the Sum of one million five hundred and fifty thouſand Pounds, being the Amount of the Capital of Seventy-ſeven Pounds and ten Shillings to be allowed to each Subſcriber of ſeventy Pounds, as aforeſaid, for one Quarter of a Year, from the fifth Day of *April*, one thouſand ſeven hundred and ſeventy-ſix, to the fifth Day of *July* following, to be paid and payable at the Bank of *England*, as ſoon after the ſaid fifth Day of *July*, one thouſand ſeven hundred and ſeventy-ſix, as ſuch Contributors ſhall have completed his, her, or their Payments, towards raiſing the ſaid Sum of one million four hundred thouſand Pounds; and from thenceforth ſhall be paid by half-yearly Payments, in even and equal Portions, on the fifth Day of *January*, and the fifth Day of *July* in every Year.

600,000 l. to be raiſed by a Lottery, to carry an Intereſt of 3 per Cent.

XXI. And be it further enacted by the Authority aforeſaid, That the ſaid Sum of ſix hundred thouſand Pounds to be raiſed by a Lottery, and diſtributed into Prizes as aforeſaid, ſhall carry an Annuity after the Rate of three Pounds *per Centum per Annum*, redeemable by Parliament, to commence and be computed from the fifth Day of *January* one thouſand ſeven hundred and ſeventy-ſeven, and ſhall be paid by half-yearly Payments, in even and equal Portions, on the fifth Day of *July*, and the fifth Day of *January*, in every Year.

Subſcribers to be allowed Intereſt for all Monies paid in Advance.

XXII. And be it further enacted by the Authority aforeſaid, That all ſuch Subſcribers, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, paying in the Whole of the Sums by them reſpectively to be paid, on account of their Contributions towards raiſing the ſaid Sum of one million four hundred thouſand Pounds, at any Time after the fifth Day of *July* one thouſand ſeven hundred and ſeventy-ſix, and before the ſeventh Day of *September* following; or on account of his, her, or their reſpective Share in the ſaid Lottery, for ſix hundred thouſand Pounds, on or before the eighth Day of *Auguſt* next, ſhall be intitled to an Allowance of ſo much Money as the Intereſt of ſuch Sum, ſo paid in Advance for completing his, her, or their Contribution reſpectively, ſhall amount unto, after the Rate of three Pounds *per Centum per Annum*, from

from the Day of completing the ſame, to the twenty-fourth Day of *October* one thouſand ſeven hundred and ſeventy-ſix, in reſpect of the Sum paid on account of the above-mentioned Sum of one million four hundred thouſand Pounds; and from the Day of the actual Payment to the third Day of *October* one thouſand ſeven hundred and ſeventy-ſix, in regard to the Sum of ſix hundred thouſand Pounds to be contributed for a Lottery as aforeſaid; ſuch Allowance to be paid by the ſaid Caſhier or Caſhiers, out of the Monies to be contributed in purſuance of this Act, as ſoon as ſuch reſpective Contributors, their Executors, Adminiſtrators, Succeſſors, or Aſſigns, ſhall have completed ſuch Payment: And that all the Subſcribers or Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, paying in the Whole of the Sum or Sums to be by him, her, or them, paid and advanced, towards raiſing the ſaid Sum of ſix hundred thouſand Pounds by a Lottery as aforeſaid, ſhall have Lottery Tickets delivered to him, her, or them, to the Amount of the Sum or Sums by them reſpectively ſubſcribed and paid for the Purchaſe thereof, at the Rate of ten Pounds for each Ticket, as ſoon as ſuch Tickets can be conveniently made out.

Subſcribers to the Lottery, on paying in the Whole of their Subſcriptions, ſhall receive Tickets to the Amount thereof.

XXIII. And be it further enacted by the Authority aforeſaid, That the Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, who ſhall have received or ſhall receive any Part of the ſaid Contributions, towards raiſing the ſaid Sum of one million four hundred thouſand Pounds by Annuities, and ſix hundred thouſand Pounds by a Lottery, ſhall give a Receipt or Receipts in Writing, to every ſuch Contributor, for all ſuch Sum and Sums of Money ſo received by him or them, and that ſuch Receipts ſhall be aſſignable by Indorſement thereupon made, at any Time before the fifth Day of *December* one thouſand ſeven hundred and ſeventy-ſix, and no longer: Provided always, that ſuch Caſhier or Caſhiers ſhall give Security, to the good Liking of any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer, for the public Uſe, all the Monies which he or they hath or have already received, and ſhall hereafter receive from Time to Time, of and for the ſaid Sum of two millions, and for accounting duly for the ſame, and for Performance of the Truſt hereby in him and them repoſed; and ſhall, from Time to Time, pay all ſuch Monies, as ſoon as he or they ſhall receive the ſame, or any Part thereof, or within five Days afterwards at the fartheſt, into, and ſhall account for the ſame in the Exchequer, according to the due Courſe thereof, (deducting thereout ſuch Sums as ſhall have been paid by him or them, in purſuance of this Act) for which Sums ſo paid, Allowance ſhall be made in his or their Accounts.

Caſhier of the Bank to give Receipts to Contributors for Money received; which ſhall be aſſignable, &c.

Caſhier to give Security, to the good Liking of Commiſſioners of the Treaſury;

and to pay all Monies received into the Exchequer.

XXIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, to iſſue and apply, from Time to Time, all ſuch Sums of Money, as ſhall be ſo paid into the Receipt of his Majeſty's Exchequer, by the ſaid Caſhier or Caſhiers, to ſuch Services as ſhall then have been voted by the Commons of *Great Britain*, in this preſent Seſſion in Parliament.

Commiſſioners of the Treaſury impowered to apply the Money paid in by the Caſhier.

XXV. And be it further enacted by the Authority aforeſaid, That in the Office of the Accomptant-general of the Governor and Company of the Bank of *England*, for the Time being, a Book or Books ſhall be provided and kept, in which the Names of the Contributors ſhall be fairly entered; which Book or Books the ſaid reſpective Contributors, their reſpective Executors, Adminiſtrators, Succeſſors, and Aſſigns, ſhall and may, from Time to Time, and at all ſeaſonable Times, reſort to, and inſpect, without any Fee or Charge; and that the ſaid Accomptant-general ſhall, on or before the fifth Day of *July* one thouſand ſeven hundred and ſeventy-ſix, tranſmit an atteſted Duplicate, fairly written on Paper, of the ſaid Book or Books, into the Office of the Auditor of the Receipt of his Majeſty's Exchequer, there to remain for ever.

A Book to be provided in the Accomptant-general's Office, in which Contributors Names ſhall be fairly entered, &c.

XXVI. And be it further enacted by the Authority aforeſaid, That ſuch Contributors only paying their Contribution-monies, at or before the reſpective Times in this Act limited in that Behalf, and their reſpective Executors, Adminiſtrators, Succeſſors, and Aſſigns, ſhall have, receive, and enjoy, and be intitled, by virtue of this Act, to have, receive, and enjoy, their proportionable Share of the ſaid Annuities of three Pounds *per Centum per Annum*, by this Act granted, and ſhall have good and ſure Intereſts and Eſtates therein; ſubject nevertheleſs to Redemption, as is herein after mentioned; and that all the Annuities by this Act granted ſhall be free from all Taxes, Charges, and Impoſitions whatſoever: Provided always, That in caſe any ſuch Contributors, who have already depoſited with, or ſhall hereafter pay to, the ſaid Caſhier or Caſhiers, any Sum or Sums of Money, at the Times and in the Manner before mentioned, in Part of the Sum or Sums to be by them reſpectively contributed or paid, towards the ſaid Sum of two millions, or their reſpective Executors, Adminiſtrators, Succeſſors, or Aſſigns, ſhall not advance and pay, to the ſaid Caſhier or Caſhiers, the Reſidue of the Sum or Sums ſo to be contributed or paid, at the Times and in the Manner before mentioned; then, and in every ſuch Caſe, ſo much of the reſpective Sum or Sums as ſhall have been actually paid, in Part thereof, to the ſaid Caſhier or Caſhiers, ſhall be forfeited for the Benefit of the Public; and all Right and Title to the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, in reſpect thereof, ſhall be extinguiſhed; any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

Such Contributors only, who pay their Contribution-monies according to this Act, intitled to have their Share of Annuities, &c. Money paid in Part, and not completed, ſhall be forfeited to the Public.

XXVII. And be it further enacted by the Authority aforeſaid, That, as ſoon as any Contributors, their Executors, Adminiſtrators, Succeſſors, or Aſſigns, ſhall have completed their Payments of the Whole Sum payable by them reſpectively towards the ſaid Sum of one million four hundred thouſand Pounds, the principal Sum or Sums ſo by them ſubſcribed and paid reſpectively, together with the additional Capital of ſeven Pounds and ten Shillings for every ſeventy Pounds by them advanced and paid, ſhall forthwith be, in the Books of the Bank of *England*, placed to the Credit of ſuch reſpective Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, completing ſuch Payments reſpectively; and the Perſons to whoſe Credit ſuch principal Sums ſhall be ſo placed, their reſpective Executors, Adminiſtrators, Succeſſors, or Aſſigns, ſhall and may have Power to aſſign and transfer the ſame, or any Part, Share, or Proportion thereof, to any other Perſon or Perſons, Body or Bodies Politic or Corporate, whatſoever, in the Books of the Bank of *England*, and ſuch Sums ſhall carry an Annuity after the Rate of three Pounds *per Centum per Annum*,

As ſoon as Contributors have completed their Payments, the Sums ſubſcribed, &c. to be, in the Books of the Bank, placed to their Credit.

Annum, and ſhall be taken and deemed to be Stock transferrable, according to the true Intent and Meaning of this Act, until Redemption thereof, in ſuch Manner as is herein-after mentioned.

Annuities granted by this Act charged upon the Sinking Fund.

XXVIII. And be it further enacted by the Authority aforeſaid, That all the Annuities by this Act granted and made payable, in reſpect of the ſaid Sum of two millions, together with the additional Capital thereto, ſhall, from the reſpective Commencements thereof, be charged and chargeable upon, and are hereby charged upon, and made payable out of the Monies which ſhall from Time to Time ariſe, and be in the Receipt of his Majeſty's Exchequer, of or for the Surpluſſes, Exceſſes, Overplus-monies, and other Revenues, compoſing the Fund, commonly called *The Sinking Fund*, after paying, or reſerving ſufficient to pay, all ſuch Sums of Money as have been directed, by any former Acts of Parliament, to be paid out of the ſame.

Managers and Directors of the Lottery to be appointed by the Treaſury.

'XXIX. And, for eſtabliſhing a proper Method for drawing the ſaid Lottery,' be it further enacted by the Authority aforeſaid, That ſuch Perſons as the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall nominate or appoint, ſhall be Managers and Directors for preparing and delivering out Tickets, and to overſee the Drawing of Lots, and to order, do, and perform, all ſuch other Matters and Things, as are hereafter in and by this Act directed and appointed by ſuch Managers and Directors to be done and performed; and that ſuch Managers and Directors ſhall meet together, from Time to Time, at ſome publick Office or Place, for the Execution of the Powers and Truſts in them repoſed by this Act; and that the ſaid Managers and Directors, or ſo many of them as ſhall be preſent at any ſuch Meeting, or the major Part of them, ſhall cauſe Books to be prepared, in which every Leaf ſhall be divided or diſtinguiſhed into three Columns; and, upon the innermoſt of the ſaid three Columns, there ſhall be printed ſixty thouſand Tickets, to be numbered one, two, three, and ſo onwards, in an arithmetical Progreſſion, where the common Exceſs is to be one, until they riſe to and for the Number of ſixty thouſand; and upon the middle Column, in every of the ſaid Books, ſhall be printed ſixty thouſand Tickets, of the ſame Breadth and Form, and numbered in like Manner; and, in the extreme Column of the ſaid Books, there ſhall be printed a third Rank or Series of Tickets, of the ſame Number with thoſe of the other two Columns; which Tickets ſhall ſeverally be of an oblong Figure, and in the ſaid Books ſhall be joined with oblique Lines, Flouriſhes, or Devices, in ſuch Manner as the ſaid Managers and Directors, or the major Part of them, ſhall think moſt ſafe and convenient; and that every Ticket in the third or extreme Column of the ſaid Books ſhall have written or printed thereupon, (beſides the Number of ſuch Ticket) Words or Figures to this Effect:

Method of Lottery Books.

LOTTERY, *Anno* One thouſand ſeven hundred and ſeventy-ſix.

Ticket.

'THE Bearer of this Ticket will be intitled to ſuch beneficial Chance as ſhall belong thereto, in the Lottery to be drawn in purſuance of an Act made in the ſixteenth Year of his Majeſty's Reign.'

Managers to examine the Books with the Tickets, and deliver them to the Caſhiers of the Bank, taking a Receipt for the ſame.

XXX. And it is hereby further enacted, That the ſaid Managers and Directors, or ſo many of them as ſhall be preſent at any ſuch Meeting, or the major Part of them ſo preſent, ſhall carefully examine all the ſaid Books, with the Tickets therein, and take Care that the ſame be contrived, numbered, and made, according to the true Intent and Meaning of this Act; and ſhall deliver, or cauſe to be delivered, the ſame Books, and every or any of them, as they ſhall be examined, to the Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, taking from ſuch Caſhier or Caſhiers an Acknowledgment in Writing, under his or their Hand or Hands, importing his or their Receipt of ſuch Book or Books, and ſo many Tickets therein, as ſhall be delivered to him or them reſpectively, that ſo the ſaid Caſhier or Caſhiers may be charged to anſwer ten Pounds for every one of the Tickets in the extreme Columns which ſhall be delivered to him or them, or for ſo many of them as he or they ſhall not deliver back to the ſaid Managers and Directors; and all and every ſuch Caſhier or Caſhiers reſpectively is and are hereby directed and required, upon his or their Receipt of every or any entire Sum of ten Pounds, in full Payment for a Ticket, from any Perſon or Perſons reſpectively contributing or adventuring, as aforeſaid, from Time to Time, to cut out of the ſaid Book or Books, ſo to be put into his or their Cuſtody, through the ſaid oblique Lines, Flouriſhes, or Devices, indentwiſe, in the ſaid extreme Columns, ſuch Tickets as ſhall be neceſſary to be delivered to the ſeveral Perſons intitled thereto, as aforeſaid; which Tickets the ſaid Caſhier or Caſhiers ſhall ſign with his or their own Name or Names, and he or they ſhall permit the reſpective Perſon or Perſons ſo intitled, if it be deſired, to write his, her, or their Name or Mark on the correſponding Tickets in the ſame Book or Books; and at the ſame Time the ſaid Caſhier or Caſhiers ſhall deliver to ſuch Perſon or Perſons the Ticket or Tickets ſo cut off, which he, ſhe, or they, are to keep and uſe for the better aſcertaining and ſecuring the Intereſt which he, ſhe, or they, his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, ſhall or may have in the ſaid Fund.

Caſhiers to return the Books, with the undiſpoſed Tickets,

with an Account of Monies paid in.

XXXI. And be it further enacted by the Authority aforeſaid, That the ſaid Caſhier or Caſhiers, on or before the ſixteenth Day of *October*, one thouſand ſeven hundred and ſeventy-ſix, ſhall redeliver to the ſaid Managers and Directors, at their ſaid Office or Place of Meeting, all the ſaid Books, and therein all the Tickets which the ſaid Caſhier or Caſhiers ſhall not have cut out of the ſame, and delivered to the Perſons intitled thereto, as aforeſaid; and ſhall then and there alſo deliver to the ſaid Managers and Directors a true and juſt Account in Writing, under his or their Hand or Hands, of all Sums of Money accrued or come to the Hands of ſuch Caſhier or Caſhiers by or for the Tickets delivered, or to be delivered out, purſuant to this Act, and how the ſame, and how much thereof, ſhall have been actually paid, by ſuch Caſhier or Caſhiers, into the Receipt of the Exchequer for the Purpoſes herein mentioned; and that the ſaid Managers and Directors, or the major Part of them which ſhall be preſent at a Meeting as aforeſaid, ſhall forthwith cauſe all the Tickets of the ſaid outermoſt Columns, which ſhall not have been delivered to the Contributors and Adventurers, as aforeſaid, (if any ſuch be) to be delivered into the Receipt of his Majeſty's Exchequer, there to be retained and kept as Caſh, to be iſſued, ſold, and diſpoſed

Undiſpoſed Tickets to be delivered in o the Exchequer.

of,

of, for raiſing Money for the Purpoſes in this Act mentioned, as any three or more of the Commiſſioners of his Majeſty's Treaſury, or the high Treaſurer for the Time being, ſhall judge reaſonable and fitting.

Tickets of the middle Columns to be rolled up, and faſtened with Thread or Silk;

and cut off indentwiſe into a Box marked with the Letter (A).

Box to be locked up, and ſealed.

XXXII. And be it further enacted, That the ſaid Managers and Directors, or the major Part of them which ſhall be preſent at a Meeting as aforeſaid, ſhall cauſe all the Tickets of the middle Columns, in the Books made out with three Columns, as aforeſaid, which ſhall be delivered back to them by or from the ſaid Caſhier or Caſhiers, as aforeſaid, to be carefully rolled up, and made faſt with Thread or Silk; and the ſaid Managers or Directors, or the major Part of them as aforeſaid, ſhall, in their Preſence, and in the Preſence of ſuch Contributors or Adventurers as will be there, cauſe all the ſaid Tickets which are to be ſo rolled up and made faſt, as aforeſaid, to be cut off indentwiſe through the ſaid oblique Lines, Flouriſhes, or Devices, into a Box to be prepared for that Purpoſe, and to be marked with the Letter (A); which is preſently to be put up into another ſtrong Box, and to be locked up with ſeven different Locks and Keys, to be kept by as many of the ſaid Managers and Directors, and ſealed with their Seals, or the Seals of ſome of them, until the ſaid Tickets are to be drawn, as is herein-after mentioned; and that the Tickets in the firſt or innermoſt Columns of the ſaid Books ſhall remain ſtill in the Books, for diſcovering any Miſtake or Fraud (if any ſuch ſhould happen to be committed) contrary to the true Meaning of this Act.

Books to be prepared with two Columns, on each of which 60,000 Tickets are to be printed.

The Number and Value of the Fortunate Tickets.

XXXIII. And be it further enacted by the Authority aforeſaid, That the ſaid Managers and Directors, or the major Part of them which ſhall be preſent at any Meeting as aforeſaid, ſhall alſo prepare, or cauſe to be prepared, other Books, in which every Leaf ſhall be divided or diſtinguiſhed into two Columns; and upon the innermoſt of thoſe two Columns there ſhall be printed ſixty thouſand Tickets, and upon the outermoſt of the ſaid two Columns there ſhall be printed ſixty thouſand Tickets; all which ſhall be of equal Length and Breadth, as near as may be; which two Columns in the ſaid Books ſhall be joined with ſome Flouriſh or Device, through which the outermoſt Tickets may be cut off indentwiſe; and that nineteen thouſand nine hundred and ninety-two Tickets, Part of thoſe to be contained in the outermoſt Columns of the Books laſt mentioned, ſhall be and be called *The Fortunate Tickets*, to which Benefits ſhall belong, as is herein-after mentioned: And the ſaid Managers and Directors, or the major Part of them, or ſuch of them as ſhall be preſent at a Meeting as aforeſaid, ſhall cauſe the ſaid Fortunate Tickets to be written upon, or otherwiſe expreſſed, as well in Figures as in Words at Length, in Manner following; (that is to ſay) Upon two of them ſeverally, twenty thouſand Pounds Principal Money; upon every one of three of them ſeverally, ten thouſand Pounds Principal Money; upon every one of five of them ſeverally, five thouſand Pounds Principal Money; upon every one of twelve of them ſeverally, two thouſand Pounds Principal Money; upon every one of twenty of them ſeverally, one thouſand Pounds Principal Money; upon every one of fifty of them ſeverally, five hundred Pounds Principal Money; upon every one of two hundred of them ſeverally, one hundred Pounds Principal Money; upon every one of ſix hundred of them ſeverally, fifty Pounds Principal Money; and upon every one of nineteen thouſand and one hundred of them ſeverally, twenty Pounds Principal Money: Which principal Sums ſo to be written, or otherwiſe expreſſed, upon the ſaid Fortunate Tickets, together with one thouſand Pounds Principal Money to be allowed to the Owner of the firſt-drawn Ticket upon each of the firſt three Days of the Drawing of the ſaid Lottery, and one thouſand Pounds Principal Money to the Owner of the laſt-drawn Ticket, over and above the Benefits which may happen to belong to the four laſt-mentioned Tickets, or any of them, will amount, in the Whole, to the Principal Sum of ſix hundred thouſand Pounds, to be converted into Annuities by virtue of this Act in reſpect to the ſaid Lottery: And the ſaid Managers and Directors, or the major Part of them who ſhall be preſent at a Meeting as aforeſaid, ſhall cauſe all the ſaid Tickets contained in the outermoſt Columns of the ſaid laſt-mentioned Books to be, in the Preſence of the ſaid Managers and Directors, or the major Part of them which ſhall be preſent at a Meeting as aforeſaid, and in the Preſence of ſuch Contributors or Adventurers as will then be there, to be carefully rolled up and faſtened with Thread or Silk, and carefully cut out indentwiſe, through the ſaid Flouriſh or Device, into another Box to be prepared for this Purpoſe, and to be marked with the Letter (B); which Box ſhall be put into another ſtrong Box, and locked up with ſeven different Locks and Keys, to be kept by as many of the ſaid Managers, and ſealed up with their Seals, or the Seals of ſome of them, until theſe Tickets ſhall alſo be drawn in the Manner and Form herein-after mentioned; and that the whole Buſineſs of rolling up, and cutting off, and putting into the ſaid Boxes the ſaid Tickets, and locking up and ſealing the ſaid Boxes, ſhall be performed by the ſaid Managers and Directors, or ſuch of them as aforeſaid, before the laſt ſix Days immediately preceding the Day by this Act appointed for the Drawing the ſaid Lottery: And, to the End every Perſon concerned may be well aſſured that the Counterpart of the ſame Number with his or her Ticket is put into the Box marked with the Letter (A), from whence the ſame may be drawn, and that other Matters are done as hereby directed, ſome public Notification in Print ſhall be given of the preciſe Time or Times of putting the ſaid Tickets into the ſaid Boxes, to the End that ſuch Contributors or Adventurers as ſhall be minded to ſee the ſame done, may be preſent at the doing thereof.

1000l. to each firſt drawn Ticket of the firſt 3 Days.

and 1000l. to the laſt-drawn.

Tickets of the outermoſt Columns of the laſt-mentioned Book to be rolled up and tied.

Public Notice to be given of putting the Tickets into the Boxes.

Lottery to begin drawing on Nov. 13, 1776.

Method to be obſerved in Drawing, etc.

XXXIV. And be it further enacted by the Authority aforeſaid, That, on or before the thirteenth Day of *November*, one thouſand ſeven hundred and ſeventy-ſix, the ſaid Managers and Directors ſhall cauſe the ſaid ſeveral Boxes, with all the Tickets therein, to be brought into the Guildhall of the City of *London*, ſo that the ſame may be there, and placed on a Table provided for that Purpoſe, by Nine of the Clock in the Forenoon of the ſame Day; and ſhall then and there ſeverally attend this Service, and cauſe the two Boxes containing the ſaid Tickets to be ſeverally taken out of the other two Boxes in which they ſhall have been locked up; and the Tickets or Lots in the reſpective innermoſt Boxes being, in the Preſence of the ſaid Managers and Directors, or ſuch of them as ſhall be then preſent, and of ſuch Contributors or Adventurers as will be there for the Satisfaction of themſelves, well ſhaken and mingled in each

Box diſtinctly, ſome one indifferent and fit Perſon, to be appointed and directed by the ſaid Managers, or the major Part of them, or ſuch of them as ſhall be then preſent, ſhall take out and draw one Ticket from the Box where the ſaid numbered Tickets ſhall be as aforeſaid put, and one other indifferent and fit Perſon, to be appointed and directed in like Manner, ſhall take out a Ticket or Lot from the Box where the ſaid nineteen thouſand nine hundred and ninety-two Fortunate, and forty thouſand and eight Blank Tickets, ſhall be promiſcuouſly put as aforeſaid; and immediately both the Tickets ſo drawn ſhall be opened, and the Number as well of the Fortunate as the Blank Ticket ſhall be named aloud; and if the Ticket taken or drawn from the Box containing the Fortunate and Blank Lots ſhall appear to be a Blank, then the numbered Ticket ſo drawn, with the ſaid Blank at the ſame Time drawn, ſhall both be put upon one File; and if the Ticket ſo drawn or taken from the Box containing the Fortunate and Blank Lots ſhall appear to be one of the Fortunate Tickets, then the principal Sum written upon ſuch Fortunate Ticket, whatſoever it be, ſhall be entered by a Clerk, which the ſaid Managers, or the major Part of them, as aforeſaid, ſhall employ and overſee for this Purpoſe, into a Book to be kept for entering the Numbers coming up with the ſaid Fortunate Tickets, and the principal Sums whereunto they ſhall be intitled reſpectively, and two of the ſaid Managers ſhall ſet their Names as Witneſſes to ſuch Entries; and the ſaid Fortunate and numbered Tickets ſo drawn together, ſhall be put upon another File; and ſo the ſaid drawing of the Tickets ſhall continue, by taking one Ticket at a Time out of each Box, and with opening, naming aloud, and filing the ſame, and by entering the Fortunate Lots in ſuch Method as is before mentioned, until the whole Number of nineteen thouſand nine hundred and ninety-two Fortunate Tickets, and one more for the laſt-drawn as aforeſaid, ſhall be completely drawn: And as the ſame cannot be performed in one Day's Time, the ſaid Managers and Directors ſhall cauſe the Boxes to be locked up and ſealed in Manner as aforeſaid, and adjourn till the next Day, and ſo from Day to Day, and every Day, (except *Sunday*, *Chriſtmas-day*, Thankſgiving and Faſt Days,) and then open the ſame, and proceed as above, until the ſaid whole Number of nineteen thouſand nine hundred and ninety-two Fortunate Tickets, and one more, ſhall be completely drawn, as aforeſaid; and afterwards the ſaid numbered Tickets ſo drawn, with the Fortunate Tickets drawn againſt the ſame, ſhall be and remain in a ſtrong Box locked up as aforeſaid, and under the Cuſtody of the ſaid Managers, until they ſhall take them out to examine, adjuſt, and ſettle the Property thereof.

Number of the Fortunate Tickets, and the Sums, to be printed.

XXXV. 'And, to the End the Fortunate may know, whether abſent or preſent, to what Degree they 'have been ſo,' be it enacted, That the ſaid Managers ſhall, as ſoon as conveniently may be after the ſaid Drawing is over, cauſe to be printed and publiſhed the Number of the Tickets drawn againſt each Fortunate Ticket, and the principal Sum written on the ſame; and if any Contention or Diſpute ſhall ariſe in the adjuſting the Property of the ſaid Fortunate Tickets, the major Part of the ſaid Managers agreeing therein ſhall determine to whom it doth or ought to belong: And if any Perſon or Perſons ſhall forge or counterfeit, or cauſe or procure to be forged or counterfeited, or willingly act or aſſiſt in the forging or counterfeiting any Ticket or Tickets, Certificate or Certificates, Order or Orders, made forth by virtue of this preſent Act, or any former Act, made for eſtabliſhing any Lottery or Lotteries, or alter any Number, Figure, or Word therein, or utter, vend, barter, or diſpoſe of, or offer to diſpoſe of, any ſuch falſe, altered, forged, or counterfeit Ticket or Tickets, Certificate or Certificates, Order or Orders, or ſhall bring any ſuch forged or counterfeit Ticket, Certificate, or Order, or any ſuch Ticket, Certificate, or Order, the Number whereof, or any Figure or Word therein, ſhall have been altered (knowing the ſame to be ſuch), to the ſaid Managers, or any of them, or to the Caſhier or Caſhiers or Accomptant-general of the Bank of *England* for the Time being, or to any other Perſon or Perſons whatſoever, with a fraudulent Intention; or ſhall willingly aid, abet, aſſiſt, hire, or command, any Perſon or Perſons to commit any ſuch Offence or Offences, as aforeſaid; then, and in every ſuch Caſe, all and every ſuch Perſon or Perſons, being thereof convicted in due Form of Law, ſhall be adjudged a Felon, and ſhall ſuffer Death as in Caſes of Felony without Benefit of Clergy: And the ſaid Managers and Directors, or any two or more of them, are hereby authoriſed, required, and impowered, to cauſe any Perſon or Perſons bringing or uttering ſuch forged or counterfeit Ticket or Tickets, Certificate or Certificates, as aforeſaid, or aiding, abetting, aſſiſting, hiring, or commanding, any Perſon or Perſons therein, to be apprehended, and to commit him, her, or them, to his Majeſty's Gaol of *Newgate*, or to the common Gaol of the County or Place where ſuch Perſon or Perſons ſhall be ſo apprehended, to be proceeded againſt for the ſaid Felony according to Law.

Diſputes to be adjuſted by the Managers.

Penalty on forging Tickets, &c.

Felony.

Offenders (not in Priſon) diſcovering Perſons guilty, to receive a Pardon, and 50 l. Reward.

XXXVI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons who ſhall commit any ſuch Offence or Offences as aforeſaid, or be aiding, abetting, aſſiſting, hiring, or commanding any Perſon or Perſons therein, ſhall afterwards (being out of Priſon) diſcover any one or more Perſon or Perſons who already have, or hereafter ſhall commit, or be aiding, abetting, or concerned, in any ſuch Offence or Offences as aforeſaid, ſo as ſuch Perſon or Perſons ſo diſcovered be lawfully convicted of the ſame, ſuch Diſcoverer ſhall have, and is hereby intitled to, his Majeſty's moſt gracious Pardon for ſuch his or her Offences; and, moreover, ſhall be intitled to a Reward of fifty Pounds, lawful Money of *Great Britain*, for every ſuch Offender ſo convicted; to be paid out of the Monies ariſing by virtue of this Act, or any other the Aids or Supplies granted in this Seſſion of Parliament, immediately upon ſuch Conviction as aforeſaid.

Proviſo.

XXXVII. Provided always, and it is hereby further enacted by the Authority aforeſaid, That no Attainder for any the Offences aforeſaid ſhall make or work any Corruption of Blood, loſs of Dower, or Diſheriſon of Heirs.

Managers to be ſworn.

XXXVIII. Provided always, and it is hereby enacted by the Authority aforeſaid, That every Perſon that ſhall be appointed as aforeſaid to be a Manager and Director for putting this Act in Execution, before his acting in ſuch Commiſſion (except the adminiſtering the Oath immediately herein-after mentioned), ſhall take the Oath following; that is to ſay,

'I *A. B.*

'I *A. B.* as a Manager and Director of the Lottery to be drawn in purſuance of an Act of Parliament, made in the ſixteenth Year of His Majeſty's Reign, do ſwear, That I will faithfully execute the Truſt repoſed in me; and that I will not uſe any indirect Art or Means, or permit or direct any Perſon to uſe any indirect Art or Means, to obtain a Prize or Fortunate Lot therein, for myſelf, or any other Perſon whatſoever; and that I will do the utmoſt of my Endeavour to prevent any undue or ſiniſter Practice to be done by any Perſon whatſoever; and that I will, to the beſt of my Judgment, declare to whom any Prize, Lot, or Ticket, of Right does belong, according to the true Intent and Meaning of the ſaid Act.' The Oath.

Which ſaid Oath ſhall and may be adminiſtered by any two or more of the other Managers and Directors.

XXXIX. Provided always, That it ſhall and may be lawful to and for the ſaid Caſhier or Caſhiers, having given Security as aforeſaid, at any Time or Times before ſuch Caſhier or Caſhiers ſhall have received any Book or Books for the ſaid Lottery from the ſaid Managers, comprehending the ſaid ſixty thouſand Tickets in three Columns as aforeſaid, to receive from the ſaid Contributors or Adventurers, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, the Monies to be by them reſpectively paid on account of the ſaid Lottery, at one entire Payment, or in ſuch Proportions and Manner as aforeſaid, before ſuch Caſhier or Caſhiers ſhall have received ſuch Book or Books; and the ſaid Caſhier or Caſhiers ſhall give a Note or Receipt, under his or their Hand or Hands, for the Sum or Sums ſo paid; and ſhall be obliged thereby, and by this Act, to give the Bearer of every ſuch Note or Receipt a Ticket or Tickets, of the extreme Column of the three Columns Book or Books aforeſaid, for every ten Pounds ſo contributed, paid, or anſwered, as ſoon as he or they ſhall be enabled thereunto, by Delivery of any ſuch Book or Books to him or them from the ſaid Managers as aforeſaid; any Thing herein contained to the contrary notwithſtanding. Caſhier may receive the Sums ſubſcribed before receiving the Lottery Book; giving a Note for the ſame; which ſhall entitle the Bearer to a Ticket for every 10 l. ſo paid.

XL. Provided alſo, That in caſe any ſuch Contributor or Adventurer as aforeſaid, who ſhall have advanced and paid down to ſuch Caſhier or Caſhiers, a Proportion of his, her, or their Conſideration-money towards the ſaid Lottery, his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, do not advance and pay unto ſuch Caſhier or Caſhiers the remaining Part of his, her, or their Conſideration-money, ſo to be paid in full for ſuch Ticket or Tickets, on or before the Times for paying thereof as aforeſaid; that then, and in every ſuch Caſe, every ſuch Contributor or Adventurer ſhall forfeit and loſe to his Majeſty, for the Uſe of the Public, the Proportion of his, her, or their Purchaſe-money, which he, ſhe, or they, ſhall have ſo paid down as aforeſaid towards the Lottery; and in ſuch Caſe, no Ticket or Tickets ſhall be delivered out by the ſaid Caſhier or Caſhiers, to ſuch Contributor or Contributors, Adventurer or Adventurers, making ſuch Default, but the Ticket and Tickets which ſhould have been delivered to them reſpectively, had they paid the full Money for the ſame, ſhall be returned and delivered to the ſaid Managers and Directors by the ſaid Caſhier or Caſhiers, together with the other Tickets (if any) in the outermoſt Column of the Book and Books firſt herein-mentioned and directed to be prepared, which ſhall not have been diſpoſed of as aforeſaid; and ſuch Ticket and Tickets, upon and for which Defaults of Payments ſhall have been made as aforeſaid, ſhall be delivered into the Receipt of his Majeſty's Exchequer, with other the ſaid undiſpoſed Tickets (if any), there to be retained and kept as Caſh, and to be iſſued, ſold, and diſpoſed of for the Purpoſes and in the Manner herein-before directed and appointed with reſpect to the ſaid undiſpoſed Tickets; and the ſaid Contributor and Contributors, Adventurer and Adventurers, making ſuch Default, ſhall not have or receive, or be intitled to have or receive, any Benefit or Advantage for or in reſpect of the Money which he, ſhe, or they, ſhall have paid for or towards the Purchaſe of ſuch Ticket or Tickets; any Thing herein contained to the contrary notwithſtanding. Contributors not making good their Payments within the Times limited, forfeit their Depoſits with reſpect to the Lottery; and the Tickets for ſuch Sums to be delivered into the Exchequer.

XLI. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That out of the Monies to ariſe by the Contributions to the ſaid Lottery, or out of any other the Aids or Supplies granted in this Seſſion of Parliament, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix, it ſhall and may be lawful to and for any three or more of the Commiſſioners of the Treaſury, or the high Treaſurer for the Time being, to reward the ſaid Managers and Directors, and the Clerks and Officers to be employed by and under them, and any other Officers and Perſons that ſhall and may be any-ways employed in this Affair, for their Labour and Pains, and to diſcharge ſuch incident Expences as ſhall neceſſarily attend the Execution of this Act, in ſuch Manner as any three or more of the Commiſſioners of the Treaſury, or the high Treaſurer for the Time being, ſhall, from Time to Time, think fit and reaſonable in that Behalf; any Thing in this Act contained to the contrary notwithſtanding.

XLII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall ſell the Chance or Chances of any Ticket or Tickets in the ſaid Lottery, or any Share or Shares of any Ticket or Tickets in the ſaid Lottery, for a Day, or Part of a Day, or for a longer Time leſs than the whole Time of drawing the Lottery then to come; or ſhall receive any Money whatſoever in Conſideration of the Repayment of any Sum or Sums of Money, in caſe any Ticket or Tickets in the ſaid Lottery ſhall prove Fortunate; or ſhall lay any Wager relating to the drawing of any Ticket or Tickets in the ſaid Lottery, either as to the Time of ſuch Ticket or Tickets being drawn, or whether ſuch Ticket or Tickets be drawn Fortunate or Unfortunate; and all and every Perſon and Perſons who ſhall offend in any of the ſaid Matters, ſhall forfeit and pay Treble the Sum and Sums of Money which ſhall have been received by ſuch Perſon and Perſons, contrary to the true Intent and Meaning of this Act; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety whereof to be for the Uſe of his Majeſty, his Heirs or Succeſſors, and the other Moiety to be paid Limitation of the Sale of Chances, &c. Penalty.

paid to the Perſon or Perſons who ſhall ſue for the ſame; and every ſuch Sale, Wager, or Contract, and every Agreement relating thereto, ſhall be, and is hereby declared null and void.

Office keepers, &c. ſelling Shares in Tickets of which they are not poſſeſſed, forfeit 500 l. and ſuffer 3 Months Impriſonment.

XLIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall keep any Office or Offices, or ſhall print or publiſh any Scheme or Propoſal for receiving any Sum or Sums of Money in Conſideration of any Intereſt to be granted for the ſame in any Ticket or Tickets in the ſaid Lottery, whereof ſuch Perſon or Perſons ſhall not then, and at the actual Time of drawing ſuch Ticket or Tickets, be poſſeſſed, or in Conſideration of any Sum or Sums of Money to be repaid, in caſe any Ticket, or Number of Tickets, in the ſaid Lottery, which ſhall not then, and at the actual Time of drawing the ſaid Ticket or Tickets, be in the Poſſeſſion of ſuch Perſon or Perſons, ſhall prove Fortunate or Unfortunate; all and every ſuch Perſon and Perſons ſhall forfeit and pay the Sum of five hundred Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety whereof to be for the Uſe of his Majeſty, his Heirs or Succeſſors, and the other Moiety to be paid to the Perſon or Perſons who ſhall ſue for the ſame, and alſo ſhall ſuffer three Months Impriſonment without Bail or Mainpriſe.

Offences committed in Ireland againſt Acts for preventing unlawful Lotteries, made puniſhable. Penalties may be ſued for in Dublin.

XLIV. And be it further enacted by the Authority aforeſaid, That if any Offence againſt this Act, or any of the Acts of Parliament made in this Kingdom, for preventing private and unlawful Lotteries, ſhall be committed in *Ireland*, the Offender ſhall incur the like Penalty and Puniſhment, to be inflicted in like Manner as if the Offence was committed in this Kingdom; and that ſuch Penalties as by this Act, or any of the ſaid Acts, are directed to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, ſhall, in caſe of Offences committed againſt this Act, or any of the ſaid Acts, in *Ireland*, be recovered in any of his Majeſty's Courts of Record in *Dublin*.

Tickets to be exchanged for Certificates.

'XLV. And, to the End that all and every the Payments upon the Fortunate Tickets may be more 'eaſily aſcertained, ſettled, and adjuſted, for the Perſons who ſhall be and become intitled thereunto,' be it further enacted by the Authority aforeſaid, That, as ſoon as conveniently may be, after the Drawing of the ſaid Lottery ſhall be completed and ended, all and every the ſaid Tickets to be given out as aforeſaid, ſhall be exchanged for Certificates, to be ſigned by ſuch of the ſaid Managers as ſhall be appointed for that Purpoſe.

Managers to give Notice of the Times for ſuch Exchange.

XLVI. And be it further enacted, That ſuch of the ſaid Managers as any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall appoint, to take in the ſaid Fortunate Tickets, and deliver out the ſaid Certificates for and in lieu thereof, ſhall, as ſoon as may be, give Notice by Advertiſement, to be printed and publiſhed in Manner as they ſhall think fit, of the Days and Times for taking in the ſaid Fortunate Tickets, and delivering out of the ſaid Certificates for and in lieu of the ſame; and every Certificate ſhall be numbered in Courſe, according to their bringing their Tickets to the Managers ſo to be appointed for exchanging the ſame; to which Purpoſe ſuch Manager ſhall enter, or cauſe to be entered, in a Book or Books to be by them kept for that Purpoſe, the Name of every Perſon who ſhall bring any ſuch Fortunate Ticket or Tickets to be exchanged for ſuch Certificate or Certificates, and the Number or Numbers of the Fortunate Ticket or Tickets which ſhall be ſo brought, the Value in Principal Money payable thereupon, and the Day of the Month, and the Year of our Lord, when the ſame was ſo brought; which Book and Books ſhall lie open in the Office to be appointed for taking in the ſaid Tickets to be exchanged for ſuch Certificates, for all Perſons concerned to peruſe; all which Certificates ſhall be ſigned by the Managers ſo to be appointed, or the major Part of them, and be directed to the Accountant-general of the Bank of *England* for the Time being.

Certificates to be numbered.

Books to be kept for entering the Names of Perſons bringing Tickets to be exchanged, &c.

Certificates to be ſigned, &c.

Accountant-general of the Bank to give Credit to the Perſons named in Certificates for Sums therein mentioned; which may be aſſigned; and ſhall carry 3 per Cent. Intereſt, &c.

XLVII. And be it further enacted by the Authority aforeſaid, That the ſaid Accountant-general of the Bank of *England* for the Time being, to whom the ſaid Certificates are to be directed as aforeſaid, ſhall, upon receiving and taking in the ſaid Certificates, or any of them, give Credit to the Perſons named therein, in a Book or Books to be by him provided and kept, for the Principal Sums contained in every ſuch Certificate; and the Perſons to whoſe Credit ſuch Principal Sums ſhall be entered in the ſaid Book or Books, his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, ſhall and may have Power to aſſign or transfer the ſame, or any Part, Share, or Proportion thereof, to any other Perſon or Perſons, Bodies Politic or Corporate, whatſoever, in Books to be prepared and kept by the ſaid Accountant-general; and the ſaid Principal Sums ſo aſſigned or transferred ſhall carry the ſaid Annuity of three Pounds *per Centum per Annum*, and ſhall be taken and deemed to be Stock, transferrable by virtue of this Act, until the Redemption thereof, in Manner herein after mentioned; and the ſaid Accountant-general of the Bank of *England* for the Time being is hereby authoriſed and directed to cancel and file the Certificates as they ſhall from Time to Time be received and taken in by him, and to give the Perſons bringing in the ſame a Note under his Hand, teſtifying the Principal Money for which they ſhall have Credit in the ſaid Book or Books, by reaſon or means of the Certificates ſo received, taken in, and cancelled, as aforeſaid, and of the Annuities attending the ſame.

Governor, &c. of the Bank to appoint a Chief Caſhier and Accountant-general.

Monies to be iſſued at the Exchequer to the Chief Caſhier, for Payment of Annuities created by this Act,

'XLVIII. And, for the more eaſy and ſure Payment of all the Annuities eſtabliſhed by this Act,' be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall, from Time to Time, until all the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be redeemed, appoint and employ one or more ſufficient Perſon or Perſons within their Office in the City of *London*, to be their Chief or Firſt Caſhier or Caſhiers, and one other ſufficient Perſon within the ſame Office to be their Accountant-general; and that ſo much of the Monies, by this Act appropriated for this Purpoſe, as ſhall be ſufficient from Time to Time to anſwer the ſaid ſeveral and reſpective Annuities, and other Payments herein directed to be made out of the ſaid Monies, ſhall, by Order of the Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being, without any further or other Warrant to be ſued for, had, and obtained

tained in that Behalf, from Time to Time, at the reſpective Days of Payment in this Act appointed for Payment thereof, be iſſued and paid at the ſaid Receipt of Exchequer, to the ſaid Firſt or Chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and their Succeſſors for the Time being, by way of Impreſt and upon Account, for the Payment of the ſaid ſeveral and reſpective Annuities, payable by virtue of this Act; and that ſuch Caſhier or Caſhiers, to whom the ſaid Money ſhall from Time to Time be iſſued, ſhall, from Time to Time, without Delay, pay the ſame accordingly, and render his or their Accounts thereof according to the due Courſe of the Exchequer.

Accountant-general to examine Receipts and Payments. Annuities deemed perſonal Eſtate.

XLIX. And be it further enacted by the Authority aforeſaid, That the ſaid Accountant-general for the Time being ſhall, from Time to Time, inſpect and examine all Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay; and that all Perſons who ſhall be intitled to any of the Annuities hereby granted, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a perſonal Eſtate, which ſhall not be deſcendible to Heirs, nor liable to any foreign Attachment, by the Cuſtom of *London* or otherwiſe, any Law, Statute, or Cuſtom to the contrary notwithſtanding.

All Monies, to which any Perſons ſhall be intitled by this Act, to be added to the joint Stock of Annuities transferrable at the Bank; and to carry an Intereſt of 3 per Cent.

L. And be it further enacted by the Authority aforeſaid, That all the Monies to which any Perſon or Perſons ſhall become intitled, by virtue of this Act, in reſpect of any Sum advanced or contributed towards the ſaid Sum of one million four hundred thouſand Pounds, together with the additional Capital of ſeven Pounds and ten Shillings, in reſpect of every Sum of ſeventy Pounds, making in the Whole the Principal Sum of one million five hundred and fifty thouſand Pounds, on which the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be attending; and the Principal Sums to be determined by the drawing of the ſaid Lottery, to be attended with Annuities after the like Rate, ſhall be added to the joint Stock of Annuities transferrable at the Bank of *England*, into which the ſeveral Sums, carrying an Intereſt at the Rate of three Pounds *per Centum per Annum*, were by ſeveral Acts, made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-ſecond, and thirty-third Years of the Reign of his late Majeſty King *George* the Second, and ſeveral ſubſequent Acts, converted, and ſhall be deemed Part of the ſaid joint Stock of Annuities, ſubject nevertheleſs to Redemption by Parliament in ſuch Manner, and upon ſuch Notice, as in the ſaid Act, made in the twenty-fifth Year of his ſaid late Majeſty's Reign, is directed, in reſpect of the ſeveral and reſpective Annuities redeemable by virtue of the ſaid Act; and that all and every Perſon and Perſons, and Corporations whatſoever, in proportion to the Money to which he, ſhe, or they, ſhall become intitled as aforeſaid by virtue of this Act, ſhall have, and be deemed to have, a proportional Intereſt and Share in the ſaid joint Stock of Annuities, at the Rate aforeſaid.

Books to be kept by Accountant-general, wherein ſhall be entered all Transfers of Sums advanced on this Act. Method of transferring.

LI. And be it further enacted by the Authority aforeſaid, That Books ſhall be conſtantly kept by the ſaid Accountant-general for the Time being, wherein all Aſſignments or Transfers of all Sums advanced or contributed towards the ſaid Sum of one million four hundred thouſand Pounds, and alſo all Aſſignments or Transfers of all Sums advanced or contributed towards the ſaid Sum of ſix hundred thouſand Pounds, ſhall, at all ſeaſonable Times, be entered and regiſtered; which Entry ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers; or, if ſuch Parties be abſent, by their reſpective Attorney or Attornies thereunto lawfully authoriſed in Writing, under his or their Hand and Seal or Hands and Seals, to be atteſted by two or more credible Witneſſes; and that the ſeveral Perſons to whom ſuch Transfers ſhall be made, ſhall reſpectively underwrite their Acceptance thereof; and that no other Method of aſſigning and transferring the ſaid Annuities, or any Part thereof, or any Intereſt therein, ſhall be good or available in Law.

Perſons poſſeſſed of Stock may deviſe the ſame by Will, &c.

LII. Provided alſo, That all Perſons poſſeſſed of any Share or Intereſt in either of the ſaid Stocks of Annuities, or any Eſtate or Intereſt therein, may deviſe the ſame by Will in Writing, atteſted by two or more credible Witneſſes; but that no Payment ſhall be made upon any ſuch Deviſe, till ſo much of the ſaid Will as relates to ſuch Share, Eſtate, or Intereſt, in the ſaid Stocks of Annuities, be entered in the ſaid Office; and that in Default of ſuch Transfer or Deviſe, ſuch Share, Eſtate, or Intereſt, in the ſaid Stocks of Annuities, ſhall go to the Executors, Adminiſtrators, Succeſſors, and Aſſigns; and that no Stamp-duties whatſoever ſhall be charged on any of the ſaid Transfers, any Law or Statute to the contrary notwithſtanding.

Transfers not ſubject to Stamp-duties.

Commiſſioners of the Treaſury to diſcharge all incident Charges attending the Execution of this Act.

LIII. Provided always, and be it enacted by the Authority aforeſaid, That, out of the Monies ariſing from the Contributions towards raiſing the ſaid Sum of two Millions, any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall have Power to diſcharge all ſuch incident Charges as ſhall neceſſarily attend the Execution of this Act, in ſuch Manner as to them ſhall ſeem juſt and reaſonable, and alſo to ſettle and appoint ſuch Allowances as ſhall be thought proper for the Service, Pains, and Labour, of the ſaid Caſhier or Caſhiers, for receiving, paying, and accounting for, the ſaid Contributions; and alſo ſhall have Power to make, out of the Fund hereby eſtabliſhed, or out of the Sinking Fund, ſuch further Allowances as ſhall be judged reaſonable for the Service, Pains, and Labour, of the ſaid Caſhier or Caſhiers, for receiving, paying, and accounting for, the ſaid Annuities, payable by virtue of this Act; and alſo for the Service, Pains, and Labour, of the ſaid Accountant-general, for performing the Truſt repoſed in him by this Act; all which Allowances to be made as aforeſaid, in reſpect to the Service, Pains, and Labour, of any Officer or Officers of the ſaid Governor and Company, ſhall be for the Uſe and Benefit of the ſaid Governor and Company, and at their Diſpoſal only.

The Bank to continue a Company till Redemption of the Annuities.

LIV. Provided always, and be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, notwithſtanding the Redemption of all or any of their own Funds, in purſuance of the Acts for eſtabliſhing the ſame, or any of them, ſhall continue a Corporation for the Purpoſes of this Act, till all the Annuities, after the Rate of three Pounds *per Centum per Annum*, by this Act granted, ſhall be redeemed by Parliament, as aforeſaid; and that the ſaid Governor and Company of the Bank of *England*, or any Member thereof, ſhall not incur any Diſability for or by reaſon of their doing any Matter or Thing in purſuance of this Act.

LV. And

No Fee to be taken for receiving or paying Contribution-monies, or for iſſuing Receipts, on Penalty of 20 l.

LV. And be it further enacted, That no Fee, Reward, or Gratuity whatſoever, ſhall be demanded or taken of any of his Majeſty's Subjects for receiving or paying the ſaid Contribution-monies, or any of them, or for any Tallies or Receipts concerning the ſame, or for iſſuing the Monies for paying the ſaid ſeveral Annuities, or any of them, or for any Transfer of any Sum, great or ſmall, to be made in purſuance of this Act, upon Pain that any Offender, or Perſon offending by taking or demanding any ſuch Fee, Reward, or Gratuity, ſhall forfeit the Sum of twenty Pounds to the Party aggrieved, with full Coſts of Suit; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, or Wager of Law, Injunction, or Order of Reſtraint, or any more than one Imparlance, ſhall be granted or allowed.

General Iſſue.

LVI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted, or proſecuted, for any Thing done by virtue or in purſuance of this Act, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, in his, her, or their Defence or Defences; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his, her, or their Action or Actions, or be nonſuited, or Judgment ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe, then ſuch Defendant or Defendants ſhall have Treble Coſts awarded to him, her, or them, againſt any ſuch Plaintiff or Plaintiffs.

Treble Coſts.

CAP. XXXV.

An Act for raiſing a certain Sum of Money by Loans or Exchequer Bills, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix. 1,500,000 *l.*

CAP. XXXVI.

An Act for the Encouragement and Improvement of the Pilchard-fiſhery carried on within the Bay of *Saint Ives*, in the County of *Cornwall*.

Preamble.

'WHEREAS a Pilchard-fiſhery hath for many Years been carried on in the Bay of *Saint Ives*, in 'the County of *Cornwall*, and the carrying on and Improvement thereof is of great Importance to 'this Nation, by increaſing the Trade and Navigation thereof, and being a Nurſery for Seamen, and 'otherwiſe a Means of employing and providing for a Number of induſtrious poor People: And whereas 'the ſaid Fiſhery hath hitherto been conducted and carried on according to, and regulated by, certain 'Cuſtoms or Regulations which have from Time to Time been deviſed by the Fiſhermen and Fiſhcurers 'concerned and employed in the ſaid Fiſhery, which by mutual Conſent have been obſerved and complied 'with; ſeveral of which Cuſtoms or Regulations are by Experience found proper to be ſtrictly obſerved 'and continued in Force; and others improper to be any longer purſued or obſerved: And whereas of 'late Years the Number of Adventurers in the ſaid Fiſhery, and the Craft employed therein, hath been 'greatly increaſed, and in ſeveral Inſtances many of the aforeſaid Cuſtoms or Regulations, which are moſt 'proper to be obſerved, have been infringed and diſregarded, and ſeveral unwarrantable Practices have 'been introduced into ſuch Fiſhery, and uſed by the Fiſhermen employed therein, whereby great Loſſes 'and Inconveniencies have happened to divers Perſons, and the ſaid Fiſhery hath been much prejudiced: 'For Remedy whereof, and for the better Preſervation of the ſaid Fiſhery, and for preventing the fiſhing 'within the ſaid Bay of *Saint Ives* with unſizeable and improper Nets, and for aſcertaining the Times and 'Seaſons, and Manner of fiſhing, within the ſaid Bay, and for the regulating the ſaid Fiſhery, and re'forming Abuſes therein;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſix ſeveral Stems or Stations for taking Fiſh within the ſaid Bay of *Saint Ives* reſpectively, called or known by the Names of *Carrick Gladden*, *The Poll*, *The Leigh*, *Porthminſter*, *Pedn Olver*, and *Carrick Leggoe* otherwiſe *Carn Crowze* Stems, ſhall, from and immediately after the paſſing of this Act, be deemed and taken to be bounded and limited in Manner herein after particularly mentioned; that is to ſay, The *Carrick Gladden* Stem is to be unlimited towards the South, and towards the Eaſt, and to extend towards the North as far as the Marks or Boundaries herein after directed to be ſet up and erected in *Porth Repta* River; *The Poll* Stem is to extend towards the North from the ſaid Marks or Boundaries in *Porth Repta* River aforeſaid, as far as the North Side of a certain Hedge or Fence, being the fourth Fence from a Houſe called *The Signal-houſe*, on *Porthminſter* Hill, to the Southward of the ſaid Houſe; *The Leigh* Stem is to extend towards the North from the End of *The Poll* Stem, according to the Boundary herein before mentioned, as far as the *Carrick Rock* oppoſite *Porthminſter* Point; the *Porthminſter* Stem is to extend towards the North from the ſaid *Carrick Rock*, as far as the Marks or Boundaries which are already fixed and erected on the Banks of *Porthminſter* River; the *Pedn Olver* Stem is to extend towards the North from the ſaid Marks or Boundaries on the Banks of *Porthminſter* River, as far as the South Corner of the Church-yard in the Town of *Saint Ives*; and the *Carrick Leggoe* or *Carn Crowze* Stem is to extend towards the South from the aforeſaid South Corner of the ſaid Church-yard, and to be unlimited towards the North.

Boundaries of the ſix Stems aſcertained.

Poles to be erected, to diſtinguiſh the Boundaries of ſome of the Stems.

II. And be it further enacted, That within the Space of one Calendar Month after the paſſing of this Act, Poles, or other proper and ſufficient Marks, ſhall be erected and fixed up in *Porth Repta* River, and the other Places aforeſaid, for the better diſtinguiſhing and aſcertaining the Extent, Boundaries, or Limits, of ſuch of the ſaid ſix ſeveral Stems or Stations, for taking Fiſh within the ſaid Bay of *Saint Ives*, as terminate at or are bounded by the ſeveral Places laſt herein before mentioned; and alſo that the Expences of erecting ſuch Poles, or other proper and ſufficient Marks, and keeping up and maintaining the ſame, ſhall now, and at all Times hereafter, be paid and borne by all the Partnerſhips or Companies that now are of

or hereafter ſhall be concerned in the ſaid Pilchard-fiſhery within the ſaid Bay of *Saint Ives*, in proportion to the Number of Seynes they reſpectively do or ſhall employ therein.

'III. And whereas the preſent Method of Boats holding Turns or Stems upon the ſaid ſeveral Stems 'or Stations, without any Limitation in Point of Time, is found to be very prejudicial to the ſaid Fiſhery;' be it therefore further enacted, That, from and after the twenty-fourth Day of *June*, which will be in the Year of our Lord one thouſand ſeven hundred and ſeventy-ſeven, all Stems or Turns, or Times of Fiſhing upon the aforeſaid ſix ſeveral Stems or Stations, ſhall commence at the Hour of Twelve at Night, and be determined or end at the Hour of Twelve in the following Night, unleſs the Boat or Boats holding or keeping ſuch Stem or Turn, Stems or Turns, do in the mean time ſhoot or caſt out into the Water her or their Seyne-net or Seyne-nets; and that each and every Boat that ſhall take Turn upon, or take Poſſeſſion of, any of the ſaid ſix ſeveral Stems or Stations, in the Manner herein after particularly mentioned, ſhall ſucceſſively, in the Turn or Order in which they have ſeverally taken their Turns or Stems upon the ſaid Stations, have the Benefit and Advantage of fiſhing within the Limits of ſuch Stem or Station, from the Time the ſame Turn or Stem ſhall be taken until the Hour of Twelve in the ſucceeding Night, ſubject to the Reſtrictions herein after mentioned.

Time of continuing upon the Stems limited.

IV. And be it further enacted, That the Order and Manner of taking the Turns of Fiſhing, commonly called taking Stems, upon the aforeſaid ſix ſeveral Stems or Stations, ſhall be as follows; that is to ſay, The Boat taking Turn or Stem muſt have on Board five Men at the leaſt, a ſufficient Seyne net, with Warp-rope and Tow-rope of the Dimenſions herein after ſpecified and particularly mentioned; and to intitle any Boat to a Turn or Stem, and the Benefit and Advantage thereof, the Warp-rope of the Seyne-net belonging to ſuch Boat is to be landed at the aforeſaid ſeveral Stems or Stations within the ſeveral Diſtances following; that is to ſay, At *Carrick Gladden* Stem the Warp-rope is to be landed between *Carrick Gladden* Point and the Limits of the ſaid Stem in *Porth Repta* River aforeſaid; at *The Poll* Stem, *The Leigh* Stem, *Porthminſter* Stem, and *Pedn Olver* Stem reſpectively, the Warp-rope may be landed at any Place within the reſpective Limits of the aforeſaid ſeveral Stems or Stations herein before deſcribed; and at *Carn Crowze* Stem the Warp-rope is to be landed at any Place within the aforeſaid South Corner of the Church-yard in *Saint Ives* and a Rock called *Merran*, northward of the ſaid Church-yard; and that all the ſaid Turns or Stems are to be taken by landing ſuch Warp-rope, and not otherwiſe.

The Manner of taking Stems, and what intitles a Boat thereto.

V. And be it further enacted, That no Tuck-net, commonly uſed in tucking or taking up Fiſh out of the Seyne-nets, ſhall intitle any Boat to take or hold a Turn or Stem upon any of the aforeſaid ſix ſeveral Stems or Stations.

No Tuck-net to intitle a Boat to take Stem.

VI. And be it further enacted, That the aforeſaid ſeveral Turns or Stems, when taken by landing the Warp-rope as aforeſaid, ſhall be regiſtered in Manner following; that is to ſay, One of the five Men who ſhall be in the Boat at the Time ſuch Turn or Stem is taken, or the Hewer for the Seyne or Maſter Seyner in the ſaid Boat, ſhall, the ſame Day on which ſuch Turn or Stem is taken, or before the Hour of Eight in the Forenoon of the next Day, bring a Liſt or written Account of ſuch Turn or Stem to the Perſon herein after appointed to receive the ſame; in which Liſt or written Account ſhall be inſerted and ſet down the Name of the Seyne-boat, the Time when, and upon which Stem or Station ſuch Turn or Stem was taken, and the Names of the five Perſons employed in taking ſuch Turn or Stem; which Liſt or written Account ſhall be regiſtered in a Book by the Perſon or Clerk appointed for that Purpoſe.

Time and Manner of regiſtering the Turns or Stems.

VII. And be it further enacted, That every Turn or Stem, not regiſtered in the Manner and within the Time herein before for that Purpoſe mentioned, ſhall be forfeited.

Stems not regiſtered to be forfeited.

VIII. And be it further enacted, That if any Perſon ſhall regiſter, or cauſe to be regiſtered, any Boat or Boats, as having taken any Turn or Stem, Turns or Stems, upon any of the aforeſaid ſix ſeveral Stems or Stations, within the Time and in the Manner herein before particularly mentioned, and it ſhall afterwards appear, either that ſuch Boat or Boats was or were not intitled to take ſuch Turn or Stem, Turns or Stems, or that ſuch Boat or Boats did not take ſuch Turn or Stem, Turns or Stems, in the Manner, within the Time, and within the Limits, herein before for that Purpoſe particularly mentioned and provided, and in the Liſt or written Account of ſuch Turn or Stem, Turns or Stems, particularly mentioned and ſet down; then, in every ſuch Caſe, on Information being given thereof on Oath, before the Mayor of the ſaid Borough of *Saint Ives* for the Time being, or any Juſtice of Peace of the ſaid Borough of *Saint Ives*, and on ſuch Perſon being convicted of ſuch Offence, either on his own Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes, before any ſuch Juſtice as aforeſaid, the Perſon guilty and convicted of ſuch Offence, and the Owner or Owners of the Boat whoſe Turn or Stem is ſo falſely regiſtered, ſhall forfeit and pay, for every ſuch Offence, the ſeveral Sums herein after mentioned; that is to ſay, The Owner or Owners of ſuch Boat, the Sum of twenty Pounds; and the Perſon guilty of ſuch Offence, the Sum of ten Pounds.

Penalty for making falſe Regiſter.

IX. And be it further enacted, That the ſhooting of every Seyne-net or Nets, or caſting the ſame into the Water, ſhall put an End to or determine the Turn or Stem, Turns or Stems, of the Boat or Boats out of which ſuch Seyne-net or Nets ſhall have been ſhot or caſt out into the Sea; and that whenever any Boat or Boats, holding the firſt or any other Turn or Stem upon any of the aforeſaid ſix ſeveral Stems or Stations, ſhall have ſhot off her or their Seyne-net or Seyne-nets, then all and every other Boat and Boats upon ſuch Stem or Station ſhall take their Turns of Fiſhing thereupon, according to the Order in which they reſpectively took their Turns or Stems upon ſuch Stem or Station; and alſo that in caſe any Boat holding the firſt or any other Turn or Stem upon any of the ſix ſeveral Stems or Stations, ſhall be abſent from ſuch Stem or Station at the Time the Fiſh begin to appear within the Limits of ſuch Stem or Station, then all and every other Boat and Boats, then holding Turn or Stem upon the ſaid Station, ſhall take their Turns of Fiſhing thereupon, according to the Order in which they reſpectively took their Turns upon ſuch Station, until ſuch Boat ſo quitting or being abſent from ſuch Station ſhall return to the ſame, and thereby regain her Turn or Stem thereupon, which ſuch Boat is hereby authoriſed to do.

Boats quitting a Stem, others to ſucceed according to Order, &c.

X. And

Any Boat taking a freſh Turn, after having ſhot her Seyne-net, &c.

X. And be it further enacted, That when any Boat, that hath taken Turn or Stem upon any of the aforeſaid ſix ſeveral Stems or Stations, within the Time and according to the Directions herein before for that Purpoſe limited and given, ſhall have ſhot out her Seyne-net, ſuch Boat ſhall not take any freſh Turn or Stem upon any other Stem or Station, until her ſaid Seyne-net ſo ſhot as aforeſaid ſhall be taken out of the Water; and in caſe any Boat, having ſhot her Seyne-net as aforeſaid, ſhall take any freſh Turn or Stem upon any other Stem or Station, before her ſaid Seyne is taken out of the Water, the Owner or Owners of ſuch Boat ſhall, upon Conviction of ſuch Offence, by the Oath of one or more credible Witneſs or Witneſſes, before any ſuch Juſtice of Peace as aforeſaid, forfeit and pay, for every ſuch Offence, the Sum of ten Pounds, and the Turn or Stem ſo taken contrary to the true Intent and Meaning of this Act ſhall be void, and no Benefit or Advantage had or taken therefrom; but that all Fiſh that ſhall be taken by ſuch Boat and Seyne ſhall belong to and be the Property of the Owner or Owners of the Boat and Seyne intitled to ſuch Turn and Stem.

Owner to forfeit 10 l.

Stems at Carn Crowze, Pedn Olver, and Porthminſter, to be forfeited by going to the Southward of Porthminſter Station, &c.

XI. And be it further enacted, That if any Boat or Boats, holding or having taken Turn or Stem (within the Time and according to the Directions herein before for that Purpoſe limited and given) at *Carn Crowze*, *Pedn Olver*, or *Porthminſter* Stems, ſhall paſs the Limits of *Porthminſter* Stem or Station to the Southward, with a Seyne-net on Board, every ſuch Boat ſhall forfeit the Turn or Stem which ſhe thentofore had upon either of the aforeſaid ſeveral Stems and Stations of *Carn Crowze*, *Pedn Olver*, and *Porthminſter*; and alſo, that if any Boat or Boats, holding or having taken Turn or Stem upon any of the ſaid ſix ſeveral Stems or Stations, within the Time, and according to the Directions herein before for that Purpoſe limited and given, ſhall land or put on Shore the Warp-rope belonging to her Seyne-net, within the Limits of any other Stem or Station than that upon which ſuch Boat or Boats had originally taken Turn or Stem, the Turns or Stems firſt taken by ſuch Boat or Boats ſhall be forfeited thereby.

Stem to be forfeited by landing the Warp-rope in another Station.

Dimenſions of the Seynes, Tow-rope, and Warp-rope.

XII. And be it further enacted, That the Dimenſions of the Seyne-nets, to intitle any Boat or Boats to hold or take a Turn or Stem as aforeſaid, ſhall be as follows; that is to ſay, Every ſuch Seyne-net is to meaſure one hundred and eighty Fathoms at the leaſt at the Cork-rope of ſuch Seyne, and to have one hundred and forty Fathoms (Part of the ſaid one hundred and eighty Fathoms) Cod or *Dungarvon* Meſh, and to meaſure nine Fathoms at the leaſt at the Beam or Bunt, and ſix Fathoms at the leaſt in Depth, at the Poles or Ends of the ſaid Seyne (each of the ſaid Fathoms to be computed after the Rate of five Feet to the Fathom), and to have a Tow-rope not leſs than eighty Fathoms, and a Warp-rope not leſs than three hundred and twenty Fathoms, each of the ſaid laſt-mentioned Fathoms to be computed after the Rate of ſix Feet to the Fathom.

Seyne to be moored only with forty Fathoms, and Seyne-anchors to have but one Flook.

XIII. And be it further enacted, That no Mooring-rope to be bent or faſtened to any Anchor, and uſed in mooring any Seyne-net or Nets, within the Limits of any of the aforeſaid ſix ſeveral Stems or Stations, ſhall exceed forty Fathoms in Length, to be computed after the Rate of ſix Feet to the Fathom; and that all Anchors to be uſed in mooring Seynes, within the Limits of any of the aforeſaid ſix ſeveral Stems or Stations, ſhall have one Flook only; and that if any Seyne ſhall hereafter be moored, within the Limits of any of the aforeſaid ſix ſeveral Stems or Stations, with any Anchor having two Flooks, or with any Rope longer than forty Fathoms, to be computed after the Rate aforeſaid, the Owner or Owners of every ſuch Seyne, upon Conviction thereof, by the Oath of one or more credible Witneſs or Witneſſes, before any ſuch Juſtice of Peace as aforeſaid, ſhall forfeit and pay the Sum of ten Pounds for every ſuch Offence.

Clerk, or Regiſter, by Warrant, may enter any Boat to meaſure the Warp-ropes and Mooring-ropes, &c.

‘ XIV. And, for the better diſcovering if any Warp-ropes or Mooring-ropes of an improper Length, ‘ and contrary to the Directions herein before in that Behalf given, are made uſe of by any Perſons em- ‘ ployed in the ſaid Pilchard-fiſhery, within the Limits of any of the ſaid ſix ſeveral Stems or Stations;’ be it further enacted, That it ſhall and may be lawful to and for the Perſon for the Time being appointed Clerk or Regiſter to the ſaid Fiſhery, in Manner hereafter mentioned, by Warrant under the Hand and Seal of ſuch Juſtice of Peace as aforeſaid (who is hereby required and directed from Time to Time to iſſue ſuch Warrant, at the Requeſt of any Owner or Owners of any Seyne-net or Nets employed in the ſaid Fiſhery deſiring the ſame); and all Perſons who ſhall be ſpecially named in ſuch Warrant, at any Time to enter into any Seyne-boat employed in the ſaid Pilchard-fiſhery, within the Limits of any of the ſaid ſix ſeveral Stems or Stations aforeſaid, and then and there immediately to meaſure all or any of the Warp-ropes and Mooring-ropes belonging to any Seyne-net or Nets then on board ſuch Boat (unleſs ſuch Seyne-net or Nets ſhall happen to be at that Time in the Water; in which Caſe the ſaid Clerk or Regiſter, and the other Perſons named in ſuch Warrant, are hereby authoriſed and directed to remain on board ſuch Boat, until ſuch Seyne-net or Nets ſhall be taken out of the Water, and then immediately to meaſure all or any of the Warp-ropes and Mooring-ropes belonging to the ſame), and report the exact Lengths of the ſaid Warp-ropes or Mooring-ropes, or ſuch of them as ſhall be then meaſured, to the Juſtice of Peace granting ſuch Warrant as aforeſaid, in order to convict or acquit the Perſon or Perſons charged with ſuch Offence: And it is hereby directed, that the reaſonable Expences, for the Time and Trouble of the ſaid Clerk or Regiſter, and the Perſons ſpecially named in ſuch Warrant, employed in taking ſuch Admeaſurement, to be ſettled by the Juſtice of Peace granting ſuch Warrant, ſhall be paid and borne by the Owners of the ſaid Seyne-net or Nets, if the Warp-ropes or Mooring-ropes, or any of them, belonging to ſuch Net or Nets, ſhall appear to be of an improper Length, and contrary to the Directions herein before in that Behalf given, over and above the Penalty herein before annexed to ſuch Offence; or otherwiſe by the Perſon at whoſe Requeſt ſuch Warrant was granted and iſſued.

Expences of meaſuring, how to be paid.

Penalty on obſtructing the Entry of the Clerk, &c.

XV. And be it further enacted, That if any Perſon or Perſons ſhall obſtruct or hinder the ſaid Clerk or Regiſter for the Time being, or any of his Aſſiſtants named in ſuch Warrant, from entering ſuch Boat or Boats, or in meaſuring all or any of the Warp-ropes or Mooring-ropes of the Seyne-net or Nets belonging to ſuch Boat or Boats, the Perſon or Perſons ſo offending therein ſhall, for every ſuch Offence, forfeit

forfeit the Sum of ten Pounds, on Conviction thereof, by the Oath of one or more credible Witneſs or Witneſſes, before the Juſtice of Peace granting ſuch Warrant as aforeſaid.

Every Anchor uſed in mooring to have a ſufficient Buoy and Buoy-rope;

XVI. And be it further enacted, That there ſhall be a proper and ſufficient Buoy and Buoy-rope made faſt to every Anchor which ſhall be uſed in mooring any Seyne-net or Nets within the Limits of any of the ſaid ſix ſeveral Stems or Stations, ſo as to point out and diſcover all and every ſuch Anchor and Anchors during all the Time that ſuch Seyne-net or Nets ſhall remain in the Water; and in Default thereof, the Owner or Owners of every ſuch Seyne-net or Nets ſo moored, within the Limits aforeſaid, by any Anchor or Anchors without a ſufficient Buoy and Buoy-rope faſtened thereto, ſhall, upon Conviction of ſuch Offence, by the Oath of one or more credible Witneſs or Witneſſes, before any ſuch Juſtice of Peace as aforeſaid, forfeit the Sum of ten Shillings for any Anchor uſed in mooring ſuch Seyne-net or Nets, without having a ſufficient Buoy and Buoy-rope made faſt to the ſame.

on Penalty of 10 s.

Penalty on leaving Boats at Anchor without five Men on Board.

XVII. And be it further enacted, That no Boat or Boats, having any Seyne-net or Nets on Board, ſhall remain or be left at Anchor, or be moored or faſtened within the Limits of any of the aforeſaid ſix ſeveral Stems or Stations, without five Men at leaſt on Board ſuch Boat or Boats, the whole Time that the ſame remains or remain at Anchor, or be moored or faſtened as aforeſaid; and that if, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and ſeventy-ſeven, any Boat or Boats, with any Seyne-net or Nets on Board, ſhall be left or found at Anchor within the Limits aforeſaid, without five Men at the leaſt on Board ſuch Boat or Boats reſpectively, the Owner or Owners of ſuch Boat or Boats ſhall, upon Conviction, by the Oath of one or more credible Witneſs or Witneſſes before any ſuch Juſtice of Peace as aforeſaid, forfeit, for every ſuch Offence, ſuch Sum of Money as ſuch Juſtice ſhall think fit and adjudge, not exceeding ten Pounds.

Penalty on putting a Boat to Sea, &c. before the Warp-rope is landed.

XVIII. And be it further enacted, That the Warp-rope of every Seyne-net ſhall be landed or brought on Shore before the Boat, having ſuch Seyne-net on Board, is put off to Sea to ſhoot her Seyne; and that if any Boat, having a Seyne-net on Board, ſhall be put out to Sea before the Warp-rope of her Seyne-net ſhall be landed, the Hewer or Hewers of ſuch Boat and Seyne ſhall, upon Conviction, by the Oath of one or more credible Witneſs or Witneſſes, before any ſuch Juſtice of Peace as aforeſaid, forfeit and pay, for every ſuch Offence, the Sum of fifty Pounds; and if any Fiſh ſhall be taken by ſuch Boat, all ſuch Fiſh ſhall be forfeited to the Owner or Owners of the Boat then next in Turn, upon the Stem or Station within the Limits of which ſuch Offence is committed, having her Warp-rope on Shore.

Regulations for ſhooting the Seyne.

XIX. And be it further enacted, That if the Warp-rope of the Seyne-net belonging to the Boat intitled to the firſt Turn or Stem, upon any of the ſaid ſix ſeveral Stems or Stations, ſhall be landed before any other Boat, which may have put out to Sea, ſhall have ſhot out one End or Part of her Seyne, it ſhall and may be lawful for the Hewer of the Seyne, on Board the Boat ſo intitled to the firſt Turn or Stem, to forbid the other Boat from ſhooting her Seyne; and if ſuch Boat ſhall ſhoot her Seyne, notwithſtanding ſuch Forbiddal, then and in ſuch Caſe all the Fiſh which ſhall be taken by her ſhall belong and be forfeited to the Owner or Owners of the Boat ſo intitled to the firſt Turn or Stem; and the Owner or Owners of the Boat, from which the Seyne-net ſhall be ſo ſhot after ſuch Forbiddal as aforeſaid, ſhall alſo forfeit and pay the Sum of twenty Pounds.

Proviſo.

XX. Provided always, That if ſuch laſt mentioned Boat or Boats ſhall have ſhot out any Part of her or their Seyne before the Warp-rope of the Seyne belonging to the Boat intitled to the firſt Turn or Stem is landed, then, and in ſuch Caſe, the Hewer of the Seyne on Board the Boat, intitled to ſuch firſt Turn or Stem, ſhall have no Right to interrupt or forbid the Perſons belonging to ſuch other Boat or Boats as aforeſaid from proceeding in ſhooting out the Remainder of their Seyne.

Second Boat not to put to Sea till the firſt Boat hath ſhot her Seyne.

XXI. And be it further enacted, That no Boat, having or holding a Second or other Turn or Stem upon any of the aforeſaid ſix ſeveral Stems or Stations, ſhall be put out to Sea, until the Boat intitled to the firſt Turn or Stem upon that Station ſhall have ſhot out all her Seyne, or ſhall deſiſt from ſhooting out the ſame; and that if any Boat, holding Second or other following Turn or Stem upon any of the aforeſaid ſix ſeveral Stems or Stations, ſhall be put out to Sea before the Boat intitled to the firſt Turn or Stem upon ſuch Station ſhall have ſhot her whole Seyne, or, having begun to ſhoot, ſhall deſiſt from ſhooting the ſame, the Hewer or Hewers of ſuch Boat ſhall, upon Conviction of ſuch Offence, by the Oath of one or more credible Witneſs or Witneſſes, before any ſuch Juſtice of Peace as aforeſaid, forfeit and pay, for every ſuch Offence, the Sum of ten Pounds; and if any Fiſh ſhall be taken by ſuch Boat or Seyne, all ſuch Fiſh ſhall be forfeited to the Owner or Owners of the Boat and Seyne then intitled to the firſt Turn or Stem.

When Seyne is partly ſhot in one Stem, the Remainder may be ſhot in the adjoining Stem, if the Fiſh go thither.

'XXII. And whereas it frequently happens, that, after Fiſh are within the Limits of any of the ſaid 'ſix ſeveral Stems or Stations, and the Boat then holding Turn or Stem upon ſome one of ſuch Stations 'hath begun to ſhoot out her Seyne, the Fiſh ſtart back or paſs into the Limits of one of the next Stems 'or Stations;' be it therefore enacted, That in every ſuch Caſe it ſhall and may be lawful to and for every Boat, which hath begun to ſhoot her Seyne when the Fiſh were within the Limits of the Stem or Station upon which ſhe held or was intitled to Turn or Stem as aforeſaid, to continue to ſhoot out the Remainder of her Seyne in the adjoining Stem or Station into which the ſaid Fiſh ſhall go or paſs.

When Seyne is ſhot, it may be worked through and moored in any other Stem.

XXIII. And be it further enacted, that when any Seyne-net ſhall be ſhot within the Limits of any of the aforeſaid ſix ſeveral Stems or Stations, ſuch Seyne-net may be worked or haled through the Limits of any adjoining Stem or Station, and brought to a convenient and proper Mooring-place, and moored and ſecured within the Limits of any of the ſaid ſix ſeveral Stems or Stations for the Preſervation of the ſaid Seyne, and the Fiſh incloſed therein.

Two Seynes may be moored together, with 10 Anchors on the

XXIV. And be it further enacted, That if more Seyne-nets than one ſhall happen to be in the Water at the ſame Time with Fiſh incloſed in each, the Owner or Owners of the Seyne which there ſhall be Occaſion to moor, after the firſt Seyne hath been moored, ſhall be at Liberty to moor the ſaid Seynes together, faſtening the Cork-rope of the one Seyne-net to the Cork-rope of the other, provided there be not

North and South Sides of ſuch Seynes.

leſs than ten ſufficient Mooring-anchors put out on the Southern Sleeve or Side of the Southermoſt Seyne-net, and no leſs than ten ſufficient Mooring-anchors on the Northern Side or Sleeve of the Northermoſt Seyne-net: and if the ſaid Owner or Owners of the ſaid Southern or Northermoſt Seynes ſhall neglect to moor their reſpective Seyne-nets with ten ſufficient Mooring-anchors as aforeſaid, the Owner or Owners guilty of ſuch Offence ſhall, upon Conviction thereof, by the Oath of one or more credible Witneſs or Witneſſes, before any ſuch Juſtice of Peace as aforeſaid, forfeit the Sum of forty Pounds for every ſuch Offence

'XXV. And whereas, when more than two Seyne-nets are moored together, it may frequently hap-
'pen, by the Violence of the Tide or otherwiſe, that the Anchors of ſome of the outermoſt of the ſaid
'Seyne-nets may drive or ſtart, or the Mooring-ropes belonging or faſtened to ſuch Anchors may part or
'break, by Means whereof the Sides of the inner Seyne-net or Nets may be forced too near together, ſo as
'to endanger the Loſs of the Fiſh encloſed therein;' be it therefore further enacted, That in all ſuch Caſes the Owners of ſuch outermoſt Seyne-net, whoſe Anchors ſhall drive, or Mooring-ropes part, as aforeſaid, ſhall, upon Notice being given to any one of ſuch Owners, or to the Hewer of ſuch Seyne or Maſter Seyner thereof, immediately aſſiſt and ſend one Boat, manned with five Men at the leaſt, to replace the ſaid outermoſt Seyne in its proper Birth or Station again; and in caſe of any Neglect or Refuſal to afford ſuch Aſſiſtance as aforeſaid, the Owners or Maſter Seyner of the inner Seyne-net or Nets, ſo in Danger of loſing their Fiſh as aforeſaid, ſhall be at Liberty to replace ſuch outermoſt Seyne into its proper Birth or Situation, and the Owner or Owners of ſuch outermoſt Seyne neglecting to afford ſuch Aſſiſtance as aforeſaid, ſhall, for every ſuch Offence, upon Conviction thereof, by the Oath of one or more credible Witneſs or Witneſſes, before ſuch Juſtice of Peace as aforeſaid, forfeit the Sum of one Pound to the Owner or Owners of the ſaid inner Seyne-net or Nets, for and towards the Expence of replacing the ſaid outermoſt Seyne-net as aforeſaid.

When the Anchors of the outermoſt Seynes drive, the Owners of ſuch Seynes to replace the Seyne.

One Anchor to the Bunt of every Seyne.

XXVI. And be it further enacted, That the Bunt or Middle of every Seyne-net in which Fiſh ſhall be incloſed ſhall be moored with one ſufficient Anchor at the leaſt, when ſuch Seyne ſhall be haled into her proper Birth, and there moored on the Sleeves or Sides as aforeſaid.

Seyne that is firſt moored to attend the mooring of every other Seyne.

XXVII. And be it further enacted, That when any Seyne-net with Fiſh incloſed therein ſhall be moored within any Cove or Birth, and it ſhall be neceſſary to moor any other Seyne-net or Nets in the ſaid Cove, the Owner or Owners or Hewer of the Seyne ſo firſt moored ſhall ſend out a Boat, manned with four Men at the leaſt, to attend the Mooring of ſuch other Seyne-net or Nets, to ſee that the Seyne firſt moored ſhall receive no Damage by the haling in or mooring ſuch other Seyne-net or Nets in the ſaid Cove; and in caſe the Owners of the Seyne firſt moored ſhall neglect to ſend out ſuch Boat, ſo manned as aforeſaid, the Owners of ſuch other Seyne-net or Nets ſhall not be anſwerable for any Damage to be done, or which ſhall happen by haling ſuch other Seyne-net or Nets into a proper Birth in the ſaid Cove and Mooring there.

Penalty for cutting off any Rope belonging to Seynes, &c.

XXVIII. And be it further enacted, That if any Perſon or Perſons whatſoever ſhall, either by Day or Night, wilfully and maliciouſly cut or caſt off, or cauſe to be cut or caſt off, any Warp-rope, Tow-rope, or Mooring-rope, of or belonging to any Seyne or Thwart-net in the Water, or ſhall wilfully and maliciouſly cut, break, or deſtroy, any ſuch Seyne or Thwart-net in the Water, or ſhall wilfully and maliciouſly cut, caſt off, or unbend, any Cable, Hawſer, or other Rope, either faſtened on Shore, or bent to any Anchor then uſed for mooring any Ship or Veſſel, which ſhall be lying in the Pier or Harbour of *Saint Ives*, for the Purpoſe of loading Fiſh, or any other Ship or Veſſel whatſoever which ſhall be lying in the ſaid Pier or Harbour, or ſhall wilfully cut, caſt off, or unbend, any Hawſer or Rope faſtened on Shore, or bent to an Anchor then uſed for mooring any Boat whatſoever lying within the ſaid Pier or Harbour; then, and in any of the ſaid Caſes, every Perſon ſo offending, being thereof lawfully convicted, ſhall be adjudged guilty of Felony, and tranſported to one of his Majeſty's Plantations Abroad, for ſeven Years, or ſhall be committed to Priſon for any Time not exceeding three Years, at the Diſcretion of the Judge or Court before whom ſuch Offender ſhall be tried; and any Indictment for ſuch Offence ſhall and may be enquired of, examined, tried, and determined, in any adjacent County, within that Part of *Great Britain*, in ſuch Manner and Form as if the Facts had been therein committed.

Proviſo, relating to Veſſels going into or out of Harbour.

XXIX. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to hinder or prevent any Perſon or Perſons on board any Boat, Ship, or Veſſel, coming into or going out of the ſaid Pier or Harbour of *Saint Ives*, from cutting or caſting off any Rope or Cable, where it will be neceſſary to be done for the Safety of any ſuch Boat, Ship, or Veſſel.

Times for ſhooting the Seynes upon the ſeveral Stems or Stations.

XXX. And be it further enacted, That although the Turns or Stems are herein before appointed to be held from the Hour of Twelve in one Night to the like Hour of Twelve in the following Night, yet the Time of ſhooting the Seyne-nets within the Limits of the ſaid ſix ſeveral Stems or Stations ſhall commence and end at and within the ſeveral States of High and Low Water, upon the ſaid ſeveral Stems or Stations reſpectively, herein after particularly mentioned; that is to ſay, The Turns or Stems for ſhooting the Seyne-nets within the Limits of *Carrick Gladden* Stem or Station, ſhall begin at the Time of Half Flood, and end at the Time of Half Ebb of the Tide upon that Station; the Turn or Stem for ſhooting the Seyne-nets within the Limits of *The Poll* Stem or Station, ſhall begin at the Time of a Quarter Flood, and end at the Time of three Quarters Ebb of the Tide upon the laſt mentioned Station; the Turn or Stem for ſhooting the Seyne-nets within the Limits of *The Leigh* Stem or Station, ſhall begin at the Time of three Quarters Ebb, and end at the Time of one Quarter Flood of the Tide upon the ſaid laſt mentioned Station; the Turn or Stem for ſhooting the Seyne-nets within the Limits of *Porthminſter* Stem or Station, ſhall begin at the Time of two Hours Flood, and end at the Time of four Hours Ebb of the Tide upon the ſaid laſt mentioned Station; the Stem or Turn for ſhooting the Seyne-nets within the Limits of *Carn Crowze* Stem or Station, ſhall begin at the Time of three Quarters Ebb, and end at the Time of one Quarter Flood of the Tide upon the ſaid laſt mentioned Stem or Station; and within the Limits of *Pedn*

Pedn Olver Stem or Station, the Seyne-nets may be ſhot at all Times or States of the Tide: And that if any Seyne-net or Nets ſhall be ſhot within the Limits of *Carrick Gladden*, *The Poll*, *The Leigh*, *Porthminſter*, and *Carn Crowze* Stems reſpectively, before or after the ſeveral States of the Tide at which the Turns or Stems for ſhooting the Seynes are herein before particularly directed to commence and end at the ſaid five laſt mentioned Stems or Stations as aforeſaid, the Owner or Owners or Hewer of every ſuch Seyne ſhall, upon Conviction, by the Oath of one or more credible Witneſs or Witneſſes, before any ſuch Juſtice of Peace as aforeſaid, forfeit and pay, for every ſuch Offence, the Sum of twenty Pounds: And if any Fiſh ſhall be taken in conſequence of any Seyne-net or Nets ſhot contrary to the Directions herein before given, all ſuch Fiſh ſhall be forfeited to ſuch Perſon or Perſons as any two of the Juſtices of the Borough, on hearing the Parties, and Examination of Witneſſes upon Oath, if neceſſary, ſhall order and direct.

Owners of Seynes, ſhooting at improper Times, to forfeit 20l. for each Offence.

XXXI. And be it further enacted, That the Commencement and End of the aforeſaid ſeveral Turns or Stems of ſhooting the Seyne-nets, within the Limits of the ſaid *Carrick Gladden*, *The Poll*, *The Leigh*, *Porthminſter*, and *Carne Crowze* Stems reſpectively, ſhall be declared and made known by the hoiſting of a Flag, or ſome other proper Signal, at the Beacon-houſe on *Porthminſter* Hill, by a Perſon herein after appointed for that Purpoſe.

Commencement, &c. of ſhooting the Seynes to be made known by a Signal.

XXXII. And be it further enacted, That when the Turn or Stem for ſhooting the Seyne-nets within the Limits of *Carrick Gladden* Stem or Station, by the Boats upon that Station, ſhall be at an End, at the State of the Tide upon that Station herein before for that Purpoſe mentioned, it ſhall and may be lawful to and for the Boat or Boats, having or holding Turn or Stem upon *The Poll* Stem, to ſhoot her or their Seyne-net or Nets into the Limits of *Carrick Gladden* Stem, until ſuch Stems ſhall again commence, according to the Directions herein before for that Purpoſe given; and alſo that when the Turn or Stem for ſhooting the Seyne-nets within the Limits of *Carrick Gladden* and *The Poll* Stems reſpectively, by the Boats upon the ſaid laſt mentioned Stations, ſhall be at an End, according to the Directions, and at the States or Times of the Tide upon thoſe Stations herein before for that Purpoſe given and mentioned, it ſhall and may be lawful to and for the Boat or Boats, having or holding Turn or Stem upon the *Leigh* Station, to ſhoot her or their Seyne-net or Nets into the Limits of *Carrick Gladden* and *The Poll* Stems reſpectively, until *The Poll* Stem ſhall again commence, according to the Directions herein before for that Purpoſe given; and alſo, when the Turn or Stem for ſhooting the Seyne-nets within the Limits of the *Porthminſter* and *Carn Crowze* Stems reſpectively, by the Boats upon the ſaid laſt mentioned Stations, ſhall be at an End, according to the Directions, and at the States of Tide herein before for that Purpoſe given and mentioned, it ſhall and may be lawful to and for the Boat or Boats, having or holding Turn or Stem upon the *Pedn Olver* Station, to ſhoot her or their Seyne-net or Nets into the Limits of the ſaid *Porthminſter* and *Carn Crowze* Stems reſpectively.

At what Times the Boats having Turn on one Stem, may ſhoot their Seyne-nets within the Limits of another Stem.

XXXIII. And be it further enacted, That, upon the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and ſeventy-ſeven, it ſhall and may be lawful to and for the ſeveral Partnerſhips or Companies, concerned in the ſaid Pilchard-fiſhery within the ſaid Bay of *Saint Ives*, (each Partnerſhip or Company duly authoriſing, in Writing, ſome one Perſon to vote for each Company or Partnerſhip) to elect and appoint ſome fit and proper Perſon to be their Clerk or Regiſter, for the Purpoſes herein after particularly mentioned; that is to ſay, To receive all the Liſts or written Accounts that ſhall be brought to him of Turns or Stems for fiſhing, to be from Time to Time taken by the Seyne-boats in Manner aforeſaid, and to enter the ſame Liſts and Accounts in a Book to be by him provided and kept for that Purpoſe, and to give a Certificate thereof; and alſo, from Time to Time, as often as Occaſion ſhall be and require, to meaſure the Gurries or Veſſels uſed in the Diviſion of the Pilchards brought home from the Seyne-net or Nets, and all the Seyne-nets, Warp-ropes, Tow-ropes, and Mooring-ropes, belonging to any Seyne-net or Nets, made uſe of within the ſaid Bay of *Saint Ives*; and to examine whether the Anchors uſed in mooring ſuch Seyne-nets have more than one Flook each; and alſo, at the ſeveral States or Times of Tide when the Turns or Stems for ſhooting the Seyne-nets are herein before directed to commence and end at the *Carrick Gladden*, *The Poll*, *The Leigh*, *Porthminſter*, and the *Carn Crowze* Stems as aforeſaid, to give, or cauſe to be given, a Signal or Signals from the Beacon-houſe upon *Porthminſter* Hill, by the Hoiſting of a Flag or Flags, or otherwiſe, as ſhall from Time to Time be fixed and agreed upon by all the ſeveral Companies or Partnerſhips for the Time being concerned in ſuch Fiſhery; and that on the twenty-fifth Day of *March* in every Year, there ſhall be paid, to the Perſon for the Time being appointed Clerk or Regiſter to the Companies concerned in the ſaid Pilchard-fiſhery as aforeſaid, as and for his Salary, and in full Recompence and Satisfaction for his Time and Trouble in attending to and tranſacting the ſeveral Matters and Things herein before intruſted to him as aforeſaid, the clear Sum of fifteen Pounds; ſuch Salary to be raiſed and paid by all the Partnerſhips or Companies for the Time being concerned in the ſaid Pilchard-fiſhery, in Proportion to the Number of Seyne-nets they ſhall reſpectively employ therein.

Regiſter to be appointed;

His Duty,

and Salary.

XXXIV. And be it further enacted, That if any ſuch Clerk or Regiſter, to be appointed as aforeſaid, ſhall at any Time hereafter receive any Sum or Sums of Money, Gratuity, or Reward whatſoever, from any Perſon or Perſons, to prevent, delay, or hinder any Proſecution, or compound for, or wilfully conceal, any Offence to be committed contrary to this Act, and ſhall be thereof convicted by the Oath of one or more credible Witneſs or Witneſſes, before ſuch Juſtice of the Peace as aforeſaid, ſuch Clerk or Regiſter ſhall forfeit and pay the Sum of ten Pounds, and be forthwith diſmiſſed from his ſaid Office or Employment, and rendered incapable of ever again being re-elected thereto, or re-inſtated therein.

Penalty on Regiſter receiving Bribes, &c.

XXXV. And be it further enacted, That the Perſon ſo to be elected and appointed Clerk or Regiſter as aforeſaid, ſhall not upon any Pretence whatſoever, either in his own Name, or in the Name or Names of any other Perſon or Perſons in Truſt for him, have, hold, or enjoy, any Share or Intereſt whatſoever in any Boat or Seyne-net employed in the Pilchard-fiſhery within the ſaid Bay of *Saint Ives*; nor act or be employed as a Hewer or Hewers, Seyner or Blowſer, to any Perſon or Perſons concerned in the ſaid Pilchard-

Regiſter not to be intereſted in the Pilchard-fiſhery, &c.

Pilchard-fiſhery; and alſo that it ſhall and may be lawful to and for the ſaid Companies or Partnerſhips for the Time being, concerned in the ſaid Pilchard-fiſhery, (or for the Majority of them, each Partnerſhip deputing one Perſon to vote for each Partnerſhip) from Time to Time hereafter, as they ſhall ſee fit, to remove and diſmiſs the Perſon to be appointed Clerk or Regiſter to the ſaid Fiſhery on the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and ſeventy-ſeven, or any future or other Clerk or Regiſter, from ſuch Station or Office; and thereupon, in his Place and Stead, to appoint and elect ſome other fit Perſon to be Clerk or Regiſter to the ſaid Pilchard-fiſhery, with ſuch Salary, not exceeding the Sum of fifteen Pounds, as the ſaid Companies or Partnerſhips, ſo electing ſuch Clerk or Regiſter, ſhall think fit to allow and appoint.

Penalty on fiſhing for Hook-fiſh, &c. between July 25, and December 25.

XXXVI. And be it further enacted, That, from the twenty-fifth Day of *July*, until the twenty-fifth Day of *December*, in this preſent and every ſucceeding Year, no Perſon or Perſons ſhall fiſh for any Hook-fiſh, or ſhoot or lay any Boulter or Ground-tackle for taking Fiſh, or make uſe of any Trawling-net or Nets, within the Diſtance of one thouſand Fathoms from the Shore, any where within the Limits of the aforeſaid ſix ſeveral Stems or Stations; and that every Perſon offending herein ſhall, upon Conviction thereof, by the Oath of one or more credible Witneſs or Witneſſes, before ſuch Juſtice of Peace as aforeſaid, forfeit the Sum of ten Shillings for every ſuch Offence.

Penalty on Boats not keeping within 20 Fathoms of the Shore, between July 25, and December 25.

XXXVII. And be it further enacted, That all Boats, which ſhall have Occaſion to paſs and repaſs within the Limits of the aforeſaid ſix ſeveral Stations, between the twenty-fifth Day of *July* and the twenty-fifth Day of *December*, in every Year, ſhall, during ſuch laſt-mentioned Space of Time, keep within the Diſtance of twenty Fathoms from the Shore; and that if any Boat or Boats, between the twenty-fifth Day of *July* and twenty-fifth Day of *December*, in paſſing and repaſſing within the Limits of any of the aforeſaid ſix ſeveral Stems or Stations, to and from the Harbour of *Saint Ives*, ſhall not keep within the Diſtance of twenty Fathoms from the Shore, every Perſon on Board ſuch Boat ſhall, upon Conviction of every ſuch Offence, by the Oath of one or more credible Witneſs or Witneſſes, before any ſuch Juſtice of Peace as aforeſaid, forfeit and pay the Sum of five Shillings for every ſuch Offence.

Gurries to be meaſured and marked;

XXXVIII. And be it further enacted, That the Gurries or Veſſels to be uſed by every Company or Partnerſhip for the Carriage or Diviſion of Pilchards taken from the Boats that ſhall bring home the Pilchards from the Seyne, ſhall be all of the following Size or Dimenſion; that is to ſay, Thirty Inches in Length, twenty-one Inches in Breadth, and nineteen Inches deep; and that all ſuch Gurries or Veſſels ſhall, before they have been uſed, be meaſured and marked in ſome conſpicuous Place or Part thereof by the Clerk or Regiſter for the Time being, who ſhall put, or cauſe to be put, the initial Letters of the Names of the Owners thereof; and that if any Perſon or Perſons ſhall make uſe of, or attempt to make uſe of, any Gurry or Gurries, or Veſſel or Veſſels, that hath or have not been meaſured and marked by the ſaid Clerk or Regiſter, as aforeſaid, it ſhall and may be lawful for any Perſon or Perſons obſerving ſuch unmarked Gurry or Gurries, Veſſel or Veſſels, to ſeize the ſame, and carry ſuch unmarked Gurry or Gurries, Veſſel or Veſſels, before the Mayor of the ſaid Borough of *Saint Ives* for the Time being; and

on Penalty of 1 l. 1 s.

if the ſame ſhall, upon View or Examination thereof, appear to be unſizeable, contrary to the Directions herein before given, or unmarked by the ſaid Clerk or Regiſter, the Owner or Owners of ſuch Gurry or Gurries, Veſſel or Veſſels, ſhall forfeit and pay the Sum of one Guinea for every ſuch unmarked Gurry or Gurries, Veſſel or Veſſels, and the ſame ſhall be immediately broken and deſtroyed.

Partnerſhips may alter the Size of Gurries.

XXXIX. Provided always, That if, at any future Time or Times, it ſhall be thought proper to make any Alteration in the Size of the ſaid Gurries or Veſſels, it ſhall and may be lawful to and for the ſeveral Partnerſhips or Companies for the Time being, concerned in the ſaid Pilchard-fiſhery, from Time to Time, on the twenty-fifth Day of *March* in each Year, as often as they ſhall think proper, (one Perſon being duly authoriſed to vote for each Partnerſhip as aforeſaid) to make ſuch Alterations in, and Regulations relating to, the Size and Dimenſions of the ſaid Gurries, as to the ſaid Perſons ſo deputed to vote as aforeſaid, or the Majority of them, ſhall ſeem meet; and that, after every ſuch Alteration and new Regulation, and ſo long as ſuch Regulation ſhall continue in Force, all the Gurries to be uſed in the Carriage or Diviſion of the ſaid Fiſh ſhall be of the Size and Dimenſions ſo from Time to Time pointed out and directed, and ſhall alſo be meaſured and marked before they are uſed, in ſuch and the ſame Manner as is herein before directed.

Penalties and Forfeitures how to be recovered and applied.

'XL. And, for the better and more eaſy Recovery of the ſeveral Penalties and Forfeitures to be incurred 'by Diſobedience to this Act, and for diſpoſing of the ſaid Forfeitures where no particular Proviſion is 'made herein,' be it further enacted, That it ſhall and may be lawful to and for the Mayor of the ſaid Borough of *Saint Ives* for the Time being, and for any of his Majeſty's Juſtices of the Peace within the Juriſdiction aforeſaid, on the Conviction of any Perſon or Perſons, for any Offence or Offences committed contrary to the true Intent and Meaning of this Act, the Forfeiture not being paid, to iſſue a Warrant or Warrants under his Hand and Seal, or their Hands and Seals reſpectively, to any Peace Officer or Peace Officers within their reſpective Juriſdictions, impowering him or them to make Diſtreſs of the Goods and Chattels of the ſaid Offender or Offenders for the Sum to be levied by any ſuch Warrant, and to cauſe ſuch Goods and Chattels, after five Days from the Diſtreſs taken, to be appraiſed and ſold, rendering the Overplus, if any, after deducting the Forfeiture, and Coſts and Charges of the Diſtreſs and Sale, to the Owners or Owner; which Charges ſhall be aſcertained by the Juſtice of Peace before whom ſuch Offender or Offenders ſhall have been ſo convicted; and that one Moiety of all ſuch Forfeitures, when recovered, ſhall be paid to the Informer, and the other Moiety thereof ſhall go and be paid to and for the Uſe of the Poor within the ſaid Borough of *Saint Ives*: And if ſufficient Diſtreſs or Diſtreſſes at any Time cannot be found, wherefrom the Money, which ſhall be forfeited by any Offender or Offenders againſt this Act, can be levied on his, her, or their Goods and Chattels, then, and in any ſuch Caſe, every ſuch Offender or Offenders ſhall, by Warrant under the Hand and Seal or Hands and Seals of ſuch Juſtice of the Peace as aforeſaid, be apprehended, if he, ſhe, or they, can be found, and be committed to the Houſe of Correction

If ſufficient Diſtreſs cannot be found, Offender to be committed.

tion for the ſaid Borough of *Saint Ives*, there to remain and be kept to hard Labour for any Time not exceeding three Months, as ſuch Juſtice ſhall order, unleſs the Money, which ſhall be forfeited by ſuch Offender or Offenders, ſhall be ſooner paid.

Juſtices for the County, in certain Caſes, may put this Act in Execution.

'XLI. And whereas it may happen that the Mayor and Juſtices of the ſaid Borough of *Saint Ives* may 'be intereſted in the Penalties and Forfeitures to be incurred by Diſobedience to this Act,' be it therefore enacted, That, in all ſuch Caſes, any Juſtice or Juſtices of the Peace for the County of *Cornwall* ſhall have the like Juriſdiction, and the like Power and Authority, as by this Act is given to the Mayor or any Juſtice of the Peace for the ſaid Borough of *Saint Ives*.

How Mayor or Juſtices to proceed, in caſe Offender eſcape into another County, &c.

XLII. And it is hereby further enacted, That, in caſe any Perſon or Perſons, againſt whom any Warrant or Warrants ſhall be iſſued by the ſaid Mayor or Juſtice of Peace, either before or after Conviction as aforeſaid, for any Offence againſt this Act, ſhall eſcape, go into, reſide, or be in any other County, Riding, Diviſion, City, Liberty, Town, or Place, out of the Juriſdiction of ſuch Perſon granting ſuch Warrant or Warrants as aforeſaid; or if the Goods and Chattels of any Offender, convicted of any Offence in purſuance of this Act, ſhall be in a different County, Riding, Diviſion, City, Liberty, Town, or Place, than where the ſaid Party was convicted, or the Warrant of Diſtreſs granted, it ſhall and may be lawful for the ſaid Mayor or Juſtice of the Peace ſo granting ſuch Warrant or Warrants, or any Juſtice of the Peace of the County, Riding, Diviſion, City, Liberty, Town, or Place, into which ſuch Perſon or Perſons ſhall eſcape, either before or after Conviction, or where his, her, or their Goods and Chattels ſhall be, after ſuch Conviction; and they, and every of them, are hereby required, upon Proof made upon Oath of the Hand-writing of the ſaid Mayor or Juſtice granting ſuch Warrant or Warrants, to indorſe his or their Name or Names on ſuch Warrant; and the ſame, when ſo indorſed, ſhall be a ſufficient Authority to all Peace-officers to execute ſuch Warrant or Warrants in ſuch other County, Riding, Diviſion, City, Town, or Place, out of the Juriſdiction of the Perſon granting the ſaid Warrant or Warrants; and the ſaid Mayor and Juſtices reſpectively, or any of them, as the Caſe ſhall happen, after indorſing the ſaid Warrant, may, on the Offender or Offenders being apprehended and brought before the ſaid Mayor or Juſtices, or any one of them, within their reſpective Juriſdictions, direct the Offender to be carried to the Perſon who granted the ſaid Warrant or Warrants, to be dealt with according to Law.

Proſecutions to be commenced within 2 Months after Offences committed.

XLIII. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be puniſhed for any Offence againſt this Act, unleſs a Proſecution ſhall be commenced againſt him or them for the ſame within two Months after every ſuch Offence ſhall be committed; and that, where any Perſon or Perſons ſhall be committed to any Houſe of Correction for Default of Payment, or for Want of ſufficient Diſtreſs being met with to anſwer any Penalty incurred by any Offence againſt this Act, and ſhall remain there during the Time for which he, ſhe, or they, ſhall be ſo committed, no ſuch Perſon or Perſons ſhall be liable afterwards to be proſecuted again for Non-payment of ſuch Money forfeited.

Small Penalties may be mitigated.

XLIV. Provided alſo, That the Mayor of the ſaid Borough of *Saint Ives* for the Time being, and any Juſtice of the Peace before whom any Offender ſhall be brought and convicted of any Offence againſt this Act, ſhall and may, from Time to Time, as he or they ſhall ſee Occaſion, mitigate any of the Penalties under the Sum of ten Pounds hereby inflicted; and every ſuch Mitigation ſhall be a ſufficient Diſcharge to the Perſon offending for ſo much of the Penalty under the Sum of ten Pounds as ſhall be ſo mitigated.

How Juſtices to proceed for Conviction of Offenders.

XLV. And be it further enacted by the Authority aforeſaid, That the Mayor of the ſaid Borough of *Saint Ives* for the Time being, and the Juſtice or Juſtices before whom any Perſon or Perſon ſhall be convicted by virtue of this Act, ſhall cauſe ſuch reſpective Conviction to be drawn up in the Form or to the Effect following; (that is to ſay)

Form of Conviction.

To wit, } 'BE it remembered, That, on this Day of in the Year of the Reign of , is convicted, before [Mayor of the Borough of 'Saint Ives, one of his Majeſty's Juſtices of the Peace for the County of or Borough 'or City of *as the Caſe ſhall happen to be*] for and do adjudge him, her, 'or them, [*as the Caſe ſhall be*] to pay and forfeit the Sum of

'Given under my Hand and Seal, the Day and Year aboveſaid.'

Perſons aggrieved may appeal to the Quarter Seſſions.

XLVI. Provided further, and be it alſo enacted, That it ſhall be lawful for any Perſon or Perſons, who ſhall think him, her, or themſelves aggrieved by the Conviction of any Juſtice of the Peace for the Borough of *Saint Ives*, for any Offence committed againſt this Act, to appeal to the next General or Quarter Seſſion to be holden for the Borough of *Saint Ives*; and for any Perſon or Perſons, who ſhall think him, her, or themſelves aggrieved by the Conviction of any Juſtice of the Peace for the County of *Cornwall*, for any Offence committed againſt this Act, to appeal to the Juſtices of the Peace for the County of *Cornwall*, at the next General or Quarter Seſſions; the Perſon or Perſons ſo appealing, firſt entering into a Recognizance, in double the Sum of Money forfeited, before ſuch Juſtice of Peace as aforeſaid, to proſecute ſuch Appeal with Effect, and abide by the Order or Orders which ſhall be made on ſuch Appeal, and giving eight Days Notice in Writing of every ſuch Intention to appeal to the Party or Parties on whoſe Proſecution any ſuch Conviction was made: And the Juſtices of the ſaid Borough and County, as the Caſe ſhall happen to be, are hereby authoriſed and required, in their next General Quarter Seſſion after any ſuch Appeal ſhall be made, to hear and determine the Matter of every ſuch Appeal; and to make ſuch Order, and to award ſuch Coſts and Damages, as to them in their Diſcretion ſhall ſeem reaſonable; and to levy, by their Order or Warrant, the Coſts which ſhall be ſo awarded, together with ſuch Money as they ſhall adjudge to be forfeited, by Diſtreſs and Sale of the Goods and Chattels of the Perſon or Perſons who ſhall refuſe to pay the ſame; and for Want of ſufficient Diſtreſs, to commit the Party or Parties

who may hear and determine the Matter of ſuch Appeal.

to

to the common Gaol or Priſon for the ſaid Borough of *Saint Ives*, there to remain and be kept to hard Labour for the Space of ſix Calendar Months, unleſs the Money, which ſhall be adjudged to be forfeited, as well as the Coſts ordered to be paid, ſhall be ſooner paid; and ſuch Order of ſuch Juſtices, at their General or Quarter Seſſions, ſhall be final, and ſhall not be removeable by *Certiorari* or otherwiſe.

Their Order to be final.

Limitation of Actions.

XLVII. Provided likewiſe, and be it alſo enacted, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be brought within ſix Months next after the Fact committed, and not afterwards; and ſhall be laid or brought in the County, City, or Place, in which ſuch Offence ſhall be committed, and not elſewhere; and the Defendant or Defendants, in every ſuch Action or Suit ſo to be brought, ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear ſo to have been done, or that ſuch Action or Suit ſhall be brought after the Time limited for bringing the ſame as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his Action after the Defendant or Defendants ſhall have appeared; or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall be paid Treble Coſts, and have ſuch Remedy for Recovery of the ſame, as any Defendant or Defendants hath or may have in any Caſe to recover his, her, or their Coſts by Law.

General Iſſue.

Treble Coſts.

Public Act.

XLVIII. And be it further enacted, That this Act ſhall be adjudged, deemed, and taken to be a Public Act; and ſhall be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame.

CAP. XXXVII.

An Act for allowing the Exportation of certain Quantities of Wheat, and other Articles, to his Majeſty's Sugar Colonies in *America*, and to the Iſland of *Saint Helena*, and to the other Settlements belonging to the United Company of Merchants of *England* trading to the *Eaſt Indies*, and of Biſcuit and Peaſe to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*; and for indemnifying all Perſons with reſpect to adviſing or carrying into Execution his Majeſty's Orders of Council already made for allowing the Exportation of Wheat, and other Articles.

Preamble.

Act 13 Geo. III. recited.

WHEREAS by an Act of Parliament, made in the thirteenth Year of his Majeſty's Reign, (intituled, *An Act to regulate the Importation and Exportation of Corn*,) whenever the Prices of certain Species of *Britiſh* Corn or Grain exceed the Prices therein limited, the Exportation thereof from this Kingdom is prohibited under certain Penalties in the ſaid Act mentioned, except in particular Caſes allowed by that and ſeveral ſubſequent Acts of Parliament: And whereas certain Quantities of Wheat, Meal, Flour, Bread, and Biſcuit, which were allowed to be exported to the *Britiſh* Sugar Colonies in *America*, for the Suſtenance and Uſe of the Inhabitants of the ſaid Colonies, and certain Quantities of Biſcuit and Peaſe allowed to be exported to the Iſland of *Newfoundland*, for the Benefit of the *Britiſh* Fiſhery there, by two ſeveral Acts of Parliament, made in the fourteenth Year of the Reign of his preſent Majeſty, the one intituled, *An Act to allow the Exportation of Corn, Grain, and other Articles, to his Majeſty's Sugar Colonies in* America; *and to extend the Proviſions of an Act, made in the laſt Seſſion of Parliament*, (*intituled*, "An Act to regulate the Importation and Exportation of Corn,") *allowing the Exportation of Wheat, Meal, Flour, Rye, Barley, or Malt, to the Iſlands of* Guernſey *and* Jerſey, *to Bread, Biſcuit and Peaſe*; *and to allow the Exportation of all the ſaid Articles to the Iſland of* Alderney; and the other intituled, *An Act to allow the Exportation of a limited Quantity of Biſcuit and Peaſe to the Iſland of* Newfoundland, *for the Benefit of the* Britiſh *Fiſhery there*; have been rendered inſufficient by the Interruption which has been given to Trade, and the Troubles and Diſturbances which are ſtill ſubſiſting in many of the Colonies in *North America*, and the Inhabitants of the ſaid Sugar Colonies, and the *Britiſh* Subjects carrying on the Fiſhery at *Newfoundland*, and at other Parts in *America*, may be put under great Difficulties and Diſtreſs at this Time, without farther Supplies from this Kingdom: May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, it ſhall and may be lawful to ſhip and export, from the Ports of *London*, *Briſtol*, *Liverpoole*, and *Glaſgow* only, any Quantity of Wheat, Wheat Flour, Bread, Biſcuit, and Meal; that is to ſay, Not exceeding in the Whole, from the Port of *London*, fifty thouſand Quarters; from the Port of *Briſtol* twenty thouſand Quarters; from the Port of *Liverpoole*, twenty thouſand Quarters; and from the Port of *Port Glaſgow*, ten thouſand Quarters; at any Time or Times before the Firſt Day of *January* one thouſand ſeven hundred and ſeventy-ſeven, to his Majeſty's Sugar Colonies in *America*, for the Suſtenance and Uſe of the Inhabitants of the ſaid Colonies: And that it ſhall and may be lawful to ſhip and export Biſcuit and Peaſe, out of and from the ſeveral Ports in this Kingdom herein after mentioned, to the ſeveral Places herein after named, for the Benefit of the *Britiſh* Fiſhery carried on in thoſe Parts, ſo as the ſame do not exceed the ſeveral Quantities reſpectively limited to thoſe Places, any Thing in the ſaid recited Acts, or either of them, to the contrary notwithſtanding; (that is to ſay)

Certain Quantities of Wheat, Bread, &c. allowed to be exported from London, Briſtol, Liverpoole, and Glaſgow.

Certain Quantities of Biſcuit and Peaſe allowed to be exported to Newfoundland, &c. for the Benefit of the Fiſhery, from the Ports herein after mentioned,

From the Port of *London*,

To the Iſland of *Newfoundland*, two hundred and fifty Tons of Biſcuit, and three hundred Quarters of Peaſe.—To *Nova Scotia*, two hundred Tons of Biſcuit, and three hundred Quarters of Peaſe.—To *Bay Chaleur*,

Chaleur, two hundred Tons of Biſcuit, and three hundred Quarters of Peaſe.—To *Labrador*, two hundred Tons of Biſcuit, and three hundred Quarters of Peaſe.

From the Port of *Briſtol*,

To *Newfoundland*, two hundred Tons of Biſcuit, and two hundred and fifty Quarters of Peaſe.—To *Nova Scotia*, one hundred and fifty Tons of Biſcuit, and two hundred Quarters of Peaſe.—To *Bay Chaleur*, one hundred and fifty Tons of Biſcuit, and two hundred Quarters of Peaſe.—To *Labrador*, one hundred and fifty Tons of Biſcuit, and two hundred Quarters of Peaſe.

From the Port of *Poole*,

To *Newfoundland*, three hundred Tons of Biſcuit, and three hundred Quarters of Peaſe.—To *Nova Scotia*, one hundred Tons of Biſcuit, and one hundred Quarters of Peaſe.—To *Bay Chaleur*, one hundred Tons of Biſcuit, and one hundred Quarters of Peaſe.—To *Labrador*, one hundred Tons of Biſcuit, and one hundred Quarters of Peaſe.

From the Port of *Dartmouth*,

To *Newfoundland*, three hundred and fifty Tons of Biſcuit, and three hundred and fifty Quarters of Peaſe.—To *Nova Scotia*, one hundred and fifty Tons of Biſcuit, and one hundred and fifty Quarters of Peaſe.—To *Bay Chaleur*, one hundred and fifty Tons of Biſcuit, and one hundred and fifty Quarters of Peaſe.—To *Labrador*, one hundred and fifty Tons of Biſcuit, and one hundred and fifty Quarters of Peaſe.

From the Ports of *Topſham* and *Tingmouth*, within the Port of *Exeter*, not exceeding in the Whole from both Places,

To *Newfoundland*, four hundred Tons of Biſcuit, and ſix hundred Quarters of Peaſe.—To *Nova Scotia*, two hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.—To *Bay Chaleur*, two hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.—To *Labrador*, two hundred Tons of Biſcuit, and two hundred Quarters of Peaſe.

From the Port of *Liverpoole*,

To *Newfoundland*, one hundred and fifty Tons of Biſcuit, and one hundred and thirty Quarters of Peaſe.

From the Port of *Weymouth*,

To *Newfoundland*, ſixty Tons of Biſcuit, and one hundred and twenty Quarters of Peaſe.

From the Port of *Cheſter*,

To *Newfoundland*, one hundred Tons of Biſcuit, and one hundred and twenty Quarters of Peaſe.

'II. And whereas by an Act, paſſed in the thirteenth Year of his preſent Majeſty's Reign, (intituled, '*An Act to regulate the Importation and Exportation of Corn*) it was (among other Things) enacted, That 'nothing therein contained ſhould extend to prohibit the Exportation from the Port of *London*, to the 'Iſland of *Saint Helena*, of any Quantity of Wheat, Meal, Flour, Rye, Barley, or Malt, not exceeding 'five hundred Quarters in the Whole, for the Suſtenance and Uſe of the Inhabitants thereof, under the 'Reſtrictions and upon the Conditions therein mentioned: And whereas the ſaid Quantity of five hundred Quarters of Wheat, Meal, Flour, Rye, Barley, or Malt, is not ſufficient for the neceſſary Uſe 'and Conſumption of the ſaid Iſland of *Saint Helena*, and for the United *Eaſt India* Company's Settlements in the *Eaſt Indies*;' be it therefore enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, it ſhall be lawful for the ſaid United Company to export annually from *Great Britain* to the ſaid Iſland of *Saint Helena*, *Bencoolen*, and to their Settlements in the *Eaſt Indies*, or any of them, any Quantity of Wheat, Wheat Meal, Flour, Rye, Barley, or Malt, not exceeding one thouſand Quarters in the Whole, under the Reſtrictions and upon the Terms and Conditions in the ſaid recited Act provided and contained, as reſpecting the Quantity of Wheat, and other Articles, thereby allowed to be exported to the ſaid Iſland of *Saint Helena*; any Thing in the ſaid recited Act contained to the contrary thereof notwithſtanding.

East India Company impowered to export annually 1000 Quarters of Wheat, Flour, &c. from Great Britain to Saint Helena, Bencoolen, &c.

III. Provided always, and it is hereby further enacted by the Authority aforeſaid, That the ſaid Articles exported as aforeſaid, in purſuance of this Act, ſhall be ſubject to the like Securities at the reſpective Ports from whence they are exported, that the ſame ſhall not be landed or ſold in any Parts whatſoever other than the reſpective Places for which the ſame ſhall be entered and declared for Exportation, and in all other reſpects not altered by this Act ſhall be liable to ſuch and the like Rules, Reſtrictions, and Regulations; and the Perſons granting or making any falſe Certificate, or counterfeiting, eraſing, or falſifying any Certificate, or knowingly publiſhing ſuch Certificate ſo counterfeited, eraſed, or falſified, ſhall be ſubject to the ſame Diſabilities, Penalties, and Forfeitures, as are reſpectively preſcribed and directed by the ſaid recited Acts, made in the fourteenth Year of his Majeſty's Reign; which Penalties and Forfeitures ſhall and may be ſued for, proſecuted, and recovered, and applied, in the Manner directed by thoſe Acts.

The ſaid Articles to be ſubject to the like Securities, &c. on Exportation, as directed by Act 14 Geo. III.

'IV. And whereas his Majeſty, by an Order in Council, bearing Date the thirtieth Day of *June* laſt, 'was pleaſed to order that a Quantity of Biſcuit, not exceeding one thouſand Tons, ſhould be allowed 'to be exported to *Newfoundland*, *Nova Scotia*, *Bay Chaleur*, and *Labrador*, from the Date thereof, until 'the twenty-fourth Day of *July* following, which Time was afterwards prolonged by his Majeſty's further Order in Council, bearing Date the eleventh Day of *Auguſt* laſt; and his Majeſty, by another Order in Council, bearing Date the twelfth Day of *July* laſt, was pleaſed to order that two hundred Tons 'of Biſcuit ſhould be allowed to be exported to *Newfoundland*, from the Port of *Liverpoole*; and alſo that 'fifty Tons of Biſcuit, and one hundred Quarters of Peaſe, ſhould be allowed to be exported from the 'Port of *Weymouth*; and likewiſe two hundred Quarters of Peaſe from the Port of *Poole*; which ſaid Orders could not be juſtified according to the ſtrict Forms of Law, and yet were ſo much for the Service 'of the Public, and ſo neceſſary for the Safety and Preſervation of his Majeſty's Subjects in thoſe Parts, 'that the ſame ought to be juſtified by Act of Parliament; and all Perſons adviſing, acting under, or in

Clauſe for indemnifying all Perſons adviſing or executing certain Orders of Council for allowing Exportation of Biſcuit, &c.

'Obedience to the ſame indemnified;' be it therefore enacted by the Authority aforeſaid, That all and every Perſon and Perſons who have or ſhall have acted or done any Thing in adviſing or executing the ſaid Orders of Council, or touching or concerning the ſame, or relating thereto, ſhall be and are hereby ſaved harmleſs, diſcharged, acquitted, releaſed, and indemnified in that Behalf, as well againſt the King's Majeſty, his Heirs and Succeſſors, as againſt all and every other Perſon and Perſons; and all Suits and Proceedings for any Manner of Thing diſcharged by this preſent Act, ſhall be utterly void and of none Effect, to all Intents and Purpoſes; any Law, Statute, or Uſage, to the contrary notwithſtanding.

CAP. XXXVIII.

An Act for the Relief of Inſolvent Debtors; and for the Relief of Bankrupts, in certain Caſes.

Preamble.

'WHEREAS many Perſons, by Loſſes and other Misfortunes, are rendered incapable of paying their whole Debts; and though they are willing to make the utmoſt Satisfaction they can, and many of them are able to ſerve his Majeſty by Sea or Land, yet are detained in Priſon by their Creditors, or have been forced to go into foreign Parts out of this Realm: And whereas ſuch unhappy Debtors have always been deemed the proper Objects of public Compaſſion, and, by ſeveral Acts of Parliament, have been diſcharged on the Conditions in ſuch Acts mentioned; for the Relief, therefore, of Inſolvent Priſoners and Fugitives, who ſhall comply with the Terms contained in this Act, to be reſpectively obſerved by them, and faithfully diſcover upon Oath, and deliver up and aſſign all their Effects and Eſtates whatſoever, for the Benefit of their Creditors, and to prevent, as far as poſſible, the many Frauds and Abuſes, which, in a great Meaſure, have obſtructed the good Ends of ſuch Acts;' be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That,

Alphabetical Liſts to be made out of Priſoners in Cuſtody for Debt on Jan. 22, 1776, or ſince that Date;

from and after the paſſing of this Act, all and every Gaoler or Keeper of any Priſon, in any County, Riding, Diviſion, City, Town, Place, or Liberty, within this Kingdom, ſhall, is, and are hereby required to make a true, exact, and perfect Liſt, alphabetically, of the Name or Names of all and every Perſon or Perſons, who, upon the twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, was or were, or at any Time ſince have been, under the Terms and Conditions herein mentioned, and at the Time of making out every ſuch Liſt ſhall be, really an actual Priſoner or Priſoners, in the Cuſtody of any Gaoler or Gaolers, Keeper or Keepers of any Priſon reſpectively, upon any Proceſs whatſoever, for or by reaſon of any Debt, Damage, Coſts, Sum or Sums of Money, Contempt or otherwiſe; and an Account of the Time when ſuch Priſoner or Priſoners was or were reſpectively charged in Cuſtody, or received in Priſon, together with the Name or Names of the Perſon or Perſons at whoſe Suit or Proſecution ſuch Priſoner or Priſoners is or are detained; and ſhall deliver the ſame to the Juſtices of the Peace, at their firſt or ſecond General Quarter Seſſions of the Peace, to be held after the paſſing of this Act, or at ſome Adjournment thereof, for ſuch County, Riding, Diviſion, City, Town, Place, or Liberty reſpectively.

with the Time when charged, and at whoſe Suit.

Liſts to be delivered to the Quarter Seſſions.

II. And be it further enacted, That the Warden of his Majeſty's Priſon of the *Fleet*, and Marſhal of the *King's Bench Priſon*, ſhall ſeverally, on the delivering in of any ſuch Liſt of Priſoners in their reſpective Cuſtody, take an Oath, in the open Court of ſuch General Quarter Seſſion of the Peace, or at ſome Adjournment thereof, to the Effect following; (that is to ſay)

Warden of the Fleet, &c. to take an Oath on delivering in Liſts.

The Oath.

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, do ſolemnly ſwear, profeſs, and declare, That all and every Perſon and Perſons, whoſe Name or Names is or are inſerted and contained in the firſt Part of the Liſt by me now delivered in and ſubſcribed, was and were, to the beſt of my Knowledge and Belief, upon the twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, really and truly Priſoners, in actual Cuſtody, in the Priſon or Gaol of [*inſert the Name of the Priſon*], at the Suit or Suits of the ſeveral Perſon or Perſons therein reſpectively mentioned; and alſo, that all and every Perſon and Perſons, whoſe Name or Names is or are inſerted or contained in the ſecond Part of the ſaid Liſt, now by me delivered in and ſubſcribed as aforeſaid, have, ſince the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, been committed or ſurrendered to the ſaid Gaol or Priſon of [*inſert the Name of the Gaol or Priſon,*] at the Suit or Suits of the ſeveral Perſon or Perſons therein reſpectively mentioned; except ſuch Perſon or Perſons who is or are in ſuch Liſt particularly mentioned and deſcribed to have died, been diſcharged, or removed to ſome other Priſon, by Proceſs of Law, ſince the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix; and alſo except ſuch Perſon or Perſons, who is or are in ſuch Liſt particularly mentioned and deſcribed to have been permitted to have gone out of the ſaid Priſon, by Day-rules of the Court of [Common Pleas, *or* King's Bench, *as the Caſe ſhall be*], ſince the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, to tranſact their Affairs; and alſo except ſuch Perſon or Perſons who is or are therein alſo particularly mentioned and deſcribed to have, upon the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, or ſince, been in the Rules of the ſaid Priſon of the [Fleet, *or* King's Bench, *as the Caſe ſhall be,*] by Leave of the [Warden *or* Marſhal of the ſaid Priſon, *as the Caſe ſhall be*]; and have, to the beſt of my Knowledge and Belief, really and truly, ever ſince, continued and remained in actual Cuſtody in the ſaid Priſon, of the [Fleet, *or* King's Bench, *as the Caſe ſhall be*], or the Liberties thereof, at the Suit or Suits of the ſeveral Perſons in the ſaid Liſt reſpectively mentioned; [*and if any Priſoner or Priſoners hath or have, ſince the ſaid twenty-ſecond Day of* January, *one thouſand ſeven hundred and ſeventy-ſix, eſcaped out of either of the ſaid Priſons, then inſert*], except [*inſert the Name or Names of the Priſoner or Priſoners who have eſcaped*], who, without my Knowledge, Privity, or Conſent, hath or have

'eſcaped

'eſcaped out of the ſaid Priſon of and that the 'ſaid Liſt is a true, exact, perfect, and juſt Liſt of all ſuch Perſons who were really and truly Priſoners 'in actual Cuſtody in the ſaid Gaol or Priſon of on the ſaid twenty-ſecond 'Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and who, ſince the ſaid twenty-ſecond 'Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, have been committed to, and really have 'been, and now is or are, Priſoner or Priſoners, in actual Cuſtody, in the ſaid Gaol or Priſon of or the Liberties thereof; and that none of ſuch Priſoners, to 'my Knowledge, or with my Privity, have voluntarily, or with Deſign, or in Expectation to take any 'Benefit from or under any Act of Parliament, to be made for Relief of Inſolvent Debtors, ſurrendered 'themſelves, or been committed to the ſaid Priſon, or got their Names entered as Priſoners in the Books 'of the ſaid Priſon, or ſince the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and 'ſeventy-ſix, to my Knowledge, or with my Privity, have reſided out of the ſaid Priſon of 'or the Rules thereof, [*but if any have ſo done, add,* except *naming ſuch by Name*].'

And that every other Gaoler and Keeper of any other Priſon or Priſons, in any County, City, Town, Riding, Diviſion, Place, or Liberty, ſhall ſeverally, on the delivering in of any ſuch Liſt reſpectively, take an Oath, in the open Court of the General Quarter Seſſions of the County, City, Town, Diviſion, Liberty, or Place, for which he or ſhe ſhall deliver in any ſuch Liſt, and ſwear to the Effect following (that is to ſay):

All other Gaolers on delivering in their Liſts, to take the following

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, do ſolemnly ſwear, profeſs, and 'declare, That all and every Perſon and Perſons, whoſe Name or Names are inſerted or contained in 'the firſt Part of the Liſt by me now delivered in and ſubſcribed, was and were, to the beſt of my Know-'ledge and Belief, upon the twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, 'really and truly Priſoners in actual Cuſtody, in the Priſon or Gaol of at the Suit or 'Suits of the ſeveral Perſons therein reſpectively mentioned; and alſo that all and every Perſon and Per-'ſons, whoſe Name or Names is or are inſerted or contained in the ſecond Part of the ſaid Liſt now by 'me delivered in and ſubſcribed, as aforeſaid, have, ſince the ſaid twenty-ſecond Day of *January*, one 'thouſand ſeven hundred and ſeventy-ſix, been committed or ſurrendered to the ſaid Gaol or Priſon of '[*if any ſuch Priſoner or Priſoners hath or have, ſince the ſaid twenty-ſecond Day of* Ja-'nuary, *one thouſand ſeven hundred and ſeventy-ſix, been committed or ſurrendered to ſuch Gaol or Priſon*], at 'the Suit or Suits of the ſeveral Perſon or Perſons therein reſpectively mentioned, except [*if any Excep-'tion is neceſſary*] ſuch Perſons as are therein particularly mentioned and deſcribed to have died, been diſ-'charged, or removed to ſome other Priſon by Proceſs of Law, or to have eſcaped out of ſuch Priſon, 'without my Privity, Knowledge, or Conſent, ſince the ſaid twenty-ſecond Day of *January*, one thou-'ſand ſeven hundred and ſeventy-ſix; and that all and every of them, whoſe Name and Names is and are 'contained in the firſt Part of the ſaid Liſt (except as before excepted) to the beſt of my Knowledge and 'Belief, have really and truly continued in actual Cuſtody in the ſaid Gaol or Priſon of 'ever ſince the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and that 'the ſaid Liſt is a true, exact, perfect, and juſt Liſt of all ſuch Perſons as were really and truly Priſoners 'in actual Cuſtody, in the ſaid Gaol or Priſon of on the ſaid twenty-ſecond Day of 'January, one thouſand ſeven hundred and ſeventy-ſix, and who, ſince the ſaid twenty-ſecond Day of 'January, one thouſand ſeven hundred and ſeventy-ſix, have been really and truly committed, or ſur-'rendered to the ſaid Gaol or Priſon of (except as before excepted) to the beſt of my 'Knowledge and Belief; and that none of ſuch Priſoners, to my Knowledge, or with my Privity, have 'voluntarily, or with Deſign, or in Expectation, to take any Benefit from or under any Act of Parlia-'ment to be made for Relief of Inſolvent Debtors, ſurrendered or been committed to the ſaid Priſon of 'or got his, her, or their Name or Names entered as Priſoner or Priſoners in the Books 'of the ſaid Priſon, or, ſince their Commitment, have to my Knowledge, or with my Privity, reſided 'out of the ſaid Priſon of [*if any have ſo done, then add,* except *inſerting their 'Names*].

Oath.

Which ſaid reſpective Oaths the ſaid Juſtices, at the firſt or ſecond General Quarter Seſſions aforeſaid, or at ſome Adjournment thereof, within their reſpective Juriſdictions, are hereby impowered and required to adminiſter in open Court: And the Words of the ſaid Oath herein-before directed to be taken by the ſaid Warden and Marſhal reſpectively, ſhall be entered or written at the End or Bottom of the Liſt which ſhall be delivered in by them reſpectively, and ſhall be ſubſcribed and ſworn to by them reſpectively in open Court; and the Words of the Oath to be taken by every ſuch Gaoler or Keeper reſpectively ſhall be entered or written at the End or Bottom of the Liſt which ſhall be delivered by them reſpectively, and ſhall be ſubſcribed and ſworn to by them reſpectively in open Court: And every ſuch Liſt which ſhall be ſo delivered in, ſubſcribed and ſworn to, in purſuance of this Act, ſhall be kept by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every ſuch County, Riding, Diviſion, City, Town, Place, or Liberty reſpectively, in which any ſuch Liſt as aforeſaid ſhall be ſworn to, for the better Satisfaction of the ſaid Juſtices, and Information of all or any Priſoner or Priſoners therein named; and ſo as the ſame may, from Time to Time, be ſeen and examined by any Creditor or Creditors of Priſoner or Priſoners, without Fee or Reward.

Oaths to be adminiſtered by the Juſtices in Court, and entered and ſubſcribed at the Bottom of the Liſts.

Liſts to be kept by the Clerk of the Peace.

III. And be it further enacted by the Authority aforeſaid, That all and every Gaoler and Gaolers, and Keeper of any Gaol or Priſon, is and are hereby required, ten Days at leaſt before the firſt or ſecond General Quarter Seſſions of the Peace ſhall be held, after the paſſing of this Act, for the County, Riding, Diviſion,

Three Copies of Liſts to be fixed up in each Priſon, &c.

Diviſion, City, Town, Place, or Liberty, in which any Gaol or Priſon ſhall be, or to which the ſame belong, to fix up, in ſome conſpicuous Place or Places in every ſuch Priſon, and at the moſt frequented and uſual Gate, Door, or Entrance, into every ſuch Priſon, three or more true Copies of the Liſt or Liſts propoſed or intended to be delivered in by any ſuch Gaoler or Keeper at the ſaid General Quarter Seſſions, or at ſome Adjournment thereof.

Perſons inſerted in the Liſts being Priſoners, without a fraudulent Intention, on Jan. 22, 1776,

and conforming to this Act, ſhall be diſcharged.

IV. And be it further enacted, That all and every Perſon and Perſons, whoſe Name or Names ſhall be inſerted in any ſuch Liſt to be delivered in as aforeſaid, who, upon the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, were really and truly Priſoners in the actual Cuſtody of any Gaoler or Gaolers, or Keeper of any Priſon reſpectively of this Kingdom, and did not come into or get his, her, or their Names entered in the Book of any Gaol or Priſon as a Priſoner or Priſoners there, with a View or Deſign to take the Benefit of ſome Act for Relief of Inſolvent Debtors, and who ſhall take the Oath herein-after mentioned, and ſhall perform, on his or her Part, what is required to be done by him or her by this Act, ſhall be for ever releaſed and diſcharged from his or her Impriſonment, in ſuch Manner as hereafter is provided.

Perſons arreſted for Debt, and held to Bail, on or before Jan. 1, 1776, ſurrendering themſelves on or before June 26, 1776, and conforming to this Act, ſhall be diſcharged.

V. Provided always, and be it enacted, That any Perſon or Perſons who ſhall have been arreſted and in actual Cuſtody of an Officer, for any Sum or Sums of Money by virtue of any Writ or Proceſs, iſſuing out of any Court of Record, and held to Bail thereon, on or before the firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and who ſhall, on or before the twenty-ſixth Day of *June*, one thouſand ſeven hundred and ſeventy-ſix, ſurrender him, her, or themſelves, in Diſcharge of his, her, or their Bail, and ſhall thereupon be committed to Priſon, every ſuch Perſon or Perſons ſhall, upon due Proof of the Premiſes upon Oath, be diſcharged from his, her, or their Debts and Impriſonment, in like Manner as if ſuch Perſon or Perſons had been actually in Priſon on the twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix; ſubject nevertheleſs to the ſame Reſtrictions and Proviſions, and a Compliance with the like Terms, Conditions, and Qualifications, herein-before impoſed upon Perſons actually in Cuſtody on the twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and alſo ſubject to the ſame Terms and Condition relating to the Eſtate and Effects of every ſuch Priſoner as aforeſaid.

Juſtices, on Petition of any Priſoner, and his delivering a Schedule of his Eſtate,

may iſſue their Warrant for bringing him to the Quarter Seſſions, &c.

with the Warrant of his Detainer, &c.

VI. And be it further enacted, That it ſhall and may be lawful for any Juſtice or Juſtices of the Peace of any County, Riding, Diviſion, City, Town, Place, or Liberty, within this Kingdom, upon the Petition of any ſuch Priſoner or Priſoners to any Juſtice or Juſtices of the Peace, within his or their reſpective Juriſdictions, upon every ſuch Priſoner or Priſoners ſo petitioning, and at the Time of his or her ſo petitioning, leaving with the Juſtice or Juſtices of the Peace who ſhall be ſo petitioned, a true Copy of the Schedule, containing his or her intended Diſcovery of his or her Real and Perſonal Eſtate, to be ſworn to at the firſt or ſecond General Quarter Seſſion next enſuing after every ſuch Petition, or ſome Adjournment thereof, by Warrant under his Hand and Seal, or their Hands and Seals, to require the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any ſuch Priſon within the Juriſdiction of any ſuch Juſtice or Juſtices, to bring before the Juſtices, at the firſt or ſecond next General Quarter Seſſion of the Peace, or any Adjournment thereof to be held, as the Caſe ſhall happen to be, next after the Expiration of ten Days from the Date of ſuch Warrant, for ſuch reſpective County, Riding, Diviſion, City, Town, Place, or Liberty, the Body of any Perſon being in the ſaid Priſon as aforeſaid, with the Warrant or Warrants of his or her Detainer, together with a Copy or Copies of the Cauſe or Cauſes which he, ſhe, or they, is or are charged with in any ſuch Gaol or Priſon as aforeſaid, at the Time aforeſaid; which Warrant of every ſuch Juſtice or Juſtices, every ſuch Sheriff and Sheriffs, Gaoler, or Keeper, is and are hereby commanded to obey.

Schedule of the Priſoner's Eſtate to be tranſmitted to the Clerk of the Peace, for Inſpection of Creditors.

Any Juſtice, omitting for ten Days to tranſmit a Copy of the Schedule to the Clerk of the Peace, &c. ſhall forfeit 10l.

VII. And be it alſo enacted, That the Copy of every Schedule which ſhall be left with any ſuch Juſtice or Juſtices, ſhall, within ten Days after the ſame ſhall be ſo left, be tranſmitted by the Juſtice or Juſtices, with whom the ſame ſhall be ſo left, to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace for the County, Riding, Diviſion, City, Town, Place, or Liberty, in which the ſame ſhall have been ſo left, there to remain and be inſpected, from Time to Time, as Occaſion ſhall require, by any Creditor of any ſuch Priſoner who ſhall deſire to inſpect the ſame.

VIII. And be it alſo enacted, That every ſuch Juſtice or Juſtices who ſhall refuſe or omit, for the Space of ten Days, to tranſmit the Copy of the Schedule ſo left with him as aforeſaid, to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, for the County, Riding, Diviſion, City, Town, Place, or Liberty, in which the ſame ſhall have been ſo left, ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds; which ſhall and may be ſued for and recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, together with Coſts of Suit, in the Name of any Perſon who ſhall proſecute for the ſame; and one Moiety of which Money forfeited ſhall, when recovered, go to the Party who proſecutes for the ſame, and the other Moiety thereof to the Poor of the Pariſh in which the Offence ſhall be committed.

Priſoners intending to petition for their Diſcharge, are to give previous Notice thrice in the Gazette, &c.

Contents of the Notice,

IX. And be it further enacted, That all and every Priſoner and Priſoners, who ſhall intend to petition to be diſcharged under this Act, as aforeſaid, ſhall firſt cauſe public Notice to be inſerted in three ſeveral *London Gazettes*, previous to ſuch General Quarter Seſſion, and the Adjournment thereof, at which the ſaid Priſoner or Priſoners ſhall apply to be diſcharged from any Gaol in *London*, or within the weekly Bills of Mortality; and if ſuch Priſoner ſhall be in Cuſtody in any Gaol out of *London*, or the weekly Bills of Mortality, then alſo in ſome Newſpaper which ſhall be publiſhed in or near the County, Riding, Diviſion, City, Town, Liberty, or Place, in the Gaol whereof he or ſhe ſhall be ſo in Cuſtody; containing the Name, Trade, and Occupation, and two laſt Places of Abode, if ſo many, of every ſuch Priſoner and Priſoners, and the Priſon wherein he, ſhe, or they, is or are confined, and of his, her, or their Intention to take the Benefit of this Act; and mentioning ſuch Notice in each *Gazette* or Newſpaper, to be the

the firſt, ſecond, or third Notice, according to the Time of publiſhing each of ſuch Notices; and for the inſerting of each of which ſaid ſeveral Notices in the ſaid *Gazette*, or in any other Newſpaper, there ſhall be paid, each Time, by every ſuch Priſoner, Two-pence, and no more: The firſt of which ſaid Notices ſhall be ſo inſerted in the ſaid *Gazette*, or in the ſaid other Newſpapers, as the Caſe may require, thirty Days at leaſt, and the laſt of the ſaid Notices, ten Days at leaſt, before any ſuch firſt or ſecond General Quarter Seſſion, and Adjournment thereof, ſhall be held as aforeſaid; ſo that as well all the Creditors who have not charged the ſaid Priſoner or Priſoners in Cuſtody, as thoſe Creditors who have charged ſuch Priſoner or Priſoners in Execution, or on meſne Proceſs, or otherwiſe, may have ſufficient Notice thereof.

2 d. to be paid each Time for inſerting Notices.

When Notices to be inſerted.

'X. And, to the Intent that all Creditors may have full and ſufficient Time to conſider the Matters 'and Things contained in the Schedule or Schedules intended to be delivered in by any Debtor or 'Debtors,' be it further enacted, That every ſuch Debtor, when he or ſhe ſhall (according to the Directions of this Act) publiſh the firſt Notice of an Intention to petition for his or her Diſcharge, he or ſhe ſhall, in ſuch Notice, declare that the Schedule, containing his or her intended Diſcovery of his or her real and perſonal Eſtate, (to be ſworn to in Manner as by this Act directed) is lodged in the Hands of the Gaoler or Keeper, or the Deputy of ſuch Gaoler or Keeper, of the Priſon wherein any ſuch Priſoner ſhall be confined; and every ſuch Priſoner is hereby directed and required to deliver ſuch Schedule to ſuch Gaoler, Keeper, or Deputy, as the Caſe may be, before he ſhall publiſh ſuch firſt Notice as aforeſaid, ſigned by his or her own Chriſtian and Surname, to be atteſted by any ſuch Gaoler, Keeper, or Deputy; and in caſe any Priſoner ſhall neglect or refuſe to deliver one ſuch Schedule to ſuch Gaoler, Keeper, or Deputy, prior to ſuch his firſt Notice to be given as aforeſaid, he or ſhe, upon due Proof made of ſuch Neglect to the Satisfaction of the Court to which ſuch Priſoner ſhall make Application for his Diſcharge, ſhall be remanded back to Priſon, there to remain till he or ſhe ſhall have complied with the Directions aforeſaid: And every ſuch Gaoler, Keeper, or Deputy, is hereby directed and required to atteſt the Signature of the Priſoner's Name to ſuch Schedule, and to receive the ſame into his Cuſtody and Charge, giving a Duplicate thereof to every ſuch Priſoner, with an Acknowledgment of his having received the Original; and he is hereby further required to deliver a true Copy of any ſuch Schedule, ſigned by himſelf, upon Requeſt made to him by any Creditor for that Purpoſe, in Writing; ſuch Copy to be delivered to the Creditor himſelf, or to ſuch Perſon as he ſhall appoint to receive the ſame, within three Days after Demand made, on Payment for each Schedule after the Rate of Sixpence *per* Sheet, each Sheet to contain ſeventy-two Words, and ſo in Proportion for any leſs Number of Words: And if any ſuch Gaoler, Keeper, or Deputy, ſhall neglect or refuſe to conform to the Directions hereby given him reſpecting ſuch Schedule, every ſuch Gaoler, Keeper, or Deputy, ſo offending, ſhall forfeit and pay the Sum of twenty Pounds, to any Perſon who ſhall ſue for and recover the ſame, in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt.

Every Debtor to deliver a Schedule of his Eſtate to the Gaoler, and to declare the ſame in his firſt Notice, &c.

On Neglect thereof, to be remanded back to Priſon.

Gaoler to atteſt the Priſoner's Signature to his Schedule, and give him a Duplicate thereof; and alſo to give a Copy to any Creditor who requeſts it.

Gaoler, &c. on Neglect, to forfeit 20 l.

XI. And be it further enacted, That the Notices to be given by every Priſoner, in Manner directed by this Act, ſhall be to the Effect following; *videlicet*,

'I, [*inſert the Name, Trade, Occupation, and two laſt Places of Abode, if ſo many*] now confined in [*inſert the Name of the Priſon and County*], do hereby give this Public Notice, being [*inſert the* Firſt, Second, *or* Third, *as the Caſe may be*], that I do intend to take the Benefit of an Act, paſſed in the ſixteenth Year of his preſent Majeſty's Reign (intituled, *An Act for the Relief of Inſolvent Debtors; and for the Relief of Bankrupts, in certain Caſes*) [*and if it be the Firſt Notice, then add*] and I do hereby give Notice, that a true and perfect Schedule, containing a Diſcovery of all my Real and Perſonal Eſtate, hereafter to be ſworn to, is now ready to be delivered to any Creditor applying for the ſame, in Manner aforeſaid, to the Gaoler or Keeper, or his Deputy, of [*inſert the Name of the Priſon wherein ſuch Priſoner ſhall be confined, and the County in which it is ſituate*]:'

Form of Priſoner's Notice.

And every ſuch Notice ſhall be ſigned by the Priſoner, and counter-ſigned by the Gaoler or Keeper, or Deputy of ſuch Gaoler or Keeper, of the Priſon wherein ſuch Priſoner ſhall be confined.

Notice to be ſigned by the Priſoner, &c.

XII. And be it further enacted, That every ſuch Priſoner as aforeſaid, who, in purſuance of any ſuch Warrant as aforeſaid, ſhall be brought to the General Quarter Seſſion, or any Adjournment thereof, ſhall, in caſe it ſhall be proved upon Oath, or by producing the ſaid three *Gazettes* and Newſpapers before mentioned to the ſaid Juſtices, at any ſuch Seſſion, or the Adjournment thereof, that ſuch Notices were inſerted in the *London Gazette*, and other Newſpapers, where required, in Manner as herein before is directed, and that the Perſon or Perſons ſo petitioning was or were actually a Priſoner or Priſoners on the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, or ſince, in the Gaol or Priſon in which his, her, or their Name or Names is or are ſpecified in the Liſt of Priſoners there delivered in at any ſuch firſt or ſecond Seſſion, or any Adjournment thereof, as aforeſaid, in purſuance of this Act, ſhall, in open Court, at the ſaid General Quarter Seſſion, or any Adjournment thereof, ſubſcribe and deliver in a true Schedule or Account of all his or her real Eſtate, either in Poſſeſſion, Reverſion, Remainder, or Expectancy; and alſo of the Whole of his or her perſonal Eſtate, which he or ſhe, or any Perſon or Perſons in Truſt for him or her Uſe, Benefit, or Advantage, is or are ſeiſed of, intereſted in, or intitled to, or was or were in his or her Poſſeſſion, at any Time ſince his or her Commitment to Priſon, with the Names of his or her ſeveral Debtors, and where they reſpectively live, or may be met with; and the ſeveral Sums of Money from them reſpectively owing, and how the ſame reſpectively became due, and are ſecured; and if by Mortgage, Specialty, Contract, Note, or other Writing, then the Name and Names and Places of Abode of the ſeveral Witneſſes who can prove ſuch Debts or Contracts (if there be any ſuch), and ſhall alſo make Oath and ſwear to the Effect following; (that is to ſay,)

Priſoner being brought into Court, and Publication of Notices proved, &c.

to deliver in a Schedule of his Eſtate, Debts, &c.

'I *A. B.*

Priſoner's Oath on delivering in the Schedule.

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, do ſolemnly ſwear, proteſt, and declare, That on the twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, I was a Priſoner, or elſe, [*as the Caſe may be*] that ſince the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, I have ſurrendered, or have been committed to the Priſon of in Diſcharge of my Bail, or for Want of Bail [*as the Caſe ſhall be*]; and that I was actually arreſted, and in the Cuſtody of an Officer, before the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, in the Action or Suit, Actions or Suits, in which I ſurrendered, or was committed as aforeſaid, to the ſaid Gaol or Priſon of and that I have, ever ſince my ſaid Surrender or Commitment, continued a Priſoner within the Priſon of in the actual Cuſtody of the Gaoler or Keeper of the ſaid Priſon of or within the Liberties thereof, at the Suit of and without any Fraud or Colluſion whatſoever; and that the Schedule now delivered by me, and ſubſcribed, doth contain, to the beſt of my Knowledge, Remembrance, and Belief, a full, juſt, true, and perfect Account and Diſcovery of all the Goods, Effects, and Eſtates, Real and Perſonal, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, which I, or any Perſon in Truſt for me, or for my Benefit or Advantage, are ſeiſed or poſſeſſed of, intereſted in, or intitled to, or was or were in my Poſſeſſion at any Time ſince my Commitment to Priſon; and of all Debts as are to me owing, or to any Perſon or Perſons in Truſt for me; and of all the Securities and Contracts whereby any Money now is, or will or may hereafter become payable, or any Benefit or Advantage may accrue to me, or to my Uſe, or to any Perſon or Perſons in Truſt for me; and the Names and Places of Abode of the ſeveral Perſons from whom ſuch Debts are due and owing; and of the Witneſſes that can prove ſuch Debts or Contracts [*if any ſuch there be*]; and that neither I, nor any other Perſon or Perſons in Truſt for me, or for my Uſe, have any Lands, Money, Stock, or any Eſtate, Real or Perſonal, in Poſſeſſion, Reverſion, or Remainder, or Expectancy, other than what are in the ſaid Schedule contained, except wearing Apparel, and Bedding for myſelf and Family, working Tools, and neceſſary Implements for my Occupation and Calling, together with a Sum of Money, not exceeding forty Shillings, and theſe in the Whole not exceeding the Value of twenty Pounds; and that I have not, nor any Body for me hath, directly or indirectly, ſold, leſſened, or otherwiſe conveyed, diſpoſed of in Truſt, or concealed, all or any Part of my Lands, Money, Goods, Chattels, Stock, Debts, Securities, Contracts, or Eſtate, Real or Perſonal, whereby to ſecure the ſame, or to receive or expect any Profit or Advantage thereof, or with Intent to defraud or deceive any Creditor or Creditors, to whom I am or was indebted in anywiſe howſoever.

So help me GOD.'

Schedule and Oath to be ſubſcribed in the Court, and lodged with the Clerk for the Examination of Creditors.

And the ſaid Schedule and Oath ſhall be, by every ſuch Priſoner, ſubſcribed in the Preſence of the Juſtices in open Seſſion of the Peace, as hereby is directed, and ſhall be kept by, and remain with, the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, for the County, City, Liberty, Diviſion, Town, or Place, where the ſame ſhall be ſubſcribed and taken, for the better Information of all the Creditors of ſuch Priſoner who ſhall deſire, or may have Occaſion, to reſort thereto; and every ſuch Creditor ſhall be at Liberty, at ſeaſonable Times in the Day-time, to peruſe and examine the ſame.

Court at the Requeſt of a Creditor, may examine Gaoler, &c. on Oath.

XIII. And be it further enacted, That the Juſtices within their reſpective Juriſdictions, at any ſuch General Quarter Seſſion, or Adjournment thereof, at the Requeſt of any Creditor or Creditors of any ſuch Priſoner, are hereby authoriſed to cauſe the Deputy Warden and Marſhal of the *Fleet* and *King's Bench* Priſon, and any other Under Officer, Tipſtaff, and Turnkey of any Gaol or Priſon, and any other Perſon, to come before them, and to examine them reſpectively on Oath, touching any of the Matters contained in any of the Oaths preſcribed by this Act to be taken, and the Truth thereof; and if the Oath which ſhall have been taken in open Court by any Priſoner or Priſoners, ſhall not be diſproved by good Teſtimony of any credible Perſon or Perſons on Oath, and ſuch Juſtices, or the major Part of them, preſent at any ſuch General Quarter Seſſion, ſhall be ſatisfied with the Truth of the Oath taken by any ſuch reſpective Priſoner, then ſuch Juſtices ſhall, in ſuch Seſſion, or ſome Adjournment thereof, command the ſaid Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of ſuch Priſon or Priſons, forthwith to ſet at Liberty ſuch Priſoner or Priſoners, without having or taking any Fee or Reward, other than one Shilling for his or their Attendance with every ſuch Priſoner at ſuch General Quarter Seſſion, or any Adjournment thereof, in order for his, her, or their Diſcharge (and which every ſuch Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers, of ſuch Priſon or Priſons, is and are hereby authoriſed to receive and take for every ſuch Order): And every ſuch Order ſhall be a ſufficient Diſcharge to the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of ſuch Priſon or Priſons, and ſhall indemnify him or them againſt any Eſcape or Eſcapes, or Action or Actions whatſoever for Eſcape, which ſhall or may be brought, commenced, or proſecuted againſt him or them.

The Priſoner's Oath not being diſproved, the Court is to diſcharge him.

on his paying a Fee of 1 s. to the Gaoler;

who ſhall be indemnified for the Eſcape.

Eſtate and Effects of the Priſoner, upon his Diſcharge, to be veſted in the Clerk of the Peace,

who is to make over the ſame to the Aſſignees named by the Court;

XIV. And be it further enacted by the Authority aforeſaid, That all the Eſtate, Right, Title, Intereſt, and Truſt, of ſuch Priſoner, of, in, and unto, all the real Eſtate, as well Freehold and Copy as Cuſtomary-hold, and to all the perſonal Eſtate, Debts, and Effects, of every ſuch Priſoner, ſhall, immediately after the Diſcharge of any ſuch Priſoner, be, and the ſame is hereby veſted in the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, of and for the County, Riding, City, Town Corporate, Diviſion, Liberty, or Place, where any ſuch Priſoner ſhall be reſpectively diſcharged; and every ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, is hereby directed and required to make an Aſſignment and Conveyance of every ſuch Priſoner's Eſtate and Effects, veſted in ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforeſaid, to ſuch Creditor or Creditors of the ſaid Priſoner, as the Juſtices at any General Quarter Seſſion of the Peace, or at any Adjournment thereof, which ſhall be held by them within their reſpective Juriſdictions,

tions, ſhall order and direct (which Aſſignment and Conveyance ſhall be good and effectual in Law, to all Intents and Purpoſes whatſoever, without being wrote on Parchment or Paper ſtamped); and to veſt the Eſtates thereby aſſigned and conveyed in the Party or Parties to whom the ſame ſhall be ſo aſſigned and conveyed, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, according to the Eſtate and Intereſt the Priſoner had therein; and for the preparing, ingroſſing, and executing of which Aſſignment and Conveyance, no Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, ſhall take any greater Fee than two Shillings; and every ſuch Aſſignment and Conveyance ſhall be in Truſt for the Benefit of the Creditor or Creditors of every ſuch Priſoner to whom the ſame ſhall be made, and the reſt of the Creditors of ſuch Priſoner, in reſpect or in Proportion to their reſpective Debts; and every Perſon or Perſons to whom any ſuch Aſſignment and Conveyance as aforeſaid ſhall be made, is and are hereby fully impowered to ſue, from Time to Time, as there may be occaſion, in his, her, or their own Name or Names, for the Recovery and Attaining any Eſtate or Effects of any ſuch Priſoner, and alſo to execute any Truſt or Power veſted in, or created for the Uſe or Benefit of any ſuch Priſoner, but in Truſt for the Benefit of him or themſelves, and the Reſt of the Creditors of every ſuch Priſoner; and to give Diſcharge and Diſcharges to any Debtor or Debtors of any ſuch Priſoner, as ſhall be requiſite: And every ſuch Aſſignee or Aſſignees ſhall, with all convenient Speed, after his or their accepting any ſuch Aſſignment or Conveyance, uſe his or their beſt Endeavours to receive and get in the Eſtate and Effects of every ſuch Priſoner; and ſhall, with all convenient Speed, make Sale of all the Eſtates of ſuch Priſoner veſted in ſuch Aſſignee or Aſſignees; and if any ſuch Priſoner ſhall be intereſted in, or intitled to, any real Eſtate, either in Poſſeſſion, Reverſion, or Expectancy, the ſame, within the Space of two Months after every ſuch Aſſignment and Conveyance ſhall be ſold by public Auction, in ſuch Manner, and at ſuch Place, as the major Part of the Creditors of any ſuch Priſoner who ſhall aſſemble together, on any Notice in Writing publiſhed in the *London Gazette*, or in ſome Daily Paper, if the Priſoner before his going to Gaol reſided in *London*, or in the Weekly Bills of Mortality, and if elſewhere, then in ſome Newſpaper which ſhall be publiſhed in or near the County, Riding, Diviſion, City, Town, Liberty, or Place, in which ſuch Priſoner dwelt before he or ſhe was committed to Gaol, thirty Days before any ſuch Sale ſhall be made, ſhall, under his Hand, or their Hands, agree on: And every ſuch Aſſignee or Aſſignees, at the End of three Months at fartheſt from the Time of his or their accepting any ſuch Aſſignment or Conveyance as aforeſaid, ſhall make a juſt and fair Dividend of all ſuch Priſoner's Eſtates and Effects, which ſhall have been then recovered, amongſt his or her Creditors, in Proportion and in regard to each Creditor's reſpective Debts; but before any ſuch Dividend ſhall be made, ſuch Aſſignee or Aſſignees ſhall make up an Account of ſuch Priſoner's Eſtate, and make Oath in Writing, before one or more Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, Town, Liberty, or Place, in which any ſuch Priſoner ſhall have been diſcharged, that every ſuch Account contains a juſt and fair Account of the Eſtate and Effects of every ſuch Priſoner got in by or for ſuch Aſſignee or Aſſignees, and of all Payments made in reſpect thereof, and that all Payments in every ſuch Account charged were truly and *bona fide* made and paid; and Notice of the making of every ſuch Dividend ſhall be publiſhed in like Manner as a Meeting of the Creditors is herein before directed to be publiſhed, thirty Days at leaſt before the ſame ſhall be made; and no Creditor ſhall be allowed to receive any Share of ſuch Dividend, until he ſhall have made out the Juſtneſs and Identity of his reſpective Debt by Oath, or due Proof in Writing, before ſome ſuch Juſtice or Juſtices: And if any Creditor of ſuch Priſoner ſhall be diſſatisfied with the Reality or Fairneſs of any Debt claimed by any other Creditor, then the ſame, at the Requeſt of any ſuch Creditor or Creditors ſo diſſatisfied, ſhall be examined into by the Juſtices of the County, Riding, Diviſion, City, Liberty, or Place, in which ſuch Priſoner ſhall have been diſcharged, at their next General Quarter Seſſion, and what they ſhall there determine in the Premiſes ſhall be concluſive to all Parties: And if, after Payment of all ſuch Priſoner's Creditors, there ſhall any of his Eſtate and Effects remain after Payment of all reaſonable Charges, the ſame ſhall be paid to ſuch Priſoner, his Executors or Adminiſtrators.

for which he ſhall be paid 2 s.

Aſſignees impowered to ſue, or execute any Truſt or Power for the Priſoner, &c.

Aſſignees to get in the Eſtate and Effects of the Priſoner, and make Sale, within two Months, of Priſoner's Real Eſtate, &c.

and make a Dividend within 3 Months;

firſt making up their Accounts, and verifying them upon Oath.

30 Days Notice to be given of making a Dividend;

and none to receive any Share until they have proved their Debts.

Debts claimed to be examined into and determined by the Court.

Surplus of the Priſoner's Eſtate to be paid to him, &c.

XV. 'And, to the Intent that no Loſs may ariſe to any Creditor or Creditors from any Neglect or 'Omiſſion in the Schedule not containing the whole of the Eſtate, Real or Perſonal, belonging to any 'Priſoner who ſhall apply for his or her Diſcharge, under the Authority of this Act;' be it enacted, That all the Eſtate, whether Real or Perſonal, which ſhall belong to any Priſoner or Priſoners, and of which he, ſhe, or they, ſhall be actually poſſeſſed at the Time of making ſuch Schedule, ſhall be deemed, and taken to be, a Part of the Eſtate contained in ſuch Schedule, though not inſerted therein, and ſhall in like Manner become veſted in the Clerk of the Peace, Town Clerk, or other Officer acting as ſuch, to all Intents and Purpoſes, as if the ſame had been contained in ſuch Schedule, and had been delivered into the Court according to the Directions of this Act.

Creditors not to ſuffer from any Omiſſion in the Schedule of Priſoner's Eſtate.

XVI. Provided always, and be it enacted, That in caſe of the Death or Removal of any Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforeſaid, in whom the Eſtate, Right, Title, Intereſt, or Truſt, of any Priſoner or Priſoners, ſhall have veſted by the Authority of this Act; every ſuch Eſtate, Right, Title, Intereſt, and Truſt, ſhall become veſted in the Succeſſor or Succeſſors to every ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as aforeſaid reſpectively, as the Caſe may be, to all Intents and Purpoſes whatſoever, under the Proviſions of this Act.

On Death or Removal of any Clerk of the Peace, &c. Priſoners Eſtates to become veſted in their Succeſſors.

XVII. Provided further, and be it alſo enacted, That no Suit in Equity ſhall be commenced by any Aſſignee or Aſſignees of any ſuch Priſoner's Eſtate and Effects, without the Conſent of the major Part in Value of the Creditors of ſuch Priſoner, who ſhall meet together purſuant to a Notice to be given in the *London Gazette* for that Purpoſe.

No Suit in Equity to be commenced but by Conſent of Majority in Value of Creditors.

XVIII. And be it further enacted by the Authority aforeſaid, That the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace of every reſpective County, City, and County Town, and County Riding, Diviſion, Cinque Port, Liberty, and Place, with whom any Schedules of the

Clerk of the Peace to exhibit to the Creditor, or his Attorney, on Payment of 1 s. the Schedule of any Priſoner's Eſtate;

Eſtates of any Inſolvent Debtor or Debtors, Fugitive or Fugitives, ſhall be left, and his Succeſſors, Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace as aforeſaid, ſhall, on the reaſonable Requeſt of any Creditor or Creditors of ſuch Inſolvent Debtor or Debtors, Fugitive or Fugitives, or his or their Attorney, produce and ſhew to ſuch Creditor or Creditors, or his or their Attorney, in the Day-time, the Schedule of the Eſtates of any ſuch Inſolvent Debtor or Debtors, Fugitive or Fugitives, which ſhall be left with any ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or his Predeceſſor in that Office; the Perſon ſo requiring to ſee and peruſe any ſuch Schedule, paying or tendering to the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whoſe Cuſtody any ſuch Schedule ſhall be, or his Deputy, the Sum of one Shilling for his Trouble in ſearching for, and looking out, ſuch Schedule, and attending whilſt the ſame ſhall be peruſed by the Party or Parties requiring to have the ſame looked out, and to peruſe the ſame: And that a true Copy of every ſuch Schedule, ſigned by the Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, in whoſe Cuſtody the ſame ſhall be, or his Deputy, purporting the ſame to be a true Copy of ſuch Schedule, without being wrote on ſtamped Paper (and for which Copy no more ſhall be paid than Sixpence by the Sheet, each Sheet to contain ſeventy-two Words, and ſo in proportion for a leſs Number of Words), ſhall, at all Times, be admitted in all Courts whatſoever as legal Evidence of the ſame: And if any Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, ſhall, on reaſonable Requeſt as aforeſaid, neglect or refuſe to produce to any ſuch Creditor or Creditors as aforeſaid, or his or their Attorney, any ſuch Schedule as aforeſaid, and to permit the ſame to be inſpected as aforeſaid, in the Day-time, on ſuch Payment or Tender as aforeſaid being made to him; or ſhall aſk or take more than after the Rate of Sixpence by the Sheet, each Sheet to contain ſeventy-two Words, and ſo in proportion for leſs than ſeventy-two Words in a Sheet; or ſhall refuſe to make and deliver a Copy of any ſuch Schedule, on being requeſted as aforeſaid ſo to make the ſame, and having the Money tendered to him for Payment of ſuch Copy, after the Rate aforeſaid; ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds; which ſhall and may be ſued for and recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, together with Treble Coſts of Suit, in the Name of any Perſon who ſhall proſecute for the ſame: And one Moiety of which Money forfeited ſhall, when recovered, go to the Party who proſecuted for the ſame, and the other Moiety thereof to the Poor of the Pariſh in which the Offence ſhall be committed.

Atteſted Copy whereof to be deemed legal Evidence.

Clerk of the Peace refuſing to produce ſuch Schedule, or to deliver a Copy thereof, &c.

ſhall forfeit 10 l. and Treble Coſts: One Moiety to the Proſecutor, and the other to the Poor of the Pariſh.

XIX. Provided always, and be it enacted, That before ſuch Time as any Aſſignee or Aſſignees as aforeſaid ſhall enter on, or take any Profit from, any Copyhold or Cuſtomary Eſtate, as aforeſaid, he or they ſhall agree and compound with the Lord or Lords of the Manor or Manors of whom the ſame ſhall be holden, for the Payment of ſuch Fine or Income as, upon any Surrender and Admiſſion thereto, hath heretofore been moſt uſually accuſtomed to be paid; and that upon every ſuch Agreement or Compoſition, the ſaid Lord or Lords for the Time being, at the next Court, or ſome ſubſequent Court, which ſhall be holden for the ſaid Manor or Manors, after ſuch Agreement made, ſhall admit ſuch Aſſignee or Aſſignees, Tenant to ſuch Copyhold or Cuſtomary Premiſes, according to the Cuſtom of the ſaid Manor or Manors of which the ſame ſhall be holden, for and during ſuch Eſtate and Intereſt as the ſaid Priſoner had therein at the Time of his or her being diſcharged as aforeſaid, reſerving the Rents, Duties, Heriots, Cuſtoms, and Services, payable and to be rendered in reſpect of the ſaid Copyhold or Cuſtomary Premiſes.

Aſſignees of Copyhold or Cuſtomary Eſtates to compound with the Lord of the Manor, and to be admitted Tenants thereupon.

The Priſoner's Right and Intereſt, &c. only to be affected by this Act.

XX. Provided alſo, That nothing herein contained ſhall extend to prejudice or affect any Eſtate or Intereſt, or Right whatſoever, of any other Perſon or Perſons, other than the ſaid Priſoner or Fugitive, which may be expectant upon, or ſubject unto, the Eſtate or Intereſt of the ſaid Priſoner or Fugitive, hereby veſted in the ſaid Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace; but that the Eſtate, Intereſt, and Right whatſoever, of every other Perſon and Perſons, ſhall remain, continue, and be ſaved to them, in the ſame Manner as if this Act had not been made.

All Mortgages, &c. to take place preferable to Claims of an inferior Nature.

XXI. Provided alſo, and be it enacted by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to hinder or prevent any Mortgage or Mortgages upon the Eſtate of ſuch Priſoner or Priſoners, or any Part thereof, to take place upon the Lands, Tenements, or Hereditaments, compriſed in ſuch Mortgage or Mortgages reſpectively; nor to prevent any Statute-ſtaple, Statute-merchant, Recognizance, or Judgment, acknowledged by or obtained againſt any ſuch Priſoner or Priſoners, to take Place upon the Lands, Tenements, or Real Eſtate of ſuch Priſoner or Priſoners; and alſo where any Inquiſition ſhall have been taken upon any ſuch Statute or Recognizance, or any Writ or Execution ſhall have been taken out and delivered to the Sheriff or proper Officer, upon any ſuch Judgment, before ſuch Diſcharge ſhall be given in open Seſſion to any ſuch Perſon as aforeſaid, the Perſonal Eſtate of every ſuch Priſoner reſpectively ſhall be ſubject thereto, in the firſt place, for ſo much as ſhall remain due upon ſuch Mortgage, Statute, Recognizance, or Judgment, reſpectively, in like Manner as ſuch Mortgagees and Creditors, by Statute, Recognizance, or Judgment, would have been preferred to other Creditors of an inferior Nature, againſt the Real or Perſonal Eſtate of ſuch Priſoner and Priſoners reſpectively, if this Act had not been made; any Thing herein before contained to the contrary thereof in any-wiſe notwithſtanding.

Powers in Priſoners of leaſing Lands, &c. veſted in Aſſignees.

'XXII. And whereas many Perſons who may be intitled to, and claim the Benefit of this Act, are 'ſeiſed and poſſeſſed of Lands, Tenements, and Hereditaments, to hold to ſuch Priſoners for the Term 'of their natural Lives, with Power of granting Leaſes, and taking Fines, reſerving ſmall Rents on ſuch 'Eſtates, for one, two, or three Lives, in Poſſeſſion or Reverſion, or for ſome Number of Years deter-'minable upon Lives, which ſaid Powers ought to be executed for the Benefit of the Creditors of ſuch 'Priſoners;' be it therefore enacted by the Authority aforeſaid, That in every ſuch Caſe, all and every the Powers of leaſing ſuch Lands, Tenements, and Hereditaments, which are or ſhall be veſted in any ſuch Priſoner or Priſoners, as aforeſaid, ſhall be, and are hereby veſted in the Aſſignee or Aſſignees of the Real and Perſonal Eſtate of ſuch Priſoner, by virtue of this Act, to be by ſuch Aſſignee or Aſſignees executed for the Benefit of all and every the Creditors of ſuch Priſoners as aforeſaid.

'XXIII. And

'XXIII. And whereas, in ſome Gaols or Priſons in this Kingdom, the Office of Gaoler or Keeper is 'held in Fee for Life, or otherwiſe, by Perſons who never act as Gaolers or Keepers themſelves, or know 'any thing of the Priſoners therein, but depute or employ ſome Perſon or Perſons under them as Gaolers 'or Keepers of ſuch Gaols or Priſons;' be it therefore enacted, That, in every ſuch Caſe, the Perſon who ſhall have been actually employed and acted as deputed Gaoler or Keeper of any ſuch Gaol or Priſon, at the Time of the delivering in the Liſts, hereby directed to be delivered in, of Priſoners in any ſuch Gaol or Priſon, at any General Quarter Seſſions of the Peace, or ſome Adjournment thereof, and not the principal Gaoler or Keeper (unleſs where ſuch principal Gaoler or Keeper ſhall act as Gaoler or Keeper himſelf), ſhall take the Oath herein before appointed to be taken by the Gaoler or Keeper of every ſuch Gaol or Priſon.

The acting Gaoler, at the Time of delivering the Liſts, only liable to be ſworn.

XXIV. And be it enacted by the Authority aforeſaid, That the Juſtices, at any General Quarter Seſſion of the Peace, or Adjournment thereof, to which any Priſoner ſhall be brought in purſuance of this Act, ſhall, if required by any Creditor or Creditors of any ſuch Priſoner or Priſoners, who ſhall oppoſe his or her Diſcharge, adminiſter and give to the Gaoler, or the Perſon who acts as Gaoler or Keeper of any ſuch Priſon, at the Time of bringing up any ſuch Priſoner, in order to be diſcharged under this Act, an Oath to the following Effect; (that is to ſay,)

Court, on Requiſition of a Creditor, to adminiſter an Oath to the Gaoler.

'I *A. B.* do ſwear, That the Priſon of was really and truly a Priſoner in my Cuſtody, in to the beſt of my Knowledge and Belief, at or upon the Twenty-'ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix; and that the Copy or Copies of 'the Cauſe or Cauſes of his [*or* her] Commitment or Detainer, now by me brought with the Body of the 'ſaid and produced to this Court, is or are a true Copy or Copies of the Cauſe 'or Cauſes of ſuch Detainer or Commitment, without any Fraud or Deceit by me, or any other Perſon 'whatſoever, to the beſt of my Knowledge and Belief.

'*So help me* GOD.'

The Oath.

And if any Perſon who was Gaoler or Keeper, or deputed Gaoler or Keeper, of any ſuch Gaol or Priſon, on the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, or ſince, ſhall not happen to be the Gaoler or Keeper, or deputed Gaoler or Keeper, of any ſuch Gaol or Priſon, at the Time any ſuch Liſt as aforeſaid is hereby required to be delivered in, then the Juſtices, at any ſuch Seſſion, or at any Adjournment thereof, may and are hereby required to adminiſter and give to the reſpective Perſon or Perſons who ſhall be Gaoler or Keeper, or deputed Gaoler or Keeper, of any ſuch Gaol or Priſon, and deliver in any ſuch Liſt as aforeſaid, at any ſuch General or Quarter Seſſion, or any Adjournment thereof, an Oath, touching the Commitments, or Books of Commitment, of any ſuch Priſon, to the Effect following; (that is to ſay,)

If ſuch Perſon ſhall not have been Gaoler on Jan. 22, 1776, then he ſhall take the following

'I *A. B.* do ſwear, That I have examined the Commitments, or Books kept of or concerning the Commitment, of Priſoners to the Priſon of in the [County, Riding, Diviſion, 'City, Town, Place, *or* Liberty of *as the Caſe ſhall be*]; and that I do verily 'believe that the ſaid Commitments, or Books of Commitment, are really true, and not fictitious, nor 'calculated for this Purpoſe; and by them it doth appear that was, on the 'twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, really and truly a Priſoner 'in the actual Cuſtody of the then Gaoler or Keeper, or deputed Gaoler 'or Keeper, of the ſaid Priſon, without Fraud or Deceit by me, or any other Perſon or Perſons, to my 'Knowledge and Belief.

'*So help me* GOD.'

Oath.

'XXV. And, in order to diſcover any fraudulent Entries or Commitments of Priſoners in any Gaol 'Books,' be it further enacted by the Authority aforeſaid, That the Juſtices, at any General or Quarter Seſſion of the Peace, or any Adjournment thereof, are hereby authoriſed, at the Requeſt of any Creditor or Creditors of any Priſoner, to convene before them, at ſome certain Time to be appointed by them, any Perſon or Perſons who was or were Gaoler or Keeper, or deputed Gaoler or Keeper, of any Gaol or Priſon within their reſpective Juriſdictions, on the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, or at any Time ſince; and to examine every ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, on Oath, touching the Commitment and Continuance in Cuſtody of any ſuch Priſoner, as the Juſtices, at any ſuch General or Quarter Seſſion, or Adjournment thereof, ſhall think fit: And if any Sheriff, Gaoler, or Keeper, or deputed Gaoler or Keeper, ſhall neglect or refuſe to bring before ſuch Juſtices, at any Seſſion of the Peace, or Adjournment thereof, any Priſoner as ſhall be directed and required by Warrant of any Juſtice or Juſtices as aforeſaid, or to attend on being ſummoned for that Purpoſe; or if any Gaoler or Keeper attending, ſhall refuſe to make Anſwer and Diſcovery in the Premiſes, as ſhall be reaſonably required at ſuch General or Quarter Seſſion, or any Adjournment thereof, he, ſhe, or they, ſo offending in the Premiſes, ſhall, for every ſuch Offence, forfeit and pay the Sum of one hundred Pounds; to be recovered, by and in the Name, and for the Uſe, of the Party injured, by Action of Debt, to be brought in his or her Name, in any of his Majeſty's Courts of Record at *Weſtminſter*, together with Treble Coſts of Suit.

Court, at the Requeſt of a Creditor, may ſummon the Perſon who acted as Gaoler on Jan. 22, 1776, or ſince, and examine him, on Oath, &c. Sheriff or Gaoler, diſobeying Order of Court, to forfeit 100*l.* with Treble Coſts.

'XXVI. And whereas a great Number of Workmen, ſkilful in the ſeveral Trades and Manufactures 'of this Kingdom, and alſo many able Seamen and Mariners, finding themſelves unable to ſatisfy the 'Whole of their reſpective Debts, and dreading the Miſeries of a Gaol, have choſe to leave their Employments and Native Country, and have entered themſelves in Foreign Service: And whereas their 'Continuance abroad muſt be of great Prejudice to the Trade of this Kingdom; in order therefore to

'induce

Debtors who were beyond the Seas on Jan. 22, 1776, ſurrendering themſelves, may take the Benefit of this Act,

'induce and enable ſuch Perſons to return,' be it enacted by the Authority aforeſaid, That all and every Debtor and Debtors, who was or were actually beyond the Seas, in Foreign Parts, on the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, and did not go into ſuch Foreign Parts with the View or Intent to gain or have the Benefit of an Inſolvent Debtors Act, who ſhall return and ſurrender himſelf or themſelves, within fourteen Days next immediately after his or their landing in *England*, unto the Gaoler or Gaolers, Keeper or Keepers of the Priſons of the *King's Bench*, *Marſhalſea*, or *Fleet*, or to the Gaoler or Keeper, or deputed Gaoler or Keeper, of the Priſon or Priſons of ſuch County, City, Town, Riding, Diviſion, Liberty, or Place, where ſuch Debtor or Debtors laſt dwelt, for the Space of ſix Months (which ſaid Gaoler or Gaolers, Keeper or Keepers, is and are hereby required and impowered to receive and detain ſuch Debtor or Debtors, ſurrendering as aforeſaid, in order to their Diſcharge, as herein after mentioned), and who, from and immediately after ſuch Surrender, do continue in actual Cuſtody of ſuch Gaoler and Gaolers, Keeper or Keepers, until the Time of his Diſcharge, ſhall be deemed a Priſoner or Priſoners within, and be, to all Intents and Purpoſes, intitled to the Benefit of this Act; and ſhall, upon due Proof of the ſaid Premiſes, by the Oath of ſuch Debtor or Debtors (not diſproved by any credible Witneſs), be diſcharged in the ſame Manner as if he, ſhe, or they, had been actually in Priſon on the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, and continued therein as aforeſaid; ſubject nevertheleſs to the ſame Reſtrictions and Proviſions, and a Compliance with the like Terms, Conditions, and Qualifications, herein before impoſed upon the ſaid Priſoners actually in Cuſtody upon the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, and alſo ſubject to the Terms and Proviſions relating to the Eſtate and Effects of ſuch Priſoner, as aforeſaid; excepting only ſuch Particulars thereof as require the Name of a Priſoner to be inſerted in the Gaoler's or Keeper's Liſt, as aforeſaid, as relate to the Oaths of ſuch Gaoler or Keeper herein before appointed to be taken; which Particulars cannot poſſibly be applied to the Caſe of Perſons ſurrendering themſelves as aforeſaid; and alſo except the ſaid Oath herein before appointed to be taken by Priſoners in Cuſtody upon the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix; inſtead whereof, the Perſon or Perſons ſo ſurrendering ſhall take an Oath, in open Court, at ſome General or Quarter Seſſion of the Peace, or ſome Adjournment thereof, of the County, City, Town, Riding, Diviſion, Place, or Liberty, in the Priſon of which any ſuch Fugitive or Debtor ſhall be held, after the Surrender of any ſuch Fugitive or Debtor, to the Effect following; which the ſaid Juſtices, authoriſed to put this Act in Execution, are hereby required and impowered to adminiſter in ſuch Manner as the Oaths herein before mentioned are to be adminiſtered:

upon the ſame Terms as other Priſoners;

except in certain Particulars.

Fugitive's Oath.

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, ſolemnly ſwear, proteſt, and declare, That I was actually, on the twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, beyond the Seas in Foreign Parts; *videlicet*, at and that I did, within fourteen Days next immediately after my landing, ſurrender myſelf to the Cuſtody of the Keeper of [*as the Caſe may be*]; and that I have ever ſince ſuch my Surrender continued a Priſoner in his Cuſtody; and that the Schedule now delivered, and by me ſubſcribed, doth contain, to the beſt of my Knowledge, Remembrance, and Belief, a full, juſt, true, and perfect Account and Diſcovery of all the Real Eſtate, Goods, Effects, and other Perſonal Eſtate, in any-wiſe belonging to me; and alſo of all ſuch Debts as are to me owing, or to any Perſon or Perſons in Truſt for me; and of all the Securities and Contracts whereby any Money now is, or will or may hereafter become payable, or whereby or wherefrom any Benefit or Advantage may accrue to me, or to my Uſe, or to any other Perſon or Perſons in Truſt for me; and the Names and Places of Abode of the ſeveral Perſons from whom ſuch Debts are due and owing; and of the Witneſſes that can prove ſuch Debts or Contracts [*if any ſuch there be*]; and that neither I, nor any Perſons in Truſt for me, is or are ſeiſed of any Real Eſtate, in Poſſeſſion, Reverſion, or Remainder, or Expectancy, or of any Perſonal Eſtate of any Kind whatſoever, other than what are in the ſaid Schedule contained; except my Wearing Apparel, and Bedding for myſelf and Family, my Working Tools, and neceſſary Implements for my Occupation and Calling, together with a Sum of Money not exceeding forty Shillings, and not exceeding in the Whole the Value of twenty Pounds; and that I have not, directly or indirectly, ſold, leſſened, or otherwiſe conveyed, diſpoſed of in Truſt, or concealed, all or any Part of my Real Eſtate, Money, Goods, Chattels, Stocks, Debts, Securities, Contracts, or Perſonal Eſtate whatſoever, whereby to ſecure the ſame, ſo as to receive or expect any Profit or Advantage therefrom to myſelf or Family, or with any View, Intent, or Deſign, to defraud or deceive any Creditor or Creditors, to whom I am indebted in any-wiſe howſoever, or prevent their recovering or attaining their reſpective Debts.

'*So help me* GOD.'

Fugitives arreſted, intending to ſurrender, intitled to the Benefit of this Act.

XXVII. Provided alſo, and be it enacted, That if any Fugitive intending to ſurrender to the Terms of this Act, ſhall, within the Space before mentioned of fourteen Days, be arreſted in any Suit or Action, which Cauſe of Action accrued before the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, ſuch Fugitive giving Notice (as before directed) to any Juſtice of the Peace at the next General Quarter Seſſions, and in all other Reſpects complying with the Terms and Conditions of this Act, ſhall be intitled to the Benefit of the ſame; and every Sheriff, Bailiff, or Officer, Gaoler, or Keeper of a Priſon, in whoſe Cuſtody ſuch Fugitive ſhall be detained, ſhall conform him or themſelves to the Directions of this Act, in like Manner as before mentioned.

'XXVIII. And whereas a great Number of Commiſſion and Warrant Officers, in his Majeſty's Sea and Land Service, who, through unavoidable Misfortunes, have involved themſelves in Debt (and many of them, through Neceſſity, have taken up Money on Terms very diſadvantageous to themſelves, tending to haſten their Ruin), are now unable, though willing, to ſerve their King and Country, becauſe, to

avoid

'avoid the Diſgrace and Shame of a Priſon, they have taken Shelter in privileged Places, and cannot come 'forth without Danger of being immediately arreſted, or have been thrown into Priſon, without Hopes 'of being releaſed by any Diſcharge of their Debts, and are therefore become uſeleſs and a heavy Burthen, 'inſtead of being ſerviceable to the State: And whereas many of them are not under the Deſcription of 'thoſe Perſons who can take Benefit by the Proviſions of this Act, without ſome Extenſion thereof, 'yet are very proper Objects of ſuch Relief as is hereby intended to be given;' be it therefore enacted, That all and every Commiſſion or Warrant Officer or Officers, in his Majeſty's Sea or Land Service, now upon the full or half-pay Liſt, who ſhall, on or before the twenty-ſixth Day of *June* one thouſand ſeven hundred and ſeventy-ſix, ſurrender himſelf or themſelves to the Gaoler or Keeper of any of his Majeſty's Priſons, in ſuch Manner as is herein directed for Fugitive Debtors returning from Foreign Parts, who mean to claim the Benefit of this Act, and who ſhall, ſubſequent thereto, conform themſelves in all Reſpects to the like Terms and Conditions preſcribed to ſuch Fugitive Debtors (except as to ſo much of the Oath required to be taken by them, as declares that ſuch Debtors were in Foreign Parts on a certain Day, and did ſurrender within fourteen Days after their Return); inſtead whereof, every ſuch Debtor ſhall ſwear, that he did, on or before the twenty-ſixth Day of *June* one thouſand ſeven hundred and ſeventy-ſix [*as the Caſe may be*], ſurrender himſelf to the Cuſtody of the Gaoler or Keeper of [*inſert the Name of the Priſon*], and who ſhall, in all other Reſpects, take the ſame Oath as every ſuch Fugitive Debtor is required to do, ſhall be deemed and taken to be a Priſoner or Priſoners within the true Meaning of this Act, and be intitled to the Benefits thereof, to all Intents and Purpoſes whatſoever.

Any Commiſſion or Warrant Officer, who ſhall ſurrender himſelf, as is herein directed for Fugitive Debtors, before June 26, 1776, ſhall be intitled to the Benefit of this Act.

XXIX. And be it further enacted by the Authority aforeſaid, That if any Gaoler or Keeper of any Priſon, or his Deputy or Deputies, ſhall, without juſt Cauſe, to be approved of by the Juſtices at ſome General Quarter Seſſion of the Peace, or Adjournment thereof, within their reſpective Juriſdictions, refuſe or delay to bring any ſuch Priſoner or Priſoners as aforeſaid to any ſuch General Quarter Seſſion, or ſome Adjournment thereof, in order to his or her Diſcharge; or ſhall neglect, refuſe, or deſignedly omit to inſert, in any ſuch Liſt, the Name or Names of any ſuch Priſoner or Priſoners who was or were actually in Cuſtody in his or their reſpective Gaol or Priſon, on the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, or ſince; or ſhall neglect or refuſe to make out, fix up, or deliver, ſuch Liſts as aforeſaid; or if any ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall neglect or refuſe to take any of the ſaid Oaths before mentioned, and hereby required to be taken by him; or ſhall, upon any Account or Pretence whatſoever, take or receive more than the ſaid Sum of one Shilling herein before allowed for his or her Attendance in order to be diſcharged of ſuch Priſoner or Priſoners as aforeſaid; or ſhall detain any ſuch Priſoner after he or ſhe ſhall be diſcharged as aforeſaid; or if the Printer of the *London Gazette*, or other Newſpaper, as aforeſaid, ſhall wilfully refuſe or neglect to inſert therein the Notice by this Act directed to be given, on reaſonable Requeſt to him made for that Purpoſe, and Tender of the Money hereby directed to be paid; or ſhall take or receive any Fee or Gratuity more than Twopence as aforeſaid for doing thereof; every ſuch Gaoler and Keeper of ſuch Priſon or Priſons, his Deputy or Deputies, and every ſuch Printer as aforeſaid, ſhall reſpectively forfeit and pay to each Priſoner, in any ſuch Caſe injured, the Sum of one hundred Pounds; which ſhall and may be recovered, with Treble Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Gaoler, or Printer of the Gazette, &c. not complying with the Regulations of this Act, to forfeit 100 l. for each Offence, with Treble Coſts.

XXX. And be it further enacted by the Authority aforeſaid, That if any ſuch Gaoler or Gaolers, or Keeper or Keepers, or any deputed Gaoler or Keeper, of any Priſon, ſhall, in taking of the afore-mentioned Oaths, forſwear or perjure himſelf, and ſhall thereof be lawfully convicted, ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, of ſuch Priſon or Priſons (over and above ſuch Penalties as may be inflicted on Perſons convicted of Perjury), ſhall, upon every ſuch Conviction, forfeit and pay the Sum of five hundred Pounds; to be recovered, with full Coſts, by Bill, Plaint, or Information, or Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed, by and in the Name of ſuch Perſon or Perſons, his and their Executors and Adminiſtrators, to whom any Aſſignment or Conveyance, in purſuance of this Act, ſhall be made, of the Eſtate and Effects of ſuch Priſoner or Priſoners; and if no ſuch Aſſignee or Aſſignees ſhall be living, then in the Name or Names of any other Creditor or Creditors who ſhall ſue for the ſaid Penalties; to be applied, one Moiety to the Informer or Informers, and the other Moiety towards Satisfaction of the Debts of ſuch his Creditor or Creditors.

Gaoler convicted of Perjury, to forfeit 500 l. with full Coſts, &c.

Application of the Penalty.

XXXI. And be it further enacted, That if any Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, ſhall delay or refuſe to give every or any ſuch Priſoner ſo diſcharged as aforeſaid, within fourteen Days after his or her Diſcharge, a Copy of the Order of his or her Diſcharge, on the Payment of two Shillings and Sixpence; or ſhall take more than the Sum of two Shillings and Sixpence for ſuch Copy; or ſhall take more than one Shilling for an Aſſignment or Conveyance of ſuch Priſoner's Eſtate or Effects; every ſuch Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, who ſhall ſo offend, and who ſhall be convicted at any ſuch General or Quarter Seſſion of the Peace, or any Adjournment thereof, of any ſuch Offence, ſhall, for every ſuch Offence, forfeit and pay to every ſuch Priſoner the Sum of twenty Pounds, as the Juſtices of the Peace, at any ſuch General Quarter Seſſion of the Peace, or Adjournment thereof, ſhall order; and who are hereby impowered to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods of any ſuch Clerk of the Peace, or his Deputy, or Town Clerk, or other Officer acting as Clerk of the Peace, ſo offending.

Clerk of the Peace refuſing a Priſoner a Copy of his Diſcharge, or taking exorbitant Fees, ſhall forfeit 20 l. to the Priſoner.

XXXII. And be it further enacted by the Authority aforeſaid, That if any Priſoner as aforeſaid, or any other Perſon or Perſons who ſhall take the Benefit of this Act, ſhall forſwear or perjure himſelf, herſelf,

Priſoner, &c. convicted of Perjury, to ſuffer as a Felon.

ſelf, or themſelves, in any Oath to be taken under this Act, and ſhall be lawfully convicted thereof, he, ſhe, or they, ſo offending, ſhall be adjudged a Felon, and ſuffer as ſuch, without Benefit of Clergy.

Perſons diſcharged by this Act, not liable to Impriſonment for Debts, &c. contracted before Jan. 22, 1776:

XXXIII. And be it further enacted by the Authority aforeſaid, That no Perſon to be diſcharged by this Act ſhall, at any Time hereafter, be impriſoned by reaſon of any Judgment or Decree obtained for Payment of Money only, or for any Debt, Damages, Contempts, Coſts, Sum or Sums of Money, contracted, incurred, occaſioned, owing, or growing due, before the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix; but that upon every Arreſt upon every Judgment, or ſuch Decree, or for ſuch Debts, Damages, Contempts, Coſts, Sum and Sums of Money, it ſhall and may be lawful for any Judge of the Court where the Proceſs iſſued, upon ſhewing the Copy of the Order of ſuch Priſoner's Diſcharge or Diſcharges, to releaſe and diſcharge out of Cuſtody ſuch Priſoner or Priſoners as aforeſaid; and ſhall, at the ſame Time, order the Plaintiff or Plaintiffs, in ſuch Suit or Suits, to pay ſuch Priſoner or Priſoners the Coſts he, ſhe, or they, ſhall have incurred on ſuch Occaſion, or ſo much thereof as to ſuch Judge ſhall ſeem juſt and reaſonable; and every ſuch Judge is hereby impowered ſo to do on ſuch Priſoner's cauſing a Common Appearance to be entered for him in every ſuch Action and Suit.

But no Priſoner to be diſcharged of Debts ſubſequent thereto.

'XXXIV. And whereas, under former Acts of this Kind, Doubts have ariſen what was to be done 'with ſuch Priſoners who applied at any Seſſion to be diſcharged, who owed and ſtood charged with Debts, 'as well previous as ſubſequent to the Day limited by the reſpective Acts; to remedy which,' be it therefore enacted by the Authority aforeſaid, That no Priſoner or Priſoners ſhall be diſcharged of any Debts ſubſequent to the twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix; and if it ſhall appear to the Juſtices, in any Seſſion or Adjournment, that any Priſoner or Priſoners, then applying to them to be diſcharged, ſhall ſtand charged as well with Debts previous to as ſubſequent to the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, that in ſuch Caſes, it ſhall and may be lawful to and for the Juſtices to diſcharge him or her of all Debts previous to the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, and to remand him or her back to the Cuſtody of the Keeper of the Priſon from whence he or ſhe was brought, for all Debts with which he or ſhe ſtands charged with in his Cuſtody, ſubſequent to the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix.

Juſtices, &c. may plead this Act to any Action brought againſt them, and recover Treble Coſts.

XXXV. And be it further enacted by the Authority aforeſaid, That if any Action of Eſcape, or any Suit or Action, be brought againſt any Juſtice or Juſtices of the Peace, Sheriff, Gaoler, or Keeper of any Priſon, for performing their Office, in purſuance of this Act, they may plead the General Iſſue, and give this Act in Evidence; and if the Plaintiff be nonſuited, or diſcontinue his Action, or Verdict paſs againſt him, or Judgment upon Demurrer, the Defendant ſhall have Treble Coſts.

Perſons diſcharged may plead generally, &c. to all Actions or Judgments brought againſt them before Jan. 22, 1776, &c.

XXXVI. And be it further enacted by the Authority aforeſaid, That if any *Scire facias*, or Action of Debt, or upon Judgment, ſhall be brought againſt any Priſoner, his or her Heirs, Executors, or Adminiſtrators, upon any Judgment obtained againſt any ſuch Priſoner, or on any Statute or Recognizance acknowledged by him or her, before the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, with reſpect to Priſoners in actual Cuſtody, or with reſpect to Debtors beyond the Seas, as aforeſaid, upon the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, it ſhall be lawful for any ſuch Priſoner, his or her Heirs, Executors, or Adminiſtrators, to plead generally that ſuch Priſoner was actually a Priſoner in ſuch Priſon at ſuch a Perſon's Suit, or was or were beyond the Seas in Foreign Parts on the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, and was or were duly diſcharged according to this Act, at the General Quarter Seſſion, or Adjournment thereof, held at ſuch Time and Place, for ſuch County, Riding, Diviſion, Liberty, City, Town, or Place (as his, her, or their Caſe is), without pleading any Matter ſpecially; and in caſe any other Suit or Action ſhall be commenced againſt him, her, or them, for any other Debt, Sum or Sums of Money, due before the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, to plead in Diſcharge of his or her Perſon from Execution (over and above ſuch Matters as aforeſaid), that ſuch Debt or Sum of Money (as the Caſe ſhall happen) was contracted or due before the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, without pleading any other Matter eſpecially; whereto the Plaintiff ſhall or may reply generally, and deny the Matters pleaded as aforeſaid, or reply any other Matter or Thing which may ſhew the ſaid Defendant not to be intitled to the Benefit of this Act, or not duly diſcharged according to it, in the ſame Manner as the Plaintiff might have replied, in caſe the Defendant had pleaded this Act, and his Diſcharge, by virtue of this Act, ſpecially; and if the Plaintiff be nonſuited, diſcontinue his Action, or Verdict paſs againſt him, or Judgment on Demurrer, the Defendant to have Treble Coſts.

and in other Suits, may plead in Diſcharge of their Perſons from Execution.

Plaintiff may reply generally, &c.

but if nonſuited, to pay Treble Coſts.

Attornies or Servants embezzling Money, &c. excluded the Benefit of this Act.

XXXVII. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to releaſe or diſcharge any Attorney at Law, or Solicitor, or any other Perſon or Perſons acting or pretending to act as ſuch, with regard to any Debt with which he or they ſhall ſtand charged for any Money, or other Effects, recovered and received by him or them, for the Uſe of any Perſon or Perſons, Bodies Corporate or Politic, and by any Attorney, Solicitor, or other Perſon or Perſons acting as ſuch, embezzled, concealed, or converted, to his or their own Uſe; or to releaſe or diſcharge any Servant or Agent, or any Perſon or Perſons employed or intruſted as ſuch, with regard to any Debt or Demand with which he, ſhe, or they, ſhall ſtand charged, for and on account of any Money, Goods, or other Effects, received or poſſeſſed by him, her, or them, for the Uſe, and on account of his, her, or their Maſter or Maſters, or Employers, and by ſuch Servant or Agent embezzled, concealed, or converted to his, her, or their own Uſe; any Thing herein contained to the contrary thereof in any-wiſe notwithſtanding.

'XXXVIII. And whereas many evil-diſpoſed Perſons, to ſupport their profligate Way of Life, have, 'by various ſubtle Stratagems, Threats, and Devices, fraudulently obtained divers Sums of Money, 'Goods, Wares, Merchandiſes, Bonds, Bills of Exchange, Promiſſory Notes, or other Securities for 'Money,

'Money, to the great Injury of induſtrious Families, and to the manifeſt Prejudice of Trade and Credit;' be it enacted, That no Priſoner, who knowingly and deſignedly, by falſe Pretence or Pretences, ſhall have obtained from any Perſon or Perſons, Money, Goods, Wares, Merchandizes, Bonds, Bills of Exchange, Promiſſory Notes, or other Securities for Money, ſhall have or receive any Benefit or Diſcharge by or under this Act; but the Juſtices, at any General or Quarter Seſſion of the Peace, or any Adjournment thereof, before whom any ſuch Priſoner ſhall be brought, upon due Proof of the Matter, made to their Satisfaction, ſhall remand ſuch Priſoner to the Cuſtody of the Gaoler or Keeper of the Priſon from whence he or ſhe ſhall have been brought, any Thing herein contained to the contrary notwithſtanding.

Perſons who, by falſe Pretences, have obtained Money, Goods, &c. excluded the Benefit of this Act.

'XXXIX. And whereas many Debtors have, with a view to defraud their Creditors, ſold, transferred, 'conveyed, or aſſigned their Eſtate and Effects to ſome Perſon or Perſons, ſubſequent to their being in 'Cuſtody of Law, or impriſoned under ſome Proceſs for Debt: And whereas ſuch Sale, Transfer, Con-'veyance, or Aſſignment, has been frequently made, to the infinite Prejudice of the fair and honeſt 'Creditor, though ſufficient Proof could not be obtained to convict the Party of a fraudulent Deſign;' be it enacted, That whenever it ſhall be proved by one or more credible Witneſs or Witneſſes, to the Satisfaction of the Court, to which any Priſoner ſhall be brought up, in order to obtain his or her Diſcharge, that ſuch Priſoner has ſold, transferred, conveyed, or aſſigned, to any Perſon or Perſons, all or any Part of his Eſtate or Effects, ſubſequent to the Time of his Impriſonment, or of his being in Cuſtody of Law, without juſt Cauſe for ſo doing, to be allowed by the Juſtices preſiding in ſuch Court as aforeſaid; every ſuch Priſoner ſhall loſe all the Benefits and Advantages that he might have otherwiſe claimed under the Authority of this Act, and ſhall not be intitled to his or her Diſcharge.

Any Perſon having ſold or aſſigned any Part of his Eſtate or Effects, after being in Cuſtody, with Deſign to defraud his Creditors, ſhall loſe the Benefit of this Act.

XL. And be it further enacted by the Authority aforeſaid, That every Gaoler or Keeper of any Priſon ſhall, and is hereby required to ſuffer, in the Day-time, any Perſon or Perſons deſiring the ſame, to ſee and ſpeak, in the Lodge, or ſome convenient Room of the ſaid Priſon, with any Priſoner or Priſoners, whoſe Names are inſerted in the afore-mentioned Liſt or Liſts, or *London Gazette*, or other Newſpaper, or any of them, or any Perſons ſurrendering themſelves purſuant to this Act; and alſo ſee, in the true and genuine Books of the ſaid Priſon, the Entries made of the Name or Names of ſuch Priſoner or Priſoners, together with the Name or Names of the Perſon or Perſons at whoſe Suit or Suits he, ſhe, or they, are detained: And if any ſuch Gaoler or Keeper ſhall neglect or refuſe to comply with what is here above required, every ſuch Gaoler or Keeper, who ſhall ſo offend in the Premiſes, ſhall forfeit and pay, to the Perſon ſo refuſed and aggrieved, the Sum of forty Pounds; to be recovered, with Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts at *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed, by and in the Name or Names of the Perſon or Perſons ſo refuſed and aggrieved.

Gaoler to permit the ſpeaking in private to Priſoners, whoſe Names are inſerted in the Liſt, or Gazette, &c. and the examining original Books of Entries, &c. on Penalty of 40 l. with Coſts of Suit.

'XLI. And whereas ſeveral Perſons, who have taken the Benefit of Acts of Inſolvency, from a Diffi-'culty of obtaining a new Credit to ſet themſelves up in their uſual Trades and Occupations, (as their 'future Effects have been made liable to their Debts previous thereto) have gone Abroad for the better 'Maintenance of themſelves and Families, carrying the Arts and Manufactures of this Country to our 'Enemies, or Rivals in Trade:' In order to prevent ſuch Evil for the future, be it enacted, That the future real Eſtates, as well Freehold and Copyhold, as cuſtomary Copyhold, or Money in the Funds, or lent upon real Security only, of every ſuch Perſon or Perſons, Priſoner or Priſoners, Fugitive or Fugitives, which, after the Time of his, her, or their, total Surrender of his, her, or their Eſtates and Effects, under ſuch Acts, he, ſhe, or they, ſhall or may be ſeiſed of, in his, her, or their own Right or Uſe, by Grant, Demiſe, or Purchaſe, ſhall remain and be liable to his, her, and their reſpective Creditors, as before the making of this Act; and any Creditor or Creditors of any ſuch Priſoner or Priſoners, Fugitive or Fugitives, may, at any Time hereafter, ſue out Execution, Extents, or other Proceſs, againſt ſuch real Eſtate or Money in the Funds as aforeſaid, of ſuch Perſon or Perſons, on any Judgment at the Time of ſuch Diſcharge recovered, or Statute-ſtaple, or Recognizance acknowledged by, or Decree obtained againſt, any ſuch Priſoner or Fugitive, but not againſt his, her, or their Perſon, or his, her, or their perſonal Eſtate or Effects, except Money in the Funds obtained or accrued ſince ſuch Time of ſuch Diſcharge, other than as aforeſaid.

Priſoners future Eſtates, or Money in the Funds, notwithſtanding their perſonal Diſcharge, liable to Creditors;

who may ſue out Execution, but not againſt their Perſons, or perſonal Effects, &c.

XLII. And be it alſo enacted, That any Creditor or Creditors of any Priſoner or Priſoners, Fugitive or Fugitives, who ſhall be diſcharged under this Act, may, at any Time after any ſuch Diſcharge, commence and proſecute any Action or Suit againſt any ſuch Priſoner or Fugitive, his, her, or their reſpective Heirs, Executors, or Adminiſtrators, for the Recovery of any Sum or Sums of Money which ſhall be due from any ſuch Priſoner or Priſoners, Fugitive or Fugitives, at the Time of his or their ſaid Diſcharge, but ſhall not hold the Perſon of any ſuch Priſoner or Fugitive to Special Bail; nor ſhall take the Perſon, or perſonal Eſtate and Effects, other than as aforeſaid, of any ſuch Priſoner or Fugitive, in Execution, by any Judgment, Sentence, or Decree, which ſhall have been, or hereafter may be, recovered or obtained againſt any ſuch Priſoner or Fugitive; and any Judge of the Court, out of which ſuch Execution ſhall iſſue, ſhall have Power to diſcharge the ſame by virtue of this Act: And in any Action or Suit, which ſhall be hereafter commenced againſt any ſuch Priſoner or Fugitive, his or her Heirs, Executors, or Adminiſtrators, no Benefit or Advantage ſhall be had or taken for that the Cauſe of Action did not accrue within three Years next before the commencing of any ſuch Action or Suit; nor ſhall any Statute or Limitation be pleadable, or be allowed to be pleaded in Bar of or in any ſuch Action or Suit, which ſhall be hereafter commenced by any ſuch Creditor or Creditors againſt any ſuch Priſoner or Priſoners, unleſs ſuch Cauſe of Action or Suit did not accrue within three Years next before any ſuch Priſoner or Fugitive ſhall be diſcharged under this Act; and, in any ſuch Caſe, the ſame may be pleaded by any ſuch Priſoner, his or her Heirs, Executors, or Adminiſtrators.

Creditors may ſue for the Recovery of Debts due at the Time of Priſoner's Diſcharge, but not hold the Priſoner to ſpecial Bail, nor take his Perſon, &c. by any Judgment recovered againſt him. No Advantage to be taken of the Cauſe of Action not accruing within 3 Years, &c. Exception.

XLIII. Provided always, and be it likewiſe enacted, That by the Diſcharge of any Priſoner or Fugitive by Force of this Act, no other Perſon or Perſons who was or were Partner or Partners in Trade with any ſuch Priſoner

Diſcharge of Priſoner no Acquittal to his

Partner or Sureties.

Priſoner or Fugitive, at the Time of his or her Diſcharge under this Act, or then ſtood bound, engaged with, or liable to, the Payment of any Debt with any ſuch Priſoner or Fugitive, or engaged in any Contract together with any ſuch Priſoner or Fugitive, ſhall be diſcharged from any ſuch Debt or Demand; but every ſuch other Perſon and Perſons ſhall ſeverally ſtand and be chargeable with, and liable to pay, ſuch Debt and Debts, and to perform ſuch Contracts, in like Manner as if any ſuch Priſoner or Fugitive had never been diſcharged from the ſame.

Gaoler making falſe Entries in Priſon Book or Liſt, to forfeit 500 l. with Treble Coſts.

XLIV. And be it further enacted, That if any Gaoler or Keeper, or reputed Gaoler or Keeper, of any Priſon or Priſons, ſhall make, or cauſe to be made, any falſe Entries in any Book or Books belonging to any Priſon or Gaol under his Care, or of which he is or was Gaoler, or ſhall prepare or keep, or cauſe to be prepared or kept, any falſe Book or Books, in order for any falſe or untrue Entry or Entries to be made therein; or ſhall inſert in any Liſt, to be delivered in as aforeſaid, the Name or Names of any Perſon or Perſons who was not a Priſoner or Priſoners in actual Cuſtody in any ſuch Gaol or Priſon upon the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, or ſhall not have ever ſince remained in ſuch actual Cuſtody (except as in the Oath of any ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall be excepted), every ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall, over and above the Penalties which he ſhall be liable to for every ſuch Fraud, forfeit and pay the Sum of five hundred Pounds; to be recovered, with Treble Coſts of Suit, by and in the Name, and for the Uſe, of any Perſon or Perſons who ſhall be prejudiced by any Entry, or ſuch falſe Entries; which Penalties ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Priſoner refuſing to declare the Abode, &c. of the Perſon at whoſe Suit he is detained, &c. to be excluded the Benefit of this Act.

XLV. And be it further enacted, That if any Priſoner, being thereunto required by any Creditor, ſhall refuſe to diſcover and declare the Trade or Occupation, and Habitation, or laſt Place of Abode, of the Perſon or Perſons at whoſe Suit he or ſhe is detained or charged in Cuſtody; or being called for and deſired, by any Creditor or Creditors, to come to the Lodge of the Priſon in which any ſuch Priſoner ſhall be confined, without ſome reaſonable Cauſe being made appear to the contrary; every ſuch Priſoner, upon Proof being made thereof before the Juſtices at any General or Quarter Seſſion of the Peace, or any Adjournment thereof, to be held as aforeſaid, ſhall not have or receive any Benefit or Diſcharge by or under this Act; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Juſtices may aſſemble at or near any County Gaol, and hold a Seſſion there for Diſcharge of Priſoners.

'XLVI. And whereas there is but one Common or County Gaol for each of the reſpective Counties of 'York, Lincoln, Lancaſter, and Durham, which ſaid Counties are each of them divided into ſeveral Ridings 'or Diviſions, all which have ſeveral Commiſſions of the Peace; and if the Gaolers of thoſe Gaols be 'obliged to carry the Debtors, Priſoners therein, to the Quarter Seſſion of each Riding or Diviſion, the 'ſame will be a very great Charge, not only to ſuch Gaolers, but alſo to the Priſoners in thoſe large Coun-'ties;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for two or more Juſtices of the Peace for any of the Ridings or Diviſions in the reſpective Counties (or any other County or Counties where the Priſons are at a Diſtance from the Place where the Seſſions are held), at the Common or County Gaol thereof reſpectively, or at ſome convenient Place near thereto, and they are hereby required to aſſemble and meet, and to hold Seſſion there, by Adjournment from their reſpective Quarter Seſſion, from Time to Time, for the Diſcharge of the reſpective Priſoners therein, according to the Powers, Limitations, and Directions of this Act.

Juſtices for the County of Surrey may aſſemble at the Town-hall of Southwark for adminiſtering Oaths, &c.

'XLVII. And whereas the next General Quarter Seſſions of the Peace for the County of *Surrey*, which 'ſhall happen after the paſſing of this Act, may be in the County, and upwards of twenty Miles from any 'of the ſaid Priſons;' be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for ſuch Juſtices as ſhall be aſſembled at the General Quarter Seſſion of the Peace to be holden for the County of *Surrey*, next after the paſſing of this Act, and they are hereby required forthwith to adjourn the ſaid Seſſion to the Town-hall in the Borough of *Southwark*, for the Purpoſe of adminiſtering the Oaths required to be taken and ſubſcribed by this Act, by the ſeveral Gaolers within the ſaid County wherein any Priſoner or Priſoners are confined, and to the diſcharging ſuch reſpective Priſoner or Priſoners confined therein, according to the Powers, Limitations, and Directions of this Act.

Priſoners who are kept in Cuſtody for Payment of Fees, &c. to be diſcharged.

XLVIII. And be it further enacted by the Authority aforeſaid, That all Debtors and others, who were in Priſon on or before the ſaid twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, or ſince, in any of the Gaols of this Kingdom, and now remain there for not paying their Fees, Rents, or other Demands due, or claimed as due, to the Keeper or Gaoler of any Priſon reſpectively, or to any other Officer of ſuch Priſon, and upon no other Account, ſhall be diſcharged therefrom, he, ſhe, or they, taking the Oath by this Act required to be taken by Priſoners.

This Act not to extend to Debtors to the Crown;

XLIX. Provided always, and it is hereby further enacted by the Authority aforeſaid, That this Act ſhall not extend, or be conſtrued to extend, to diſcharge any Perſon out of Priſon, ſeeking his or her Diſcharge under this Act, with reſpect to any Debt or Penalty with which he or ſhe ſhall ſtand charged at the Suit of the Crown, or at the Suit of any Sheriff or other public Officer, upon any Bail Bond entered into for the Appearance of any Perſon proſecuted for any Offence committed againſt any Act or Acts of Parliament relative to his Majeſty's Revenues of Cuſtoms, Exciſe, or Salt Duties, or either of them.

nor to Priſoners who owe more than 1000 l. to one Perſon, unleſs ſuch Creditor conſent: Exception.

L. Provided alſo, That this Act ſhall not extend to diſcharge any Perſon out of Priſon, ſeeking his or her Diſcharge under this Act, who ſhall be charged by any Body Politic or Corporate, or by any one Perſon, on or before the ſaid twenty-ſecond Day of *January* one thouſand ſeven hundred and ſeventy-ſix, in any Sum exceeding the Sum of one thouſand Pounds, beſides Intereſt and Coſts, and whoſe Diſcharge ſhall be in Court oppoſed by ſuch Body Politic or Corporate, or one Perſon (except ſuch Perſon or Perſons who ſhall have been bound in Security for any other Perſon or Perſons to a larger Amount, and it ſhall appear, to the Satisfaction of the Court, that ſuch Perſon or Perſons ſo bound, or giving, or joining in, ſuch Security, hath or have not received or applied to his, her, or their own proper and ſeparate Uſe or

or Benefit, any Part of the Sum or Sums of Money ſo due and owing as aforeſaid): And if any ſuch Body Politic or Corporate, Creditor or Creditors, to whom a Sum exceeding one thouſand Pounds ſhall be owing, ſhall oppoſe the Diſcharge of ſuch Priſoner (except as aforeſaid), and ſhall inſiſt that ſuch Priſoner be continued in Gaol; that then, and in ſuch Caſe, ſuch Body Politic or Corporate, or Creditor or Creditors, oppoſing the ſaid Priſoner's Diſcharge as aforeſaid, ſhall at his, her, or their proper Coſts and Charges, allow and pay, in the whole, ſuch a weekly Maintenance to the ſaid Priſoner, not exceeding four Shillings, nor leſs than three Shillings and ſix Pence *per* Week, in ſuch Manner as the ſaid Juſtices, in their General Quarter Seſſion, or Adjournment thereof, ſhall order; and, upon Non-payment of the ſame for the Space of two Weeks, the ſaid Priſoner, upon Application to the ſaid Juſtices in their General Quarter Seſſion, held as aforeſaid, ſhall be diſcharged, purſuant to the Intent and Meaning of this Act.

Creditor oppoſing Priſoner's Diſcharge to allow him 3 s. 6 d. per Week;

and on Non-payment for two Weeks, Priſoner to be diſcharged.

'LI. And whereas, under former Acts, Creditors have been put to great Expences and Trouble in 'attending every Seſſion and Adjournment, during the whole Continuance of the Act, to oppoſe the Diſ-'charge of Priſoners clearly excluded from any Benefit under the ſaid reſpective Acts, but who, after hav-'ing been before one Seſſion heard, and refuſed a Diſcharge, to haraſs their Creditors, conſtantly gave 'freſh Notices for each ſubſequent Seſſion and Adjournment of their intended Application to be diſcharged;' to remedy which, be it further enacted by the Authority aforeſaid, That in all caſes whatever, the Determination of the Juſtices in Seſſion or Adjournment ſhall be final to all Intents and Purpoſes, unleſs the Priſoner ſhall, during the Continuance of this Act, get rid of the Objection or Objections, for which they refuſed his Diſcharge; and, that the ſame may be clear and certain, the Juſtices are hereby required to ſtate the Objections why ſuch Priſoner's Diſcharge is refuſed by them; and, in all Caſes whatever, it ſhall and may be lawful to and for the Juſtices, at any ſubſequent Seſſion or Adjournment, upon Application from the Priſoner, upon due Proof on Oath made to them, by two or more credible Witneſſes (which Oath they are hereby impowered to adminiſter), of each Objection or Objections being removed, and on Proof of Notice, ſerved, at leaſt ten Days previous to ſuch Application, on the Creditor or Creditors who before oppoſed his Diſcharge, and of Notice likewiſe inſerted in the *Gazette*, in Manner before directed by this Act, to order ſuch Priſoner to be brought before them, and, if they ſhall then be of Opinion the ſaid Priſoner is intitled to the Benefit of this Act, to order him to be diſcharged, he taking the Oath, and in all other Reſpects conforming to the Directions of this Act.

Determination of Juſtices to be final with reſpect to the Retention of any Priſoner; unleſs the Priſoner get rid of the Objections for which they refuſed his Diſcharge.

Juſtices, on Proof by two Witneſſes of Objections being removed, &c. may diſcharge ſuch Priſoner.

LII. Provided always, That every Fugitive or Fugitives, intitled, or to be intitled, to the Benefit of this Act, ſhall obtain their reſpective Diſcharges on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and ſeventy-eight, or ſhall be excluded from all Benefit of this Act.

No Fugitive to obtain a Diſcharge after Aug. 1, 1778.

'LIII. And whereas it may happen that ſeveral Perſons, who may claim and be intitled to the Benefit 'of this Act, are ſeiſed of an Eſtate Tail, in ſome Freehold or Copyhold Lands, Tenements, or Heredi-'taments, which Entail, with the Remainders thereupon expectant, they have, by Law, Power to defeat 'and bar, either by levying a Fine or Fines, ſuffering a Common Recovery or Common Recoveries, or by 'Surrender or Surrenders thereof, whereby ſuch Perſon or Perſons' ſaid Freehold or Copyhold Lands, 'Tenements, or Hereditaments, would be liable to the Payment of their Debts, and be delivered up, ac-'cording to the Terms of this Act, for the Benefit of their Creditors;' be it therefore enacted by the Authority aforeſaid, That in every ſuch Caſe, ſuch Perſon or Perſons ſo ſeiſed as aforeſaid, and who ſhall be intitled to, and claim the Benefit of this Act, ſhall, to all Intents and Purpoſes whatſoever in Law, be deemed and taken, and is and are hereby declared to be ſeiſed of ſuch Lands, Tenements, and Hereditaments in Fee: Provided the ſame ſhall be delivered up to the Creditor or Creditors of every ſuch Priſoner, in the ſame Manner as if ſuch Perſon or Perſons had actually levied a Fine, ſuffered a Common Recovery or Recoveries, or made a Surrender or Surrenders thereof, and thereby had become ſeiſed in Fee; any Law, or Conſtruction of Law, to the contrary thereof, in anywiſe notwithſtanding.

Perſons ſeiſed of an Eſtate Tail, claiming the Benefit of this Act, are to deliver up the ſame to Creditors.

'LIV. And whereas many Perſons who may take the Benefit of this Act, have been great Dealers, or 'otherwiſe engaged in large Tranſactions, whereby they may be intitled to ſundry and great Debts and 'Demands, of various and intricate Natures, and they may be intitled to Equities of Redemption of 'Eſtates, ſubject and liable to Mortgages, Judgments, and other Incumbrances, or to Reverſions, Re-'mainders, or other contingent Eſtates in Lands, Tenements, or Hereditaments, or to other Truſts or 'Intereſts in Eſtates, both Real and Perſonal, which may not be ſufficiently deſcribed or diſcovered, in 'the Schedule, or Inventory, before directed to be delivered in, upon Oath, as aforeſaid, or which may 'want his Aid or Aſſiſtance to adjuſt, make out, recover, or manage, for the Benefit of the Creditors:' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the reſpective Aſſignees of the Eſtate and Effects of ſuch Priſoner or Priſoners who ſhall obtain his, her, or their Diſcharge, in purſuance of this Act, or any other Perſon or Perſons, duly authoriſed by them for that Purpoſe, from Time to Time, to apply to any two or more of the Juſtices of the Peace for the County, Riding, Diviſion, City, Town, Place, or Liberty, where ſuch Perſon or Perſons ſhall be then reſiding, thereby deſiring that ſuch Perſon or Perſons may be further examined as to any Matters or Things relating to his, her, or their Eſtate or Effects; whereupon ſuch Juſtices ſhall ſend for, or call before them, ſuch Perſon or Perſons, by ſuch Warrant, Summons, Ways, or Means, as they ſhall think fit; and, upon ſuch Perſon's appearing, ſhall examine him, her, or them, as well upon Oath as otherwiſe, as to ſuch Matters and Things, as ſuch Aſſignee ſhall deſire, relating to the Eſtate and Effects of ſuch Perſon or Perſons; and if any Perſon or Perſons (on Payment, or Tender of Payment, of ſuch reaſonable Charges as ſuch Juſtices ſhall judge ſufficient) ſhall neglect or refuſe to come and appear, not having a lawful Excuſe, to be made known to ſuch Juſtices, and by them allowed, or, being come before them, ſhall refuſe to be ſworn, or to anſwer to all ſuch Queſtions as by ſuch Juſtices ſhall be put to him, her, or them, relating to the Diſcovery of his, her, or their Eſtate or Effects, ſo veſted, or intended to be veſted, in ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or in ſuch Aſſignees as aforeſaid, that then it ſhall and may be lawful to and for ſuch Juſtices, by Warrant under their Hands and Seals, to apprehend

Aſſignees may apply for further Examination of Priſoners, touching the Diſcovery of their Effects;

and Juſtices may ſend for and examine them accordingly.

Perſons refuſing to appear, or anſwer upon Oath, may be committed.

prehend ſuch Perſon or Perſons ſo offending as aforeſaid, and him, her, or them, to commit to the Common Gaol, there to remain, without Bail or Mainprize, until ſuch Time as he, ſhe, or they, ſhall ſubmit him, her, or themſelves, to ſuch Juſtices, and anſwer upon Oath to all ſuch lawful Queſtions as ſhall, by ſuch Juſtices, be put to him, her, or them, for the Purpoſes aforeſaid.

20 l. per Cent. allowed for diſcovering, within 12 Months, any Part of a Priſoner's Eſtate not compriſed in his Schedule.

LV. And be it further enacted by the Authority aforeſaid, That all and every ſuch Perſon and Perſons, who ſhall, within twelve Months after the Diſcharge of ſuch Priſoner or Priſoners, voluntarily come in and make a Diſcovery of any Part of ſuch Debtor or Debtors Real or Perſonal Eſtate, as ſhall not be compriſed in ſuch Schedule as aforeſaid, before any Juſtices aforeſaid, ſhall be allowed after the Rate of twenty Pounds *per Centum*, out of the Net Produce of ſuch Debtor or Debtors Eſtate which ſhall be recovered on ſuch Diſcovery, and which ſhall be paid to ſuch Perſon or Perſons ſo diſcovering the ſame, by the Aſſignee or Aſſignees of ſuch Priſoner's Eſtate and Effects.

Diſcharge obtained fraudulently, void.

LVI. Provided always, and be it enacted, That notwithſtanding the Diſcharge of any Priſoner or Priſoners by virtue of this Act, if it ſhall hereafter appear the ſame was obtained fraudulently, or that any Part of the Oath taken by any ſuch Priſoner was not true; then, and in every ſuch Caſe, every ſuch Diſcharge ſhall be void, and of none Effect.

Perſons concealing any Eſtate or Effects of the Priſoner, forfeit 100 l. and Doub'e Value, with Treble Coſts of Suit.

'LVII. And, for the better Diſcovery of the Eſtate and Effects of any Priſoner who ſhall be diſcharged 'by virtue of this Act,' be it enacted by the Authority aforeſaid, That any Perſon or Perſons who ſhall have accepted of any Truſt or Truſts, and ſhall wilfully conceal or protect any Eſtate, Real or Perſonal, of any ſuch Priſoner, from his Creditors, and ſhall not, within thirty Days after any Aſſignee or Aſſignees ſhall, in purſuance of this Act, be choſe of any ſuch Priſoner's Eſtate, diſcover and diſcloſe to ſuch Aſſignee or Aſſignees, ſuch Truſt and Eſtate, in Writing, and deliver up or make over the ſame to ſuch Aſſignee or Aſſignees, he, ſhe, or they, ſo offending, ſhall, for every ſuch Offence, forfeit the Sum of one hundred Pounds, and alſo Double the Value of the Eſtate, either Real or Perſonal, ſo concealed, to and for the Uſe of the Creditors of any ſuch Priſoner; to be recovered by Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, in the Name or Names of the Aſſignee or Aſſignees of ſuch Priſoner's Eſtate, together with Treble Coſts of Suit.

Aſſignees, with Conſent of the Majority in Value of the Creditors may compound for Debts due to the Priſoner's Eſtate;

and may ſubmit any Diſpute relating thereto to Arbitration.

LVIII. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful, at all Times hereafter, for any Aſſignee or Aſſignees, of the Eſtate or Effects of any Priſoner or Priſoners, who ſhall be choſe in purſuance of this Act, by and with the Conſent of the major Part in Value of ſuch Priſoner or Priſoners Creditors, who ſhall be preſent at a Meeting to be held on twenty-one Days public Notice being previouſly given for the Purpoſe hereafter mentioned in the *London Gazette*, if the Priſoner was in Cuſtody in *London*, or within the weekly Bills of Mortality, and if not, then alſo in ſome Newſpaper, which ſhall be publiſhed in the County, City, or Place, in or near which any ſuch Perſon ſhall have been in Gaol, to make Compoſition with any Perſon or Perſons, Debtors, or Accountants, to ſuch Priſoner or Priſoners, where the ſame ſhall appear neceſſary or reaſonable; and to take ſuch reaſonable Part of any ſuch Debt as can, upon ſuch Compoſition, be gotten in full Diſcharge of ſuch Debts and Accounts, and alſo to ſubmit any Difference or Diſpute between ſuch Aſſignee or Aſſignees, and any Perſon or Perſons for or on Account, or by Reaſon or Means of any Matter, Cauſe, or Thing, relating to ſuch Priſoner or Priſoners' Eſtate and Effects, or to any Debt or Debts due, or claimed to be due, to or from ſuch Priſoner or Priſoners, to the final End and Determination of Arbitrators, to be choſen by the ſaid Aſſignee or Aſſignees, and the major Part in Value of ſuch Creditors, and the Party or Parties with whom they ſhall have no Difference; and to perform the Award of ſuch Arbitrators, or of any Umpire to be choſen by them, or otherwiſe to ſettle and agree the Matters in Difference or Diſpute between them, in ſuch Manner as the ſaid Aſſignee or Aſſignees, with ſuch Conſent as aforeſaid, ſhall think fit and can agree; and the ſame ſhall be binding to all the Creditors of ſuch Priſoner or Priſoners; and every ſuch Aſſignee or Aſſignees is and are hereby indemnified for what they ſhall fairly do in the Premiſes, in purſuance of this Act.

If Aſſignees die before the Effects of the Priſoners are got in, and their Heirs, &c. refuſe to act, other Aſſignees to be appointed, and Creditors to obtain a new Aſſignment from the Clerk of the Peace, which the Juſtices are to direct.

Clerk of the Peace to obey the Order, as if no Aſſignment had been made.

'LIX. And whereas, under former Acts of this Nature, no Proviſion was ever made as to what ſhould 'become of the Eſtate and Effects of any Priſoner or Priſoners, Fugitive or Fugitives, not got in, ob-'tained or recovered, by any Aſſignee or Aſſignees choſe purſuant to the Directions of the ſeveral Acts, at 'the Time of his or their Death or Deaths, and whoſe Heir or Heirs, Executors, Adminiſtrators, and 'Aſſigns, refuſed to act or meddle therein;' to remedy which, be it enacted, That in all ſuch Caſes, it ſhall and may be lawful to and for the Creditors of every ſuch Priſoner or Priſoners, Fugitive or Fugitives, to chuſe a new Aſſignee or Aſſignees in Manner and Form as herein before is directed, and to obtain a new Aſſignment from the Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, purſuant to the Order of the Juſtices, and which ſaid Order the ſaid Juſtices are hereby required and impowered to direct, (on due Proof on Oath being made to them of the Death of ſuch former Aſſignee or Aſſignees, and Refuſal of his or their Heirs, Executors, Adminiſtrators, or Aſſigns, to act or meddle therein;) and the ſaid Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, are hereby impowered to obey the ſame, and execute ſuch Aſſignment accordingly, in Manner and Form as if no former Aſſignment had ever been made; the ſaid Aſſignee or Aſſignees, Clerk of the Peace, or his Deputy, Town Clerk, or other Officer acting as Clerk of the Peace, hereby conforming to all Orders and Directions made by this Act, relative to them or any of them; and to be liable to all ſuch Pains and Penalties as are inflicted on them, or any of them, by virtue of this Act, for Diſobedience in any Part thereof, or Neglect of Duty whatever; and in caſe any ſuch Aſſignee or Aſſignees ſhall die, and his Heirs, Executors, Adminiſtrators, or Aſſigns, ſhall refuſe to act, that then, and in ſuch Caſe, it ſhall be lawful for ſuch Juſtices of the Peace to appoint a new Aſſignee or Aſſignees, with the like Powers and Authorities as are given by this Act; and the ſaid Juſtices ſhall have Power, in a ſummary Way, to oblige the Heirs, Executors, Adminiſtrators, and Aſſigns, of ſuch Aſſignee or Aſ-

ſignees,

ſignees, to account and deliver up all ſuch Eſtate and Effects as ſhall remain in his or their Hands, to be applied for the Purpoſes of this Act.

Aſſignees complained againſt for Inſufficiency, Fraud, Miſmanagement, or other Miſbehaviour;

LX. And, to the Intent and Purpoſe that the Eſtate and Effects of ſuch Priſoner or Priſoners as ſhall be 'diſcharged by virtue of this Act may be duly and faithfully applied for the Benefit of his, her, or their 'real Creditors, be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the reſpective Courts at *Weſtminſter*, and the Courts of Great Seſſions in *Wales*, and the Principality of *Cheſter*, and the Counties Palatine of *Lancaſter* and *Durham*, reſpectively, from whence any Proceſs iſſued upon which any ſuch Priſoner or Priſoners was or were committed; or where the Proceſs iſſued out of any other Court, to and for the Judges of the Court of King's Bench, Common Pleas, and Exchequer, or of Great Seſſions aforeſaid, within their reſpective Juriſdictions, or any one of them, from Time to Time, upon the Petition of any ſuch Priſoner, or the Creditor or Creditors of ſuch Priſoner or Priſoners, complaining of any Inſufficiency, Fraud, Miſmanagement, or other Miſbehaviour of any Aſſignee or Aſſignees of the Eſtate or Effects of any ſuch Priſoner or Priſoners, to ſummon all Parties concerned, and, upon hearing the Parties concerned therein, to make and give ſuch Orders and Directions therein, either for the Removal or diſplacing ſuch Aſſignee or Aſſignees, and appointing any new Aſſignee or Aſſignees, in the Place or Stead of ſuch Aſſignee or Aſſignees ſo to be removed or diſplaced, or for the prudent, juſt, or equitable Management or Diſtribution of the Eſtate and Effects of any ſuch Priſoner for the Benefit of the reſpective Creditors, as the ſaid Courts or Judges reſpectively ſhall think fit; and in caſe of the Removal or diſplacing of any Aſſignee or Aſſignees, and the appointing of any new Aſſignee or Aſſignees, the Eſtate or Effects of ſuch Priſoner or Priſoners ſhall, from thenceforth, be diveſted out of the Aſſignee or Aſſignees ſo removed or diſplaced, and be veſted in, and delivered over to, ſuch new Aſſignee or Aſſignees, in the ſame Manner, and for the ſame Intents and Purpoſes, as the ſame were before veſted in the Aſſignee or Aſſignees firſt choſe as aforeſaid; any Thing in this Act contained to the contrary notwithſtanding.

the Court thereupon is to ſummon the Parties, and make ſuch Orders therein as they ſhall think fit.

Where mutual Credit has been given, the Balance to be ſtated and allowed.

LXI. Provided always, and be it enacted by the Authority aforeſaid, That in all Caſes where mutual Credit hath been given between any Priſoner or Priſoners who ſhall be diſcharged in purſuance of this Act, and any other Perſon or Perſons, or Body Politic or Corporate, before the Delivery of ſuch Schedule or Inventory of the Eſtate and Effects of ſuch Priſoner or Priſoners, upon Oath as aforeſaid, the reſpective Aſſignee and Aſſignees of ſuch Priſoner or Priſoners is and are hereby authoriſed and required, on his and their Parts, to ſtate and allow an Account between them and the other Party or Parties concerned; and nothing more ſhall be deemed to be veſted in ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, or ſuch Aſſignee or Aſſignees under ſuch Clerk of the Peace, Town Clerk, or other Officer acting as Clerk of the Peace, as the Eſtate or Effects of ſuch Priſoner or Priſoners, than what ſhall appear to be juſtly due to him, her, or them reſpectively, as and for the Balance of ſuch Account, when truly ſtated.

Perſons committed for not paying Money awarded under Submiſſions to Arbitration; and for not paying Coſts, &c. are intitled to the Benefit of this Act.

'LXII. And whereas many Perſons are often committed on Attachments for Contempts, for not pay-'ing Money awarded to be paid under Submiſſions to Arbitrators by Rules of Court, or under Submiſſions 'to Arbitration Bonds, and which Submiſſions have been made Rules of Court, in purſuance of an Act, 'paſſed in the ninth and tenth Years of the Reign of *William* the Third, for determining Differences 'by Arbitration; and likewiſe for not paying of Coſts duly and regularly taxed and allowed by the proper 'Officer, after proper Demands made for that Purpoſe; and alſo upon any Writ of *Excommunicato Capiendo*, 'or other Proceſs for, or grounded on, the Non-payment of Coſts or Expences in any Cauſe or Pro-'ceeding in any Eccleſiaſtical Court, or for any Contempt to ſuch Court,' it is hereby declared and enacted, That all ſuch Perſons are and ſhall be intitled to the Benefit of this Act, on and ſubject to the ſame Terms and Conditions as are herein expreſſed and declared with reſpect to Priſoners for Debt only.

Priſoners upon Proceſs out of Courts of Conſcience, to have the Benefit of this Act.

'LXIII. And whereas great Numbers of poor People have been and are now impriſoned for Debt, upon 'Proceſſes iſſuing out of Courts of Conſcience;' it is hereby enacted and declared, That all ſuch Priſoners ſhall be intitled to have the Benefit of this Act, and be diſcharged under the ſame, provided he, ſhe, or they, conform to the Directions herein before preſcribed, touching other Priſoners who ſhall be diſcharged by virtue of this Act.

Quaker's Affirmation to be taken in lieu of an Oath.

LXIV. And be it further enacted by the Authority aforeſaid, That in all Caſes wherein by this Act an Oath is required, the ſolemn Affirmation of any Perſon, being a Quaker, ſhall and may be accepted and taken in lieu thereof; and every Perſon making ſuch Affirmation, who ſhall be convicted of wilful and falſe affirming, ſhall incur and ſuffer ſuch and the ſame Penalties as are inflicted and impoſed by this Act upon Perſons convicted of wilful and corrupt Perjury.

Perſons who have taken the Benefit of any Inſolvent Act within eight Years, excluded from this Act; Exception.

LXV. Provided always, and be it further enacted by the Authority aforeſaid, That no Perſon who ſhall have taken the Benefit of any Act heretofore paſſed for the Relief of Inſolvent Debtors, within the Space of eight Years laſt paſt, ſhall have or receive any Benefit or Advantage of or under this Act, nor be deemed to be within the Intent and Meaning thereof, ſo as to be diſcharged under the ſame; any Thing herein before contained to the contrary notwithſtanding; unleſs ſuch Perſon ſhall be willing to ſerve, and ſhall actually enter himſelf to ſerve, on Board ſome one of his Majeſty's Ships of War for the Term of Seven Years, or ſhall inliſt as a Soldier in ſome of his Majeſty's Land Forces.

Priſoners who have taken ſuch Benefit, and ſhall apply for Diſcharge under this Act, to produce to the Court a Certificate, ſigned by a proper Officer, ſetting forth, that they are

LXVI. And be it further enacted, That when any Priſoner, who may have taken the Benefit of any Inſolvent Act within the Space of eight Years laſt paſt, ſhall under this Act apply for his Diſcharge, every ſuch Priſoner ſhall produce to the Court (to which he ſhall make Application for ſuch Diſcharge) a Certificate in Writing, ſigned by an Officer properly authoriſed to engage or inliſt Men for his Majeſty's Sea or Land Service [*as the Caſe may be*] ſetting forth that he was on the Day of [*inſert the Date*] engaged or inliſted [*as the Caſe may be*] to ſerve as a Mariner or Soldier in his Majeſty's Sea or Land Service, which Certificate ſhall be atteſted by one or more credible Witneſs or Witneſſes; and in caſe ſuch Certificate ſhall not be produced, or ſhall not be properly authenticated in Manner aforeſaid, to the Satisfaction of the Juſtices before whom any ſuch Priſoner ſhall be brought, he ſhall be remanded back to

inliſted to ſerve His Majeſty, &c.

This Act not to extend to Scotland.

Clauſe of Relief for Bankrupts, who have not obtained Certificates and Diſcharge of their Debts.

to the Priſon from whence he came, there to remain till he ſhall have fully complied with the Directions aforeſaid, or ſhall by other legal Means ſooner obtain his Diſcharge.

LXVII. Provided alſo, and it is hereby enacted, That nothing in this Act contained ſhall extend to that Part of *Great Britain* called *Scotland*.

LXVIII. 'And whereas Bankrupts who have not obtained their Certificates and Diſcharge of their 'Debts, under ſome one of the Acts relating to Bankrupts, have not been deemed to be within the Mean- 'ing of Acts of Inſolvency, as ſuch Bankrupts have no Schedules to deliver up according to the Terms and 'Conditions of ſuch Acts; nevertheleſs, as many Bankrupts are confined in Priſon for Debt only, though 'they have already delivered up their whole Eſtates and Effects, or, from a Fear of being arreſted and 'thrown into Priſon, are frequently induced to abſcond from their Homes, and go into Foreign Parts:' Be it further enacted by the Authority aforeſaid, That ſuch Perſon or Perſons, againſt whom a Commiſſion of Bankruptcy hath been awarded and iſſued, on or before the twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, or who ſhall have been really an actual Priſoner or Priſoners, in the Cuſtody of any Gaoler or Gaolers, or Keeper of any Priſon reſpectively, on or before the twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and againſt whom a Commiſſion of Bankruptcy ſhall have ſince been awarded and iſſued, and who hath or have duly conformed, or ſhall duly conform, him, her, or themſelves, to the ſeveral Acts of Parliament relating to Bankrupts, and hath not or have not been committed to any Priſon by a Warrant of the Commiſſioners, in ſuch Commiſſion named, for Contumacy or Noncompliance to thoſe Laws, and who now is or are in Priſon for Debt, Damages, Contempt, Coſts of Suit, or any Sum or Sums of Money due and accrued previous to ſuch Commiſſion, or who now are ſecreting themſelves in Fear of their Creditors; and ſhall be hereafter ſued, arreſted, or held to Bail, or ſhall ſurrender him, her, or themſelves, or be ſurrendered, in Diſcharge of his, her, or their Bail, or taken in Execution in any Suit or Action for any ſuch Debt or Debts as aforeſaid, ſhall and may apply to any one of the Judges of the Court wherein ſuch Proceſs or Proceſſes hath or have iſſued, to ſummon his, her, or their Plaintiff or Plaintiffs, to ſhew cauſe why ſuch Bankrupt or Bankrupts ſhould not be diſcharged from his, her, or their Impriſonment, or Arreſt as aforeſaid, ſuch Bankrupt or Bankrupts firſt making Oath before ſuch Judge, (or if at a Diſtance from ſuch Judge, then before a Juſtice of the Peace) who is hereby authoriſed to adminiſter ſuch Oath, that ſuch Debt or Debts did accrue previous to the iſſuing ſuch Commiſſion; and ſuch Plaintiff or Plaintiffs not appearing, or not proving that ſuch Bankrupt or Bankrupts hath or have concealed any Part of his, her, or their Eſtate or Effects, or hath or have not duly conformed him, her, or themſelves, to the Laws now in Force againſt Bankrupts, ſuch Judge ſhall and may diſcharge ſuch Bankrupt or Bankrupts from ſuch Impriſonment or Arreſt as aforeſaid; ſuch Bankrupt or Bankrupts cauſing a common Appearance to be entered for him, her, or them, where neceſſary, in every ſuch Suit or Action; and if any ſuch Bankrupt or Bankrupts ſhall be afterwards again ſued and arreſted, or taken in Execution, or impriſoned, in any Suit or Action, for ſuch Debt or Debts, previous to ſuch Commiſſion as aforeſaid, any Judge of the Court wherein ſuch Proceſs iſſued ſhall, upon Summons of the proper Party or Parties, immediately diſcharge ſuch Bankrupt or Bankrupts from ſuch Arreſt or Impriſonment; nevertheleſs ſuch Bankrupt or Bankrupts ſhall, in all other Reſpects, be deemed ſubject to the Laws in Force againſt Bankrupts; and every Sheriff and Sheriffs, Bailiff and Officer, Gaoler and Keeper of a Priſon, is and are hereby required, on proper Notice being given of ſuch Judge's Diſcharge, to releaſe and ſet free ſuch Bankrupt or Bankrupts out of his or their Cuſtody, and each and every of them is and are hereby indemnified from any Action or Actions that may be brought, commenced, or proſecuted againſt him or them, for any Eſcape for or on account thereof.

Clauſe with reſpect to Bankrupts who have conformed themſelves to the Bankrupt Laws;

'LXIX. And whereas many Bankrupts, having in all Reſpects ſtrictly conformed themſelves to the 'Directions of the Bankrupt Laws, have, notwithſtanding, been unable to obtain their Certificates, and 'have, on that Account, been diſcouraged from exerting their Induſtry in the Purſuit of their ſeveral Oc- 'cupations; either living in the moſt unhappy and diſtreſſed Situation at Home, or ſeeking Relief in fo- 'reign Countries, where they can earn and ſecure to themſelves the Profit of an induſtrious Application to 'Buſineſs; ſome of whom have carried with them the Arts, Manufactures, and Commerce of this 'Country, to the great Prejudice thereof: And whereas ſome Relief given in ſuch particular Caſes, might 'prevent the Evils ariſing to the Public, and be an Encouragement for ſuch Individuals to follow their 'different Occupations at Home;' be it enacted, That any Perſon or Perſons againſt whom a Commiſſion of Bankruptcy hath been awarded and iſſued, on or before the twenty-ſecond Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, and who hath or have in all Things conformed to the ſeveral Acts now in Force concerning Bankrupts, by his, her, or their Surrender and Submiſſion thereto, and who ſhall not have been committed for any Act of Contumacy or Nonconformity, yet who hath not or have not gained a total Diſcharge from his, her, or their Creditors, of his, her, or their Debts, ariſing or accruing previous to ſuch Commiſſion, for want of their Certificate, ſhall have Liberty, after the Expiration of twelve Calendar Months from the Day of the Date of every ſuch Commiſſion reſpectively, to petition or to apply, by Motion of Court, to the Lord Chancellor, Lord Keeper, or Lords Commiſſioners for the Time being, ſetting forth the true Circumſtance of the Caſe relative to ſuch Commiſſion and Certificate; and the Lord Chancellor, Lord Keeper, or Lords Commiſſioners as aforeſaid, ſhall have Power and Authority to direct and order the acting Commiſſioners in the reſpective Commiſſions named, to certify to the ſaid Lord Chancellor, Lord Keeper, or Lords Commiſſioners, the Conformity or Nonconformity of ſuch Bankrupt or Bankrupts, and ſuch other Matter as to them ſhall ſeem neceſſary concerning the ſame (the ſaid acting Commiſſioners being hereby authoriſedand required ſo to do); and the Lord Chancellor, Lord Keeper, or Lords Commiſſioners, as aforeſaid, ſhall thereupon have Power and Authority, if he or they ſhall ſo think fit, to direct and order an Advertiſement to be inſerted in the *London Gazette*, for the Allowance of ſuch Bankrupt's Certificate, (although the ſame ſhall not appear to have been ſigned or conſented to by four-fifths in Number and Value of the ſaid Bankrupt's Creditors, agreeable to the

Lord Chancellor, &c. impowered to allow ſuch Bankrupts Certificates, although not ſigned by four-fifths of their Creditors.

Laws now in being), in the ſame Manner and Form as if the ſaid Certificate had been ſigned as aforeſaid; and in caſe no ſufficient Cauſe ſhall be ſhewn to the contrary within the Time limited by the ſaid Advertiſement, the ſaid Lord Chancellor, Lord Keeper, or Lords Commiſſioners as aforeſaid, ſhall have Power and Authority to allow ſuch Bankrupt's Certificate, in the like Manner as if the ſame had been ſigned agreeable to the Laws now in being, and grant or make ſuch other Order thereupon, for the Relief and Diſcharge of ſuch Bankrupt or Bankrupts from his, her, or their Debts as aforeſaid, or otherwiſe, as to the Lord Chancellor, Lord Keeper, or Lords Commiſſioners, ſhall ſeem proper; which Certificate, if ſo allowed, ſhall be as full and effectual, to all Intents and Purpoſes, as if the ſame had been duly obtained and allowed agreeable to the Directions of the ſeveral Laws now in Force concerning Bankrupts; any Law or Uſage to the contrary notwithſtanding.

Clauſe in favour of Thomas Touchet, Merchant.

'LXX. And whereas the Caſe of *Thomas Touchet*, late of *Mancheſter*, Merchant, and now a Priſoner 'in the *King's Bench* Priſon, is attended with very particular Circumſtances, and that the ſaid *Thomas* '*Touchet* is lunatick;' be it therefore enacted by the Authority aforeſaid, That although the Sum due and owing by the ſaid *Thomas Touchet* to one Creditor does exceed the Sum of one thouſand Pounds, and notwithſtanding his ſaid Lunacy, he the ſaid *Thomas Touchet* ſhall be intitled to all the Benefits of this Act, in all Reſpects whatſoever, as if the ſaid *Thomas Touchet* had not owed more than one thouſand Pounds to one Perſon, and was not lunatick, any Thing in this Act to the contrary hereof in anywiſe notwithſtanding; and that all Acts done or conſented to by the Committee of his Eſtate and Effects ſhall be good and valid to all Intents and Purpoſes, as if the ſame were done and conſented to by the ſaid *Thomas Touchet* himſelf.

CAP. XXXIX.

An Act for repealing a Clauſe in an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the general Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*; which relates to the counterſinking of the Tire of the Wheels of all Waggons, Wains, and other Carriages, to be uſed on Turnpike Roads; and for explaining a Proviſion in the ſaid Act, with reſpect to the Fellies and Tire of Carriages having the Fellies of the Wheels of the Gauge of ſix Inches or upwards.

Preamble.

'WHEREAS by a Clauſe in an Act of Parliament made in the thirteenth Year of his preſent Ma- 'jeſty's Reign, (intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the Ge-* 'neral Laws now in being for regulating the Turnpike Roads in that Part of Great Britain *called* England, 'and for other Purpoſes;) it is enacted, That the Tire of the Wheels of all Waggons, Wains, Carts, 'and other Carriages, to be uſed on any Turnpike Road, ſhall be counterſunk, by placing the ſame upon 'the Fellies in ſuch Manner that the Nails ſhall not riſe above the Surface, and that the Sole or Surface 'of the Wheels ſhall be quite flat; and that the Owner of every Carriage offending therein ſhall forfeit 'the Sum of forty Shillings; and every Driver, not being the Owner, the Sum of twenty Shillings, for 'every Offence; which Proviſions are attended with great Inconvenience;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Clauſe ſhall be, and the ſame is hereby repealed.

A Clauſe in Act 13 Geo. III. recited,

and repealed.

A Proviſion in the ſaid Act, reſpecting the Fellies and Tire of Carriages, &c. explained.

'II. And whereas by the ſaid Act it is provided, That no Perſon or Perſons ſhall be allowed to take the 'Benefit of certain Exceptions in the ſaid Act mentioned, or have the Power of compounding for Tolls, 'in reſpect of Carriages having the Fellies of the Wheels thereof of the Breadth or Gauge of ſix Inches, 'or upwards, unleſs the Fellies, and the Tire upon ſuch Fellies, ſhall lie flat: And whereas Doubts may 'ariſe concerning the Conſtruction of the ſaid Proviſion, which, according to the ſtrict Senſe of the 'Words, cannot be complied with: To the End therefore that all Perſons who ſhall endeavour to comply 'with the ſaid Proviſions may receive the Benefit of ſuch Exemptions and Compoſitions;' be it further enacted by the Authority aforeſaid, That all Wheels of the Breadth or Gauge of ſix Inches, or upwards, the Fellies or Tire whereof ſhall not deviate more than one Inch from a flat Surface, ſhall be deemed and taken to be flat, according to the true Intent and Meaning of the ſaid Act.

CAP. XL.

An Act for obliging the Overſeers of the Poor, within the ſeveral Pariſhes and Places within that Part of *Great Britain* called *England*, to make Returns, upon Oath, to certain Queſtions, ſpecified in the Act, relative to the State of the Poor; and to authoriſe and require the Juſtices of the Peace, within their reſpective Diviſions and Juriſdictions, in the ſeveral Counties and Cities in *England* and *Wales*, to take ſuch Returns upon Oath, and to cauſe them to be tranſmitted to the Clerk of the Parliaments.

Preamble.

'WHEREAS the great and encreaſing Expence of maintaining and providing for the Poor, within 'that Part of *Great Britain* called *England*, and the continual Diſtreſſes of the Poor notwithſtanding, make it highly expedient for the Legiſlature to take that great Subject into their moſt ſerious Con- 'ſideration:

'ſideration: And whereas Information of the State of the Poor, and the Nature of thoſe Expences, may 'be neceſſary to be procured in order to enable the two Houſes of Parliament to judge of proper Remedies 'to redreſs thoſe Grievances; but it is apprehended ſuch Information cannot be effectually obtained with-'out the Aid and Authority of Parliament;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That a ſufficient Number of printed Copies of this Act ſhall, as ſoon as conveniently may be after the paſſing hereof, be tranſmitted, by *George White*, Eſquire, one of the Clerks of the Houſe of Commons, to the Clerks of the Peace and Town Clerks of the ſeveral and reſpective Counties, Ridings, Diviſions, Precincts, Sokes, Franchiſes, Liberties, Cities, and Counties Corporate, in *England* and *Wales*; and that the ſaid ſeveral Clerks of the Peace and Town Clerks ſhall, and they are hereby required, with all convenient Speed, to cauſe the ſaid Act to be diſtributed amongſt the acting Juſtices of the Peace within their reſpective Limits; and alſo to cauſe a ſufficient Number of the Schedule to this Act annexed, to be printed and delivered to the High Conſtables, or other proper Officers within their reſpective Limits, at the *Midſummer* Quarter Seſſion of the Peace in one thouſand ſeven hundred and ſeventy-ſix; and alſo to receive the Anſwers and Returns made by Overſeers of the Poor, purſuant to the Directions herein after given, and tranſmit the ſame to the Clerk of the Parliaments with all convenient Speed, in order that the ſame may be inſpected by the Members of both Houſes of Parliament, upon Pain of forfeiting, for every Neglect and Default, a Sum not exceeding five Pounds, nor leſs than twenty Shillings.

Printed Copies of this Act to be tranſmitted, by George White Eſquire, to the Clerks of the Peace, &c. in England and Wales, to be diſtributed amongſt the Juſtices, &c. Returns made by Overſeers to be tranſmitted to the Clerk of the Parliaments.

II. And be it further enacted, That the ſeveral Juſtices of the Peace, within their reſpective Juriſdictions in *England* and *Wales*, ſhall, as ſoon as conveniently may be after the *Midſummer* Seſſion, one thouſand ſeven hundred and ſeventy-ſix, appoint a Time and Place or Times and Places, which Time or Times ſhall be on or before the twentieth Day of *October*, one thouſand ſeven hundred and ſeventy-ſix, for the Overſeers of the Poor of the ſeveral Pariſhes, Townſhips, and Places, within their reſpective Juriſdictions, to attend them at ſuch Meeting or Meetings for the Purpoſes of this Act, with Returns and Anſwers to the Queſtions ſtated in the Schedule to this Act annexed, and cauſe Notice thereof to be given to ſuch Overſeers reſpectively, and alſo to the High Conſtables, or where there are no High Conſtables, to ſuch other proper Officers who have the Execution of Precepts from Juſtices of the Peace to inferior Officers within ſuch reſpective Juriſdictions, requiring their Attendances at ſuch Meetings for the Purpoſes of this Act.

Juſtices, between the Midſummer Seſſion and Oct. 20, 1776, to appoint a Meeting, and give Notice to Overſeers to attend them, &c.

III. And be it further enacted, That the ſaid Juſtices of the Peace ſhall, and they are hereby alſo required, at ſuch Meeting or Meetings, ſo to be appointed by them as aforeſaid, to receive and take the Anſwers and Returns to be made by the Overſeers of the Poor purſuant to the Directions aforeſaid, and then and there adminiſter to them reſpectively the Oath contained in the ſaid Schedule; and ſuch Juſtices, if they ſee cauſe, may examine ſuch Overſeers upon Oath, touching any of the Matters contained in ſuch Queſtions and Anſwers, and call for the Accounts of the Overſeers of the Poor for the preceding Year, if they ſhall ſee fit, in order to explain and verify the ſaid Accounts as ſhall be then made; and the ſaid Juſtices ſhall then deliver ſuch Anſwers and Returns to the reſpective High Conſtables or other proper Officers as aforeſaid, in order that the ſame may be by them tranſmitted to the Clerks of the Peace or Town Clerks, as herein is directed.

Overſeers to give in Anſwers and Returns agreeable to, and to take the Oath contained in, the Schedule, &c.

Juſtices to deliver the Anſwers and Returns to High Conſtables.

IV. And be it further enacted, That the High Conſtables, or other proper Officers ſo deſcribed as aforeſaid, within the reſpective Juriſdictions aforeſaid, ſhall, at the *Midſummer* Quarter Seſſions in one thouſand ſeven hundred and ſeventy-ſix, purſuant to the Directions aforeſaid, receive from the ſaid Clerks of the Peace, or Town Clerks, the ſaid printed Schedules, and deliver, or cauſe to be delivered, one ſuch Schedule to one of the Overſeers of the Poor of every Pariſh, Townſhip, or Place, as well within Towns Corporate as without, within their reſpective Limits; and, when required by the reſpective Juſtices of the Peace as aforeſaid, attend the ſaid reſpective Meetings, and then and there receive the ſeveral Anſwers and Returns made by the Overſeers of the Poor, and indorſe upon the Back of each of them the Name of the Hundred, Rape, Wapentake, Lathe, Precinct, Soke, Franchiſe, Liberty, City, or County Corporate, wherein the Pariſh, Townſhip, or Place, therein mentioned, is ſituate, and tranſmit the ſame, together with a true and perfect Liſt of the Names of the Overſeers of the Poor of every Pariſh, Townſhip, and Place, to whom ſuch Schedules had been delivered as aforeſaid, to the ſeveral Clerks of the Peace, and Town Clerks, at the then next *Michaelmas* Quarter Seſſions of the Peace, or the Adjournment thereof, which Adjournment the Juſtices at ſuch Quarter Seſſions are required to make to ſome convenient Day, within one Week after the ſaid twentieth Day of *October*, in Caſes where ſuch Returns ſhall not be made at the ſaid *Michaelmas* Quarter Seſſions, upon Pain of forfeiting, for every Default or Neglect in the Matters aforeſaid, a Sum not exceeding five Pounds, nor leſs than forty Shillings.

The Duty of High Conſtables in putting this Act in Execution.

Penalty for Neglect thereof.

V. And be it further enacted, That the Overſeers of the Poor of every ſuch Pariſh, Townſhip, and Place, ſhall, and are hereby required to attend the Juſtices of the Peace at ſuch Meeting or Meetings, and then and there deliver to the ſaid Juſtices, in Writing ſigned by them, a juſt and true Anſwer and Return to the ſaid Queſtions, upon Oath, as before directed; and that every Overſeer making Default in any of the Matters hereby required, ſhall, for every ſuch Neglect or Default, forfeit a Sum not exceeding five Pounds, nor leſs than forty Shillings, at the Diſcretion of the Juſtice or Juſtices before whom Complaint thereof ſhall be made: And in order to enable the ſaid Overſeers to make Anſwers and Returns as aforeſaid, they are hereby authoriſed and impowered to call for, inſpect, and take Copies of, the Accounts of the preceding Overſeers, or ſo much thereof as ſhall be neceſſary; and every Perſon or Perſons, in whoſe Cuſtody or Power every ſuch Accounts ſhall be, ſhall and are hereby required to produce and deliver ſuch Accounts to the ſaid Overſeers, for the Purpoſes aforeſaid, upon Pain of forfeiting, for every Default or Neglect in the Premiſes, a Sum not exceeding five Pounds, nor leſs than forty Shillings, at the Diſcretion of the Juſtice or Juſtices before whom Complaint thereof ſhall be made.

Overſeers to attend the Juſtices at Meetings, and deliver, in Writing, true Anſwers and Returns, &c. Overſeers impowered to take Copies of Accounts of preceding Overſeers. Penalty on Perſons refuſing to deliver ſuch Accounts.

VI. And

VI. And be it further enacted, That there ſhall be paid and allowed, for the Trouble and Expences of the ſeveral Perſons employed in the Tranſactions aforeſaid, for every Return which ſhall be ſo made and tranſmitted to the Clerks of the Peace and Town Clerks reſpectively, purſuant to the Directions aforeſaid, the Sums following, and no more; *videlicet*, To the Clerk of the Peace or Town Clerk, for the Return which ſhall be made from every ſuch Pariſh, Townſhip, and Place, the Sum of two Shillings and Six-pence: To the High Conſtable, or other proper Officer, for the like, the Sum of one Shilling and Six-pence: To the Overſeers of the Poor, for the like, the Sum of two Shillings: To the Clerks of the Juſtices of the Peace, for the like, the Sum of one Shilling: And that the Juſtices of the Peace, at their reſpective Quarter Seſſion, which ſhall be held next after *Michaelmas*, one thouſand ſeven hundred and ſeventy-ſix, ſhall, and are hereby required to make an Order upon their reſpective Treaſurers to pay the ſame out of the Rates to be made and collected for the reſpective Counties, Ridings, Diviſions, Precincts, Sokes, Franchiſes, Liberties, Cities, and Counties Corporate.

Fees to be allowed for each Return.

To the Clerk of the Peace, 2 s. 6 d. High Conſtable, 1 s. 6 d. Overſeers, 2 s. Juſtices Clerks, 1 s.

VII. And be it further enacted, That the ſeveral Forfeitures and Penalties inflicted by this Act ſhall, if not immediately paid, be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by virtue of a Warrant under the Hand and Seal of any Juſtice of the Peace having Juriſdiction where ſuch Offender ſhall dwell, rendering to the ſaid Offender the Overplus, if any, after the Charge of ſuch Diſtreſs and Sale ſhall be deducted; and in caſe ſufficient Diſtreſs ſhall not be found, then it ſhall be lawful for ſuch Juſtice to commit ſuch Offender to the Common Gaol, there to remain without Bail or Mainprize, for a Term not exceeding twelve Calendar Months, unleſs the ſaid Forfeiture and Charges ſhall be ſooner paid; and the ſaid Forfeitures when recovered ſhall be paid and applied, one Half to the Informer, and the other Half to the ſaid reſpective Treaſurers in Aid of the Rates aforeſaid; and any Perſon ſhall be deemed a competent Witneſs for the Execution of any of the Purpoſes of this Act, notwithſtanding his paying, or being liable to pay, to ſuch County Rates.

Penalties and Forfeitures, how to be recovered and applied.

SCHEDULE.

QUESTIONS, to which, by Direction of an Act, paſſed in the ſixteenth Year of his Majeſty King George *the Third, intituled, "An Act for obliging the "Overſeers of the Poor, within the ſeveral Pariſhes "and Places within that Part of* Great Britain *"called* England, *to make Returns, upon Oath, to "certain Queſtions, ſpecified in the Act, relative to the "State of their Poor; and to authoriſe and require "the Juſtices of the Peace, within their reſpective "Diviſions and Juriſdictions, in the ſeveral Coun-"ties and Cities in* England *and* Wales, *to take "ſuch Returns upon Oath, and to cauſe them to be "tranſmitted to the Clerk of the Parliaments;" Anſwers are to be returned by the Overſeers of the Poor of every Pariſh, Townſhip, and Place, in Writing, upon Oath, and ſigned by them, for which Purpoſe the ſaid Overſeers are to attend the Juſtices of the Peace, within their reſpective Juriſdictions, at ſuch Times and Places as they ſhall appoint, on Pain of forfeiting, for every Default or Neglect, a Sum not exceeding five Pounds, nor leſs than forty Shillings.*

ANSWERS returned to thoſe Queſtions, by the Overſeers of the Poor of the Pariſh [*Townſhip*, or *Extraparochial Place*, as the Caſe may be] *of* *in the County* [*Riding*, *Diviſion*, &c. as the Caſe may be] *of* *the* *Day of* *one thouſand ſeven hundred and ſeventy-ſix.*

I. WHAT was the Amount of the Aſſeſſments for the Relief of the Poor, in the Year ending at *Eaſter*, one thouſand ſeven hundred and ſeventy-ſix?

THE Aſſeſſments for the Relief of the Poor, in the Year ending at *Eaſter*, one thouſand ſeven hundred and ſeventy-ſix, amounted to £.

II. How much of thoſe Aſſeſſments was applied for the Relief or on Account of the Poor, and how much for the Payment of County Rates, or any other Purpoſes; diſtinguiſhing alſo the Amount of what paid for the Rent of Workhouſes, or paid or allowed for Habitations for the Poor; and, if any of the Poor reſide in Houſes built at the Expence of the Pariſh, Townſhip, or Place, ſtate the total annual Value of ſuch Houſes?

There was applied of the Money collected under thoſe Aſſeſſments, on Account of the Poor only, £.

Ditto for the Payment of County Rates, or other Purpoſes, the Sum of £.

Out of which Money applied on Account of the Poor, there was paid for Rent of Workhouſes, the Sum of £.

Out of Ditto there was paid or applied for Habitations for the Poor, the Sum of £.

The annual Value of Houſes occupied by poor Perſons, which are the Property of the Inhabitants of the ſaid Pariſh, [Townſhip, *or* Extra-parochial Place] amounts to £.

III. What Number of Poor have received constant Relief during that Year, and what has been the Expence thereof, as near as the same can be estimated?

The Number of Poor who received constant Relief in that Year, was

The Expence of maintaining them, as near as the same can be estimated, amounted to £.

IV. Is there a Workhouse in your Parish? If so, what Number of Poor will it accommodate?

There is a Workhouse, which will accommodate about Persons.

V. What was expended in Litigations about Settlements, Removals, Appeals, or other Disputes concerning the Poor, within that Year; distinguishing how much of such Expences arose from Disputes with Parishes, Townships, or Places, not within the County, Riding, Division, Precinct, Soke, Franchise, Liberty, City, or County Corporate, wherein such Parish, Township, or Place lay?

There was expended in Litigations, about Settlements, Removals, and other Disputes concerning the Poor, within that Year, as near as the same can be estimated, the Sum of £.

Of which there was expended in Disputes with Parishes, Townships, or Places, not within the County, Riding, Division, Soke, Franchise, Liberty, City, or County Corporate, wherein such lay the Sum of £.

Form of the Oath.

'YOU shall swear, That the Answer and Return now made by you to the several Questions contained in the Schedule thereunto annexed, is a full and true Answer to the said Questions, to the best of your Knowledge and Belief."

CAP. XLI.

An Act for granting a Bounty upon Flax Seed, the Growth of the *United Provinces*, or of the *Austrian Netherlands*, imported into *Ireland*, for a limited Time.

Preamble.

Act 15 Geo. III. recited.

'WHEREAS, by an Act of Parliament, made in the fifteenth Year of his Majesty's Reign (intituled, *An Act for allowing the Cloathing and Accoutrements necessary for his Majesty's Forces, paid out of his Majesty's Revenues arising in the Kingdom of* Ireland, *to be exported from thence to the Places where such Forces are ordered to serve; and for granting a Bounty upon Flax Seed imported into* Ireland, *for a limited Time)*, reciting, That, by virtue of an Act of Parliament, made in *Ireland*, the third Year of his Majesty's Reign, a Premium or Bounty of five Shillings *per* Hogshead is allowed and paid out of the Revenue of that Kingdom upon the Importation of Flax Seed, which Bounty was not, at that Time, sufficient to answer the good Purposes intended thereby, and it was expedient that some further Encouragement should be given for a limited Time, to induce the Importation of Flax Seed into *Ireland*, in order to promote and encourage the Linen Manufactures of that Kingdom; it is therefore, amongst other Things, enacted by the said recited Act, That, from and after the first Day of *January*, one thousand seven hundred and seventy-six, for and during the Space of two Years, and from thence to the End of the then next Session of Parliament, a further Bounty of five Shillings *per* Hogshead shall be allowed for all Flax Seed imported into the Kingdom of *Ireland*; and that it shall and may be lawful for the Commissioners of his Majesty's Customs in *England*, or any four or more of them, to order the said Bounty thereby granted, to be paid by the Receiver-general of the Customs, out of any Money in his Hands, arising by any of the Duties or Revenues under their Management, to the Importer or Importers of such Flax Seed, or to his or their Assigns, duly authorised to receive the same, upon his or their producing a Certificate under the Hand and Seal of Office of the Collector and Comptroller of the Customs at the Port in *Ireland*, where such Flax Seed was imported and landed, certifying the Number of Hogsheads so landed, with the Name of the Ship and Master in which, and the Place from whence, and by whom, and at what Time the same was imported, and that the Bounty granted by the before mentioned Act of Parliament, made in *Ireland*, had been paid and allowed for the same: And whereas,

Recital of an Act of the Parliament of Ireland, 16 Geo. III.

'by an Act of Parliament, made in *Ireland*, in the sixteenth Year of his Majesty's Reign, intituled, *An Act to amend an Act, passed in the third Year of his Majesty's Reign*, (*intituled*, "An Act for the continuing "the Encouragement given by former Acts of Parliament, to the Flaxen and Hempen Manufactures)" a Bounty of five Shillings *per* Hogshead is allowed, and paid out of the Revenue of that Kingdom, upon the Importation of Flax Seed, of the Growth of the *United Provinces*, or of the *Austrian Netherlands*, from the first Day of *January*, one thousand seven hundred and seventy-six, until the first Day of May, one thousand seven hundred and seventy-eight, subject to the several Clauses, Regulations, and Restrictions, contained in the said Act of Parliament, made in *Ireland*, in the third Year of his Majesty's Reign, concerning the Bounties therein given and provided: And whereas, in order to encourage and promote the Linen Manufactures in *Ireland*, it is deemed expedient in like Manner to extend the Bounty granted by the said recited Act of Parliament, made in this Kingdom, in the fifteenth Year of his Majesty's Reign, to all Flax Seed, of the Growth of the said *United Provinces*, and of the *Austrian Netherlands*, imported from thence into *Ireland*;' may it therefore please your Majesty, that it may be enacted; and be it enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That a Bounty of five Shillings *per* Hogshead shall be allowed, for all Flax Seed, of the Growth

Growth of the ſaid *United Provinces*, or of the *Auſtrian Netherlands*, which hath been, or ſhall be, imported from thence into the Kingdom of *Ireland*, from and after the ſaid firſt Day of *January*, one thouſand ſeven hundred and ſeventy-ſix, for and during the Space of two Years, and from thence to the End of the then next Seſſion of Parliament; and it ſhall and may be lawful for the Commiſſioners of his Majeſty's Cuſtoms in *England*, or any four or more of them, to order the ſaid Bounty, granted by this Act, to be paid by the Receiver-general of the Cuſtoms out of any Money in his Hands, ariſing by any of the Duties or Revenues under their Management, to the Importer or Importers of ſuch Flax Seed, or to his or their Aſſigns, duly authoriſed to receive the ſame, upon his or their producing a Certificate under the Hands and Seal of Office, of the Collector and Comptroller of the Cuſtoms at the Port in *Ireland*, where ſuch Flax Seed was imported and landed, certifying the Number of Hogſheads ſo landed, with the Name of the Ship and Maſter in which, and the Place from whence, and by whom, and at what Time, the ſame was imported, and that the Bounty granted by the before mentioned Act of Parliament, made in *Ireland* in the ſixteenth Year of his Majeſty's Reign, had been paid and allowed for the ſame.

A Bounty of 5 s. per Hogſhead on all Flax-ſeed of the Growth of the United Provinces, &c. imported into Ireland after Jan. 1, 1776, for two Years.

CAP. XLII.

An Act for allowing Corn, Grain, and Flour, imported into the Port of *Preſton*, to be landed without Payment of the Duties, under the like Reſtrictions as Corn, Grain, and Flour is allowed to be landed at the ſeveral Ports mentioned in an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, intituled, *An Act to regulate the Importation and Exportation of Corn.*

Preamble. Act 13. Geo. III. recited.

'WHEREAS by an Act, made in the thirteenth Year of the Reign of his preſent Majeſty, (intituled, *An Act to regulate the Importation and Exportation of Corn*) it is enacted, That in caſe any Wheat or Wheat Flour, Rye, Peaſe, Beans, Barley, Beer, Bigg, or Oats, ſhall be imported into any or either of the Ports in the ſaid Act particularly mentioned, at any time when the Duties not repealed by the ſaid Act ſhall be due and payable for ſuch Species of Corn, Grain, or Flour reſpectively; the ſame, upon due Entry thereof, may be forthwith landed from on Board the Ship or Veſſel, in which ſuch Species of Corn, Grain, or Flour, ſhall be ſo imported, in the Preſence of the proper Officer or Officers of the Cuſtoms, without Payment of the ſaid Duties, under certain Reſtrictions and Regulations, in the ſaid Act mentioned and preſcribed: And whereas it is expedient that Corn, Grain, and Flour, imported into the Port of *Preſton* at any Time when the Duties not repealed by the ſaid Act ſhall be due and payable for ſuch Species of Corn, Grain, or Flour reſpectively, ſhould in like Manner be landed without Payment of the ſaid Duties;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in caſe any Wheat, or Wheat Flour, Rye, Peaſe, Beans, Barley, Beer, Bigg, or Oats, ſhall be imported into the ſaid Port of *Preſton*, at any Time when the Duties not repealed by the ſaid Act ſhall be due and payable for ſuch Species of Corn, Grain, or Flour reſpectively; the ſame, upon due Entry thereof, may be forthwith landed from on Board the Ship or Veſſel in which ſuch Species of Corn, Grain, or Flour, ſhall be ſo imported, in the Preſence of the proper Officer or Officers of the Cuſtoms, without Payment of the ſaid Duties; and ſuch Corn, Grain, and Flour, ſhall be ſubject and liable to be warehouſed, and to be delivered in the ſame Manner, and under and ſubject to the like Securities, Conditions, Regulations, and Reſtrictions, as Corn, Grain, and Flour, imported into any or either of the ſeveral Ports mentioned in the ſaid Act are ſubject and liable to, as fully and effectually to all Intents and Purpoſes, as if the ſaid Port of *Preſton* had been included in the ſaid Act; any Law, Cuſtom, or Uſage, to the contrary thereof, in any wiſe notwithſtanding.

The ſaid Act extended to the Port of Preſton, with reſpect to importing Wheat, Rye, &c.

CAP. XLIII.

An Act to authoriſe, for a limited Time, the Puniſhment by Hard Labour of Offenders who, for certain Crimes, are or ſhall become liable to be tranſported to any of his Majeſty's Colonies and Plantations.

Preamble.

'WHEREAS the Tranſportation of Convicts to his Majeſty's Colonies and Plantations in *America*, now in Uſe within that Part of *Great Britain* called *England*, by virtue of the ſeveral Statutes authoriſing ſuch Tranſportation, is found to be attended with various Inconveniencies, particularly by depriving this Kingdom of many Subjects whoſe Labour might be uſeful to the Community, and who, by proper Care and Correction, might be reclaimed from their evil Courſes: And whereas, until ſome other more effectual Proviſions, in the Place of Tranſportation to his Majeſty's Colonies and Plantations in *America*, can be framed, ſuch Convicts, being Males, might be employed with Benefit to the Public in raiſing Sand, Soil, and Gravel from, and cleanſing the River *Thames*; or being Males unfit for ſo ſevere a Labour, or being Females, might be kept to hard Labour of another Kind within England;' be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, from and after the paſſing of this Act, where any Male Perſon ſhall, at any Seſſion of Oyer and Terminer, or Gaol Delivery, or at any Quarter or other General Seſſion of the Peace for any County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, within that Part of

Any Male convicted in England of any Crime puniſhable by Tranſ-

portation to America, may, inſtead thereof, be kept to Hard Labour in cleanſing the River Thames, &c. for any Term not leſs than three, nor more than ten Years.

of *Great Britain* called *England*, be lawfully convicted of Grand or Petit Larceny, or any other Crime for which he ſhall be liable by Law to a Sentence of Tranſportation to any of his Majeſty's Colonies or Plantations in *America*, it ſhall and may be lawful for the Court before whom any ſuch Perſon ſhall be ſo convicted, or any Court held for the ſame Place with like Authority, if ſuch Court ſhall think fit, in the Place of ſuch Puniſhment by Tranſportation, to order and adjudge that ſuch Perſon ſhall be puniſhed by being kept to Hard Labour in the raiſing Sand, Soil, and Gravel from, and cleanſing the River *Thames*, or any other Service for the Benefit of the Navigation of the ſaid River, under the Management and Direction of an Overſeer or Overſeers, to be appointed by the Juſtices of the Peace for the County of *Middleſex*, at their Quarter or other General Seſſions of the Peace, for the ſame Term of Years as the Tranſportation for the ſaid Offence might by Law have been adjudged, or for ſuch ſhorter Term as ſuch Court ſhall think fit to order and adjudge; provided that the ſame ſhall in no Caſe be leſs than three Years, or more than ten Years.

In caſe his Majeſty ſhould extend his Mercy to any Male convicted of any Felony for which he is liable to ſuffer Death, the Judge may order the Offender to be kept to Hard Labour, for the Time ſpecified by the Secretary of State.

II. And be it further enacted, That where any Male Perſon ſhall, at any Seſſion of Oyer and Terminer, or Gaol Delivery, or at any Quarter or other General Seſſion of the Peace for any County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, within that Part of *Great Britain* called *England*, be lawfully convicted of any Robbery, or other Felony, for which he ſhall by Law be liable to ſuffer Death without Benefit of Clergy, and his Majeſty ſhall be graciouſly pleaſed to extend the Royal Mercy to any ſuch Offender, upon Condition of being kept to Hard Labour for the Term of Ten Years, or any other ſhorter Time to be ſpecified, in the Cuſtody of ſuch Overſeer or Overſeers as aforeſaid; and ſuch Intention of Mercy ſhall be notified in Writing by one of his Majeſty's Principal Secretaries of State to the Judge or Juſtice of Oyer and Terminer, or Gaol Delivery, in any County, City, or Place, before whom any ſuch Offender ſhall be convicted or condemned, it ſhall and may be lawful for every ſuch Judge or Juſtice of Oyer and Terminer, or Gaol Delivery, to make an Order for allowing forthwith to every ſuch Offender the Benefit of a conditional Pardon, in the ſame Manner as if there was a Pardon under the Great Seal; and may and ſhall adjudge, that every ſuch Offender ſhall be kept to Hard Labour, in the Cuſtody of ſuch Overſeer or Overſeers as aforeſaid, for the Time ſpecified in the Notification from ſuch Secretary of State.

When any Offender ſhall be ordered to Hard Labour, the Clerk of the Aſſize, &c. ſhall give a Certificate to the Sheriff or Gaoler,

who ſhall deliver ſuch Offender and Certificate to the Overſeer, &c.

III. And be it further enacted, That when any Offender ſhall be ordered to be kept to Hard Labour, in Manner aforeſaid, or as herein after is directed, the Clerk of the Aſſize, Clerk of the Peace, or other Clerk of the Court by which ſuch Order ſhall be made, ſhall give to the Sheriff or Gaoler, having the Cuſtody of ſuch Offender, a Certificate in Writing, under his Hand, containing an Account of the Chriſtian Name, Surname, and Age of ſuch Offender; of his Offence, of the Court before whom he was convicted, and of the Term for which he ſhall be ſo ordered to Hard Labour; and the Sheriff, or Gaoler, having the Cuſtody of ſuch Offender, ſhall, with all convenient Speed, after the making of any ſuch Order, and receiving of ſuch Certificate, convey ſuch Offender, or cauſe him to be conveyed, to ſuch Place within *England*; and alſo deliver ſuch Offender, or cauſe him to be delivered, together with the ſaid Certificate, to ſuch Overſeer or Overſeers as aforeſaid; and the Overſeer or Overſeers, to whom any ſuch Offender ſhall be ſo delivered, ſhall give a proper Receipt in Writing, under his or their Hand or Hands, which ſhall be a ſufficient Diſcharge to the Sheriff, or Gaoler, ſo delivering ſuch Offender.

Expences incurred in Conveyance of Offenders to be paid by the County, &c.

IV. And be it further enacted, That all Expences incurred by any Sheriff or Gaoler, in the Conveyance of any ſuch Offender as aforeſaid, ſhall be paid by the County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, for which the Court, ordering ſuch Puniſhment by Hard Labour inſtead of Tranſportation to *America*, ſhall be held; and the Sheriff or Gaoler ſhall receive the Money due for ſuch Expences from the Treaſurer for ſuch County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, by Order of the Juſtices of the Peace, at their Quarterly, or other General Seſſion, who are hereby required to make ſuch Order accordingly.

Overſeer to have the ſame Power over Offenders in his Cuſtody as a Sheriff or Gaoler.

V. And be it further enacted, That, after Delivery of any ſuch Offender, as aforeſaid, into the Cuſtody to which he ſhall be adjudged, the Overſeer or Overſeers, who ſhall have the Cuſtody of ſuch Offender, ſhall, during the Term for which he ſhall be ordered to Hard Labour, have the ſame Powers over ſuch Offender as are incident to the Office of a Sheriff or Gaoler; and in caſe of any Abuſe of the Cuſtody, or other Miſbehaviour in Diſcharge of his Office, ſhall be liable to the ſame Puniſhment as a Gaoler; and alſo ſhall, during ſuch Term as aforeſaid, keep ſuch Offender to Hard Labour, either in raiſing Sand, Soil, and Gravel from, and cleanſing the *Thames*, or in any other laborious Service for the Benefit of the Navigation of the *Thames*, but at ſuch Places only, and ſubject to ſuch Directions, Limitations, and Reſtrictions, as the Maſter, Wardens, and Aſſiſtants, of the *Trinity Houſe* ſhall from Time to Time preſcribe.

Offenders to be kept to Hard Labour in raiſing Sand and Gravel from the Thames, &c.

Offenders not to be employed in delivering Ballaſt to Maſters of Ships, &c.

VI. Provided nevertheleſs, That ſuch Offenders ſhall, in no Caſe, be employed in delivering Tonnage of Ballaſt to Maſters and Commanders of Ships, but only in digging, raiſing, and taking up, the Gravel, Sand, and Soil, from the Shelves and Sand-banks of the ſaid River of *Thames*, and in diſcharging the ſame upon the Shore, above the High-water Mark, or in ſome other laborious Service for the Benefit of the Navigation of the *Thames*.

Offenders to be fed with Bread, coarſe Food, and Water or Small Beer.

No Perſon to ſupply them with any other Food, &c. on Penalty of 40 s.

VII. And be it further enacted, That every Offender who ſhall be ordered to Hard Labour, in the Cuſtody of ſuch Overſeer or Overſeers as aforeſaid, ſhall, during the Time of ſuch Service, be fed and ſuſtained with Bread, and any coarſe or inferior Food, and Water, or Small Beer, and alſo cloathed; and ſuch Offender ſhall not, during the Term of ſuch Service, be permitted to have any other Food, Drink, or Cloathing, than ſuch as ſhall be ſo allotted to them; and if any Perſon ſhall ſupply any ſuch Offender, at any Time during the Term of his ſaid Service, with any Drink, Food, or Cloathing, other than ſuch as ſhall be ſo directed or permitted, he or ſhe ſo ſupplying ſhall, for every ſuch Offence, forfeit any Sum not exceeding forty Shillings.

VIII. And

VIII. And be it further enacted, That if any Offender, who ſhall be ſo delivered as aforeſaid to be kept to Hard Labour, ſhall, during the Term of ſuch Service, refuſe to perform any Labour authoriſed by this Act, or who ſhall be guilty of any other Miſbehaviour or diſorderly Conduct, it ſhall be lawful for the Overſeer or Overſeers having the Cuſtody of any ſuch Offender, to order ſuch Whipping, or other moderate Puniſhment, to be inflicted upon him, as may be inflicted by Law on Perſons committed to a Houſe of Correction for Hard Labour.

Offenders who refuſe to work, or otherwiſe miſbehave themſelves, may be whipped, &c.

IX. And be it further enacted, That every Offender who ſhall be delivered to be kept to Hard Labour in Manner aforeſaid, ſhall, at the End of the Term of ſuch Service, and upon being reſtored to his Liberty, receive from the Overſeer or Overſeers, under whom he ſhall have ſo ſerved, ſuch Sum of Money, not being leſs than forty Shillings, nor more than five Pounds, together with ſuch decent Cloathing as the Court, into which ſuch Returns ſhall be made, as herein after mentioned, ſhall appoint: And if any ſuch Offender, whilſt confined to Hard Labour in Manner aforeſaid, ſhall, by his Induſtry and other good Behaviour, ſhew ſuch Signs of Reformation, as ſhall induce the ſaid Court to recommend him as an Object of his Majeſty's Mercy, and it ſhall be thereupon ſignified, by a Letter from one of his Majeſty's Principal Secretaries of State to the Overſeer or Overſeers as aforeſaid, that his Majeſty thinks fit, in Conſideration of ſuch good Behaviour, to ſhorten the Duration of ſuch Offender's Term, ſuch Offender ſhall be accordingly ſet at Liberty at the Time mentioned in ſuch Letter; and ſhall receive a Sum of Money from his Overſeer or Overſeers, together with Cloathing, in the ſame Manner as if he had ſerved the Whole of the Term for which he was adjudged to ſerve.

Every Offender, at the End of his Confinement, ſhall receive a Sum of Money, not leſs than 40s. nor more than 5 l. together with decent Cloathing.

His Majeſty, on the good Behaviour of Offenders, may ſhorten the Term of their Confinement.

X. And be it further enacted, That where any Perſon ſhall, at any Seſſion of Oyer and Terminer, or Gaol Delivery, or at any Quarter or other General Seſſion of the Peace for any County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, within that Part of *Great Britain* called *England*, be lawfully convicted of Grand or Petty Larceny, or any other Crime, for which he or ſhe ſhall be liable by Law to Tranſportation to any of his Majeſty's Colonies in *America*, it ſhall be lawful for the Court, in which any ſuch Offender ſhall be ſo convicted, or any Court held for the ſame Place, and with like Authority, if ſuch Court ſhall think fit, in the Place of ſuch Puniſhment by Tranſportation, to order and adjudge that ſuch Perſon ſhall be ſent to ſome proper Place of Confinement within the ſaid County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, to be appointed for that Purpoſe in Manner herein after mentioned, there to be kept to Hard Labour, for ſuch Term or Number of Years as ſuch Court ſhall appoint, not exceeding the Term or Number of Years for which the Tranſportation for the ſaid Offence might have been adjudged: Provided, That the ſame ſhall in no Caſe be leſs than three Years, or more than ten Years.

Any Perſon, convicted of any Crime puniſhable by Tranſportation, may be ſent to ſome Place of Confinement within the County, &c. and there kept to Hard Labour for not leſs than three Years, nor more than ten Years.

XI. And be it further enacted, That where any Perſon ſhall, at any Seſſion of Oyer and Terminer, or Gaol Delivery, or at any Quarter, or other General Seſſion of the Peace, for any County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, within that Part of *Great Britain* called *England*, be lawfully convicted of any Robbery, or other Felony, for which he or ſhe ſhall by Law be liable to ſuffer Death without Benefit of Clergy, and his Majeſty ſhall be graciouſly pleaſed to extend the Royal Mercy to any ſuch Offender, upon Condition of being kept to Hard Labour at the Place of Confinement to be appointed for that Purpoſe in Manner herein after mentioned, and ſuch Intention of Mercy ſhall be notified in Writing, by one of his Majeſty's Principal Secretaries of State, to the Judge or Juſtice of Oyer and Terminer, or General Gaol Delivery, in any County, City, or Place, before whom ſuch Offender ſhall be convicted or condemned; it ſhall and may be lawful for every ſuch Judge or Juſtice of Oyer and Terminer, or General Gaol Delivery, to make an Order for allowing forthwith to every ſuch Offender the Benefit of a conditional Pardon, in the ſame Manner as if there was a conditional Pardon under the Great Seal, and may and ſhall adjudge that every ſuch Offender ſhall be kept to Hard Labour for the Time ſpecified in the Notification from ſuch Secretary of State.

In caſe his Majeſty ſhould extend his Mercy to any Perſon guilty of any Felony puniſhable by Death, the Judge may order the Offender to be kept to Hard Labour, for the Time ſpecified by the Secretary of State.

XII. And be it further enacted, That when any Offender ſhall be ordered to be kept to Hard Labour in Manner aforeſaid, the Clerk of Aſſize, Clerk of the Peace, or other Clerk of the Court by which ſuch Order ſhall be made, ſhall give to the Sheriff or Gaoler, having the Cuſtody of ſuch Offender, a Certificate in Writing under his Hand, containing an Account of the Chriſtian Name, Surname, and Age of ſuch Offender, of his or her Offence, of the Court before whom he or ſhe was convicted, and of the Term for which he or ſhe ſhall be ordered to Hard Labour; and the Sheriff or Gaoler ſhall, with all convenient Speed after the making of any ſuch Order, and receiving of ſuch Certificate, convey ſuch Offender, or cauſe him or her to be conveyed, to the proper Houſe of Correction, and deliver ſuch Offender, or cauſe him or her to be delivered, together with the ſaid Certificate, into the Cuſtody of the Maſter or Keeper of ſuch Houſe of Correction; and the Perſon or Perſons to whom ſuch Offender ſhall be ſo delivered, ſhall give a proper Receipt in Writing, under his or their Hand or Hands, which ſhall be a ſufficient Diſcharge to the Sheriff, Gaoler, or other Perſon, ſo delivering any ſuch Offender; and all Expences incurred by any Sheriff or Gaoler, in the Conveyance of any ſuch Offender to the Houſe of Correction in Manner aforeſaid, ſhall be paid by the County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, for which the Court ordering ſuch Puniſhment by Hard Labour ſhall be held, in the ſame Manner as is herein before directed in reſpect to Offenders ordered to Hard Labour in removing Sand, Soil, and Gravel from, and cleanſing the River *Thames*.

When any Offender ſhall be ordered to Hard Labour, the Clerk of Aſſize, &c. ſhall give a Certificate to the Sheriff or Gaoler, who ſhall deliver ſuch Priſoner, &c. to the Keeper of the proper Houſe of Correction; who ſhall give a Receipt for the ſame.

Expences of Conveyance to be paid by the County, &c.

XIII. And be it further enacted, That the Juſtices of the Peace for every County, Riding, Diviſion, City, Liberty, Borough, Town, and Place, within that Part of *Great Britain* called *England*, ſhall, at the firſt Quarter or other General Seſſion of the Peace, which ſhall be held next after the paſſing of this Act, take into Conſideration the State of their reſpective Houſes of Correction, in order that proper Places within the ſame, or elſewhere, within each reſpective County, Riding, Diviſion, City, Liberty, Borough, Town, and Place, may be prepared for the Reception of ſuch Offenders as ſhall be ordered to Hard Labour;

Juſtices for every County, &c. in England to prepare their Houſes of Correction for Reception of Offenders;

and to give Directions for their Government, and keeping them to Hard Labour.

Labour therein, by Force of this Act, and for the Purpoſes aforeſaid; and for keeping ſuch Offenders to Hard Labour, and for their Employment, Regulation, and Government, ſhall give ſuch Directions, and make ſuch Orders, as ſuch Juſtices ſhall think moſt fit and proper, and they are authoriſed to give or make by the Laws now in Force in reſpect to Houſes of Correction, or by any of them: And the Keeper of the Place of Confinement ſo appointed and prepared ſhall, in caſe of any Abuſe of the Cuſtody or other Miſbehaviour in Diſcharge of his Office, be liable to the ſame Puniſhment as a Gaoler.

Penalty on Perſons reſcuing Offenders ordered to Hard Labour;

XIV. And be it further enacted, That if any Perſon ſhall reſcue any Offender, who by Force of this Act ſhall be ordered to Hard Labour, in removing Sand, Soil, and Gravel from, and cleanſing the River *Thames*, or in any Place of Confinement appointed by virtue of this Act, either in his or her Conveyance to the Place appointed for ſuch Hard Labour, or whilſt ſuch Offender under this Act ſhall be in the Cuſtody of the Perſon or Perſons appointed for that Purpoſe; or if any Perſon ſhall be aiding or aſſiſting in any ſuch Reſcue, every ſuch Perſon ſhall be liable to the like Puniſhment that is inflicted for Breach of Priſon in Caſes of Felony: And if any Perſon, not having the actual Cuſtody of any ſuch Offender, ſhall be aiding and aſſiſting in any Eſcape, or ſhall, by ſupplying Arms, or Inſtruments of Diſguiſe or Eſcape, or otherwiſe in any Manner be aiding and aſſiſting in the Attempt to make any ſuch Eſcape, though no ſuch Eſcape ſhall be made, every ſuch Perſon ſhall forfeit the Sum of twenty Pounds; which ſaid Penalty of twenty Pounds ſhall be recoverable in any of his Majeſty's Courts of Record, by any Perſon or Perſons who ſhall ſue for the ſame, by Bill, Plaint, Action of Debt, Information, or otherwiſe, wherein no Eſſoin, Protection, or Wager of Law, ſhall be allowed.

or aſſiſting in an Attempt to make an Eſcape, &c.

Penalty on Perſons ordered to Hard Labour who ſhall eſcape from Confinement, &c.

XV. And be it further enacted, That if any Perſon, who ſhall be ordered to Hard Labour under this Act, either in removing Sand, Soil, and Gravel from, and cleanſing the River *Thames*, or at any Place of Confinement appointed by virtue of this Act, ſhall, at any Time during the Term for which he or ſhe ſhall be ſo ordered to Hard Labour, break Priſon, or eſcape from the Place of his or her Confinement, or from the Perſon or Perſons having the lawful Cuſtody of ſuch Offender, he or ſhe ſo breaking Priſon or eſcaping, ſhall on Conviction, for the firſt Eſcape, be puniſhed by doubling the Term of the Service and Hard Labour in which he or ſhe was at the Time of ſuch Eſcape; and on Conviction for a ſecond Eſcape, be adjudged guilty of Felony without Benefit of Clergy, and ſuffer Death accordingly.

Method of Trial and Conviction of Offenders for making Eſcape.

'XVI. And, to the Intent that ſuch Conviction or Convictions may be had with as little Trouble and 'Expence as poſſible,' be it further enacted, That every Offender or Offenders, eſcaping in Manner aforeſaid, may and ſhall be tried before the Juſtices of Aſſize, Oyer and Terminer, or Gaol Delivery, for the County, City, or Liberty, where he, ſhe, or they, ſhall be apprehended and taken; and that the Clerk of the Aſſize and Clerk of the Peace, where ſuch Orders of Confinement or Hard Labour ſhall reſpectively be made, and their Succeſſors for the Time being, ſhall, at the Requeſt of the Proſecutor, or any other in his Majeſty's Behalf, certify a Tranſcript briefly and in few Words, containing the Effect of every Indictment and Conviction of ſuch Man or Woman, and of the Order made for his or her Confinement, or being ſent to Hard Labour reſpectively, to the Juſtices of Aſſize, Oyer and Terminer, and Gaol Delivery, where ſuch Man or Woman ſhall be indicted for any ſuch Eſcape from his or her Place of Confinement or of Hard Labour reſpectively (not taking for the ſame, above the Sum of two Shillings and Six-pence); which Certificate being produced in Court, ſhall be a ſufficient Proof that ſuch Perſon or Perſons have before been convicted and ordered to ſuch Place of Confinement or Hard Labour reſpectively.

Clerk of Aſſize, &c. to be paid by the Treaſurer of the County, &c.

XVII. Provided always, and be it further enacted by the Authority aforeſaid, That ſuch Clerk of the Aſſize, Clerk of the Peace, or other Clerk of the Court, and the Sheriff or Gaoler, ſhall be paid by the Treaſurer of the County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, the like Satisfaction as hath been uſually paid for the Order of Tranſportation of any Offender.

Offenders confined by virtue of this Act, to be kept ſeparate, &c.

XVIII. Provided always, That the Offender or Offenders which ſhall be ſent to, and ſhall by virtue of this Act be directed to be confined in, ſuch Places to be appointed as aforeſaid, ſhall be kept ſeparate from, and ſhall not be permitted or ſuffered to intermix with, any Perſon or Perſons confined for any Offence under the Degree of Petit Larceny, or other Crime not making the Perſon or Perſons having committed the ſame, by the Laws of this Realm, ſubject to a Sentence of Tranſportation.

Overſeers of the Places of Confinement appointed by this Act to make Returns, on Oath, of the Names of the Perſons, &c. committed to their Cuſtody. When, and to whom, the Returns to be made.

XIX. And be it further enacted by the Authority aforeſaid, That the Overſeers of the ſeveral Places of Confinement to be appointed by virtue of this Act, ſhall, from Time to Time, make Returns, ſpecifying the Names of all and every the Perſon or Perſons who ſhall be committed to their Cuſtody, the Offences of which they ſhall have been guilty, the Court before which each Perſon was convicted, the Sentence of the Court, the Age, bodily State, and Behaviour of every ſuch Convict while in Cuſtody; and alſo the Names of all and every the Perſon or Perſons who ſhall have died under ſuch Cuſtody, or ſhall have eſcaped from ſuch Place of Confinement, or ſhall have been releaſed from thence by Order from one of his Majeſty's principal Secretaries of State; ſuch Returns from the Overſeers of the Convicts to be employed in laborious Service for the Benefit of the Navigation of the *Thames*, to be made the firſt Day of every Term, to his Majeſty's Court of *King's Bench* at *Weſtminſter*; and from the Overſeers of the other Places of Confinement to be appointed by virtue of this Act, to the Juſtices of Aſſize at each Aſſize, and to the Juſtices of the Peace at each Quarter or other General Seſſions of the Peace, for the County, City, Riding, Diviſion, or Place, within which ſuch Place of Confinement ſhall be ſituate; and that every ſuch Return ſhall be verified on the Oath of the Perſon making the ſame; ſuch Oath to be made before the Court into which ſuch Return ſhall be delivered.

Penalties of this Act how to be recovered and applied.

XX. And be it further enacted, that any pecuniary Penalties created by this Act, for the Recovery of which no Mode is herein before preſcribed, ſhall be recoverable before two or more Juſtices of the Peace, in the County, Riding, Diviſion, City, Liberty, Borough, Town, or Place, in which the Offence ſhall be committed, on Proof of the Offence, by the Oath or Oaths of one or more credible Witneſs or Witneſſes, or on Confeſſion of the Offender, and ſhall belong to the Informer or Informers proſecuting for the

the ſame; and in caſe of Non-payment, ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of ſuch Juſtices; and the Overplus of the Money raiſed, after deducting the Penalty, and the Expences of the Diſtreſs and Sale, ſhall be rendered to the Owner; and for want of ſufficient Diſtreſs, the Offender ſhall be ſent by ſuch Juſtices to the Priſon of ſuch County, Riding, Diviſion, City, Borough, Town, or Place, for ſuch Term, not exceeding ſix Months, as ſuch Juſtices ſhall think moſt proper.

Perſons proſecuted under this Act, may plead the General Iſſue.

XXI. And be it further enacted, That if any Suit or Action ſhall be proſecuted againſt any Perſon or Perſons for any Thing done in purſuance of this Act, ſuch Perſon or Perſons may plead the General Iſſue, and give this Act, or the Special Matter, in Evidence at any Trial to be had thereupon, and that the ſame was done by the Authority of this Act; and if a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuit, or diſcontinue his, her, or their Action or Actions after Iſſue joined; or if on Demurrer, or otherwiſe, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame as any Defendants have by Law in other Caſes; and though a Verdict ſhall be given to any Plaintiff in any ſuch Action or Suit as aforeſaid, ſuch Plaintiff ſhall not have Coſts againſt the Defendant, unleſs the Judge, before whom the Trial ſhall be, ſhall certify his Approbation of the Verdict.

Treble Coſts.

Limitation of Actions.

XXII. And be it further enacted, That all Actions, Suits, and Proſecutions, to be commenced againſt the Perſon or Perſons for any Thing done in purſuance of this Act, ſhall be laid and tried in the County or Place where the Fact was committed, and ſhall be commenced within ſix Months after the Fact committed, and not otherwiſe.

Continuance of this Act.

XXIII. And be it further enacted, That this Act ſhall continue to be in Force for two Years, and alſo to the End of the then Seſſion; or if the ſaid Term of two Years ſhall not determine during any Seſſion, then till the End of the then next enſuing Seſſion of Parliament.

CAP. XLIV.

An Act for ſuſpending, for a limited Time, ſo much of an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, *An Act to explain, amend, and reduce into one Act of Parliament, the General Laws now in being for regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*, as is to ſubject Carriages having the Fellies of the Wheels thereof of leſs Breadth or Gauge than ſix Inches, to the Payment of Double Tolls; and for vacating Contracts for leaſing Tolls.

Preamble.

Act 13 Geo. III. recited.

'WHEREAS by an Act, made in the thirteenth Year of his preſent Majeſty's Reign, intituled, '*An Act to explain, amend, and reduce into one Act of Parliament, the General Laws now in being for* '*regulating the Turnpike Roads in that Part of* Great Britain *called* England, *and for other Purpoſes*, it is 'enacted, That, from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and 'ſeventy-ſix, a Double Toll ſhall be paid for the Paſſage through Turnpike-gates, of all Carriages having 'the Fellies of the Wheels thereof of leſs Breadth or Gauge than ſix Inches from Side to Side: And 'whereas great Inconveniences would ariſe if the ſaid Proviſion ſhould take Effect on the ſaid twenty-ninth 'Day of *September*;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That ſo much of the ſaid Act as enacts that the Truſtees appointed by virtue or under the Authority of any Act of Parliament made for repairing or amending Turnpike Roads, or ſuch Perſon or Perſons as are authoriſed by them, ſhall and may and are thereby required to demand and take for every Waggon, Wain, Cart, or Carriage, having the Fellies of the Wheels thereof of leſs Breadth or Gauge than ſix Inches from Side to Side, at the leaſt, at the Bottom or Sole thereof, and for the Horſes or Beaſts of Draught drawing the ſame, from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and ſeventy-ſix, Double the Tolls or Duties which are or ſhall be payable for the ſame reſpectively, by any Act or Acts of Parliament made for amending or repairing Turnpike Roads, before any ſuch Waggon, Wain, Cart, or Carriage reſpectively, ſhall be permitted to paſs through any Turnpike Gate or Gates, Bar or Bars, where Tolls ſhall be payable by virtue of any ſuch Acts, ſhall be, and the ſame is hereby declared to be, ſuſpended until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſeventy-eight.

Part of the ſaid recited Act ſuſpended for two Years.

Leſſees of Tolls may be releaſed from their Contracts at the End of the current Year.

II. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for ſuch Truſtees, and they are hereby required to releaſe all Leſſees of Tolls within their reſpective Juriſdictions, from their reſpective Contracts, at the End of the current Year, if ſuch Leſſees ſhall deſire the ſame.

CAP. XLV.

An Act for enabling his Majeſty to raiſe the Sum of One Million, for the Uſes and Purpoſes therein mentioned.

Preamble.

'*Moſt Gracious Sovereign*,

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, having taken into our moſt ſerious Conſideration your Majeſty's moſt gracious Meſ'ſage, ſignifying that your Majeſty, relying on the experienced Zeal and Affection of your faithful Com'mons, and conſidering that, during the preſent Troubles in *North America*, Emergencies may ariſe

'which may be of the utmoſt Importance, and be attended with the moſt dangerous Conſequences, if 'proper Means ſhould not be immediately applied to prevent or defeat them, is deſirous that we will 'enable your Majeſty to defray any extraordinary Expences incurred, or to be incurred, on account of 'Military Services for the Year one thouſand ſeven hundred and ſeventy-ſix, and as the Exigency of 'Affairs may require; and that your Majeſty, having judged it expedient to iſſue your Royal Proclama-'tion, in purſuance of an Act of Parliament, paſſed in the fourteenth Year of your Reign, for calling in 'and recoining the Remainder of the deficient Gold Coin, doubts not but that we will enable your Ma-'jeſty to make good the Charges which ſhall be incurred in that Service, and which cannot at this Time 'be aſcertained; have reſolved to give and grant unto your Majeſty the Sum of One Million for thoſe 'Purpoſes;' and do therefore moſt humbly beſeech your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,

Credit of Loan granted to his Majeſty for 1,000,000 l.

That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by Warrant or Warrants under his Royal Sign Manual, to authoriſe and impower the Commiſſioners of his Majeſty's Treaſury now or for the Time being, or any three or more of them, or the Lord High Treaſurer for the Time being, at any Time or Times before the fifth Day of *January* one thouſand ſeven hundred and ſeventy-ſeven, to cauſe or direct any Loans to be taken or received at his Majeſty's Exchequer from any Perſon or Perſons, Natives or Foreigners, Body or Bodies Politic or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding, in Loans and Exchequer Bills together, in the Whole, the ſaid Sum of One Million, in the ſame or like Manner, Form, and Order, and according to the ſame or like Rules and Directions, as in and by an Act of this preſent Seſſion of Parliament, intituled, *An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix*, are enacted and preſcribed concerning the Loans or Exchequer Bills to be taken or made in purſuance of the ſaid Act.

Treaſury may raiſe the ſame by Loans or Exchequer Bills, in like Manner as is preſcribed by the Malt Act of this Seſſion, concerning Loans, &c.

The Clauſes, &c. in the ſaid Act relating to Loans or Exchequer Bills, (Exception) extended to the Loans, &c. to be made in purſuance of this Act.

II. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities, contained in the ſaid laſt-mentioned Act, relating to the Loans or Exchequer Bills authoriſed to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Taxes granted by the ſame Act, and except ſuch Clauſes as limit the Rate of Intereſt to be paid for the Forbearance of Money lent on the Credit of the ſaid Act), ſhall be applied and extended to the Loans and Exchequer Bills to be made in purſuance of this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſame Loans or Exchequer Bills had been originally authoriſed by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this Act.

Principal and Intereſt, with Charges, to be paid out of the next Supplies, and if none ſufficient be granted before July 5, 1777, then to be paid out of the Sinking Fund;

III. And be it further enacted by the Authority aforeſaid, That all ſuch Loans or Exchequer Bills, together with the Intereſt, Premium, Rate, and Charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid or borne by or out of the firſt Aids or Supplies which ſhall be granted in the next Seſſion of Parliament; and in caſe ſufficient Aids or Supplies for that Purpoſe ſhall not be granted before the fifth Day of *July* one thouſand ſeven hundred and ſeventy-ſeven, then all the ſaid Loans or Exchequer Bills, with the Intereſt, Premium, Rate, and Charges incident to or attending the ſame, ſhall be and are hereby charged and chargeable upon ſuch Monies as, at any Time or Times at or after the ſaid fifth Day of *July*, ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus-monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any Act or Acts of Parliament in that Behalf); and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling, and diſcharging, ſuch Loans or Exchequer Bills, Intereſt, Premium, Rate, and Charges, until the Whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

and the Monies ſo iſſued to be replaced out of the firſt Supplies.

IV. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the ſaid Surpluſſes, Exceſſes, Overplus-monies, or other Revenues compoſing the Sinking Fund, ſhall, from Time to Time, be replaced by and out of the firſt Supplies to be then after granted in Parliament; any Thing herein contained to the contrary notwithſtanding.

The Bank impowered to advance on the ſaid Credit of Loan any Sums not exceeding 1,000,000 l.

V. And be it declared and further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governor and Company of the Bank of *England* to advance or lend to his Majeſty, in like Manner, at the Receipt of the Exchequer, upon the Credit of the Loan granted by this Act, any Sum or Sums of Money, not exceeding in the Whole the Sum of One Million; any Thing in an Act, made in the fifth and ſixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tonnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of One million five hundred thouſand Pounds, toward carrying on the War againſt* France, to the contrary thereof in any-wiſe notwithſtanding.

CAP.

CAP. XLVI.

An Act to enable the Commiſſioners of his Majeſty's Treaſury to order and allow, out of the Money ariſing by the Coinage Duty, a certain Sum therein mentioned, for the Expence of proſecuting Offenders againſt the Laws relating to the Coin, over and above the Sum yearly allowed for that Purpoſe.

Preamble.

Act 15 Geo. III. recited.

'WHEREAS by an Act, made in the fifteenth Year of the Reign of his Majeſty King *George* the Second (intituled, *An Act for the more effectual preventing the counterfeiting of the current Coin of this Kingdom, and the uttering or paying of falſe or counterfeit Coin*), it is, amongſt other Things, enacted, That the Lord High Treaſurer, or Lords Commiſſioners of the Treaſury for the Time being, ſhall and may order and allow, out of the Money ariſing by the Coinage Duty, ſuch Sum of Money, for defraying the Expences of proſecuting Offenders againſt the Laws relating to the Coin, as he or they ſhall ſee fit, provided that the ſaid Expences do not, in any one Year, exceed the Sum of ſix hundred Pounds: And whereas the Expences neceſſarily incurred in proſecuting ſuch Offenders, during the Courſe of the Years one thouſand ſeven hundred and ſeventy-two, one thouſand ſeven hundred and ſeventy-three, and one thouſand ſeven hundred and ſeventy-four, amounted to the Sum of one thouſand one hundred and fifty-two Pounds and Eight-pence Halfpenny, over and above the Sum of ſix hundred Pounds allowed in each of thoſe Years for that Service; and as the Law now ſtands, the ſaid Sum of one thouſand one hundred and fifty-two Pounds and Eight-pence Halfpenny cannot be brought to Account;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Commiſſioners of his Majeſty's Treaſury now, or for the Time being, or any three or more of them, or the High Treaſurer for the Time being, ſhall and may, out of the Money ariſing by the Coinage Duty, order and allow ſuch further Sum, not exceeding one thouſand one hundred and fifty-two Pounds and Eight-pence Halfpenny, for the Expences of the ſaid Proſecutions, during the Courſe of the ſaid Years one thouſand ſeven hundred and ſeventy-two, one thouſand ſeven hundred and ſeventy-three, and one thouſand ſeven hundred and ſeventy-four, over and above the ſaid ſix hundred Pounds limited yearly; the ſaid recited Act, or any other Law, Statute, Proviſion, or Uſage, to the contrary notwithſtanding.

1,152 l. 0 s. 8 d. Halfpenny extraordinary to be allowed for defraying Expences of Proſecutions relating to the Coin, during the Years 1772, 1773, and 1774.

CAP. XLVII.

An Act for the further Encouragement of the Whale Fiſhery carried on from *Great Britain* and *Ireland*, and the *Britiſh* Dominions in *Europe*; and for regulating the Fees to be taken by the Officers of the Cuſtoms in the Iſland of *Newfoundland*.

Preamble.

Act 15 Geo. III. recited.

'WHEREAS by an Act, made in the laſt Seſſion of Parliament, intituled, *An Act for the Encouragement of the Fiſheries carried on from* Great Britain, Ireland, *and the* Britiſh *Dominions in* Europe, *and for ſecuring the Return of the Fiſhermen, Sailors, and others employed in the ſaid Fiſheries, to the Ports thereof, at the End of the Fiſhing Seaſon*, certain Bounties were granted to induce his Majeſty's *European* Subjects to carry on the Whale Fiſhery in the Gulph of *Saint Lawrence*, or on the Coaſt of *Labrador*, *Newfoundland*, or in any Seas to the Southward of the *Greenland* Seas, and *Davis's Streights*: And whereas a valuable Whale Fiſhery has been lately diſcovered in the Seas to the Southward of the Latitude of forty-four Degrees North; for carrying on which it is neceſſary that the Ships to be employed therein ſhould be fitted out at a different Seaſon of the Year from that mentioned in the ſaid in Part recited Act, and it is juſt and expedient that the like Bounties ſhould be granted to Ships ſo fitted out and employed in ſuch Fiſhery:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſeveral Bounties hereafter mentioned ſhall be allowed annually for eleven Years, for five Veſſels which ſhall be employed in the ſaid Fiſhery in the Seas to the Southward of the Latitude of forty-four Degrees North, under the Limitations and Reſtrictions herein after expreſſed; (that is to ſay) Such Veſſels ſhall appear by their Regiſter to be *Britiſh* built, and owned by his Majeſty's Subjects reſiding in *Great Britain* or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, and navigated with Three-fourths of his Majeſty's Subjects of *Great Britain* or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, beſides the Maſter, and ſhall be fitted and cleared out from ſome Port in *Great Britain* or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, after the firſt Day of *Auguſt* and before the firſt Day of *November* one thouſand ſeven hundred and ſeventy-ſix, and between the firſt Day of *Auguſt* and the firſt Day of *November* in each ſucceeding Year, and ſhall take and kill one Whale at the leaſt in the ſaid Seas, to the Southward of the ſaid Latitude of forty-four Degrees North, and ſhall return, before the firſt Day of *Auguſt* next following in each Year, to ſome Port in *England*, with the Oil of ſuch Whale or Whales ſo taken as aforeſaid; and on the Maſter and Mate of ſuch Veſſel, and two of the Mariners belonging to her, making Oath before the Collector and Comptroller of the Cuſtoms at the Port of her Arrival (which Oath they are hereby authoriſed and required to adminiſter), that ſuch Oil is the Produce of one or more Whale or Whales taken and killed by the Crew then belonging to ſuch Veſſel, mentioning the Time when ſhe departed from *Great Britain* or *Ireland*, or the Iſlands of *Guernſey*, *Jerſey*, or *Man*, and from what Port, and the Time and Place where ſuch Whale or Whales was or were taken and killed, ſuch Oil may be landed without Payment of any

Bounties to be allowed, for 11 Years, to Veſſels fitted out from Great Britain, &c. for the Whale Fiſhery in the Seas Southward of Lat. 44 Degrees North.

Duty whatſoever; and the Collector and Comptroller of ſuch Port ſhall thereupon forthwith tranſmit ſuch Oath to the Commiſſioners of his Majeſty's Cuſtoms at *London*, any four or more of whom are hereby authoriſed and required to order the Receiver-general of his Majeſty's Cuſtoms to pay out of any Money in his Hands, ariſing by any Duties under their Management, for the Veſſel which ſhall ſo arrive in each Year, with the greateſt Quantity of Oil ſo taken as aforeſaid, five hundred Pounds; for the Veſſel which ſhall in like Manner arrive in the ſame Year, with the next greateſt Quantity of Oil ſo taken as aforeſaid, four hundred Pounds; for the Veſſel which ſhall in like Manner arrive in the ſame Year, with the next greateſt Quantity of Oil ſo taken as aforeſaid, three hundred Pounds; for the Veſſel which ſhall in like Manner arrive in the ſame Year, with the next greateſt Quantity of Oil ſo taken as aforeſaid, two hundred Pounds; and for the Veſſel which ſhall in like Manner arrive in the ſame Year with the next greateſt Quantity of Oil ſo taken as aforeſaid, one hundred Pounds; the ſaid Oil ſo to be imported by each of the ſaid Veſſels being the Produce of one Whale at the leaſt; which ſaid ſeveral and reſpective Bounties ſhall be paid by ſuch Receiver-general, within two Months after the Expiration of each Year in which ſuch Veſſel ſhall arrive, to the Owner or Owners of ſuch Veſſels ſo intitled thereto, or their Aſſigns, duly authoriſed to demand the ſame.

No Bounty to be allowed to any Veſſel employed in the Whale Fiſhery, but on certain Conditions.

II. Provided always, and it is hereby further enacted by the Authority aforeſaid, That no Bounty ſhall be allowed or paid for any Ship which, from and after the ſaid firſt Day of *Auguſt* one thouſand ſeven hundred and ſeventy-ſix, ſhall be fitted out and employed in the Whale Fiſhery, in purſuance of this Act, unleſs the whole and entire Property of ſuch Ship or Veſſel ſhall belong to ſome of his Majeſty's Subjects reſiding in that Part of his Majeſty's Dominions from whence ſuch Ship or Veſſel ſhall be reſpectively fitted and cleared out, nor to any Ship which ſhall be ſo fitted out and employed in the ſaid Fiſhery, in purſuance of this Act, or the ſaid recited Act made in the laſt Seſſion of Parliament, unleſs ſuch Ship ſhall have on board an Apprentice, indentured for the Space of three Years at the leaſt, for every fifty Tons Burthen of ſuch Ship, every ſuch Apprentice not exceeding the Age of eighteen Years, nor being under fourteen, at the Time he ſhall be ſo indentured; any Thing in the ſaid recited Act, or in this Act, or any Cuſtom or Uſage, to the contrary notwithſtanding.

Act 10 Geo. III. recited.

'III. And whereas by an Act of Parliament, made in the tenth Year of his Majeſty's Reign, it is, 'amongſt other Things, enacted, That, for and during the Time therein mentioned (which Act hath 'been ſince continued, and is now in Force), the Officers of his Majeſty's Cuſtoms, and Naval Officers 'in the *Britiſh* Colonies or Plantations in *America*, ſhall be deemed to be intitled to, and ſhall and may 'lawfully demand and receive, ſuch Fees as they and their Predeceſſors reſpectively were and had been 'generally and uſually accuſtomed to demand, take, and receive, before the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty-four, and ſhall have the like Remedy for the ſame, according to the true Intent and Meaning of an Act, made in the fifth Year of his ſaid Majeſty's Reign, 'therein particularly recited and referred unto: And whereas, the Officers of his Majeſty's Cuſtoms now 'eſtabliſhed in the Iſland of *Newfoundland* not being able to diſcover and aſcertain what Fees were taken 'and received by their Predeceſſors, before the ſaid twenty-ninth Day of *September* one thouſand ſeven 'hundred and ſixty-four, Doubts have ariſen what Fees they are intitled to demand and receive, in purſuance of the ſaid in Part recited Act:' For Remedy whereof, be it further enacted by the Authority aforeſaid, That ſo long as the ſaid recited Act ſhall be continued and remain in Force, the Officers of his Majeſty's Cuſtoms in the ſaid Iſland of *Newfoundland* ſhall be, and are hereby declared to have been intitled to aſk, demand, take, and receive, ſuch Fees, for all Buſineſs done by them in the Execution of their Duty, as were legally demanded and taken by the like Officers of the Cuſtoms at the Port of *Halifax* in *Nova Scotia*, on or before the firſt Day of *January* one thouſand ſeven hundred and ſixty-eight, provided the ſaid Fees ſo taken are not contrary to the expreſs Directions of any Act of Parliament made in *Great Britain*; and the ſaid Officers of the Cuſtoms ſhall have the like Remedy for the ſame, and be liable to the ſame Forfeitures and Diſabilities for exacting or receiving any greater or other Fees than ſuch as are herein before allowed to be taken, as are preſcribed and inflicted in ſuch Caſes by the ſaid recited Acts, or either of them, as fully and effectually, to all Intents and Purpoſes, as if the ſame had been again repeated and enacted in this preſent Act.

Fees to be taken by the Officers of the Cuſtoms in Newfoundland.

CAP. XLVIII.

An Act for allowing further Time for the Exportation of, or Payment of the Duties upon, Bugles, when warehouſed upon Importation into this Kingdom; to impower the Commiſſioners of the Cuſtoms to order all Bonds relative to that Revenue, upon which no Proſecutions have been had for the Space of five Years (except Bonds for Duties, and for the good Behaviour of Officers in the Execution of their Duty), to be deſtroyed; and for repealing the Duties upon Feather Beds imported into this Kingdom; and for charging the ſame with the like Duties as are payable upon Feathers for Beds.

Preamble.

Act 5 Geo. III. recited.

'WHEREAS by an Act, made in the fifth Year of the Reign of his preſent Majeſty, intituled, '*An Act for more effectually ſupplying the Export Trade of this Kingdom to* Africa *with ſuch coarſe 'printed Callicoes and other Goods of the Product or Manufacture of the* Eaſt Indies, *or other Places beyond the* 'Cape of Good Hope, *as are prohibited to be worn and uſed in* Great Britain *for encouraging the Importation 'of Bugles into this Kingdom, for the better Supply of the Export Trade thereof, and for diſcontinuing the Bounty 'payable in* Great Britain; *and all Bounties and Allowances in* Ireland *upon the Exportation of Corn, Grain, 'Malt, Meal, and Flour, from thence to the* Iſle of Man; it is, amongſt other Things, enacted and pro-'vided, That if ſuch Bugles as ſhall be imported into this Kingdom, and lodged and ſecured in ſuch

'Warehouſe

'Warehouſe belonging to his Majeſty, his Heirs and Succeſſors, as in and by the ſaid recited Act is pre-'ſcribed, ſhall not be either exported, or the full Duties paid for the ſame, within five Years from the 'Importation thereof, but ſhall then continue and be ſtill remaining in the ſaid Warehouſes, in ſuch Caſe 'it ſhall and may be lawful for the Commiſſioners of the Cuſtoms for the Time being, or any three or 'more of them, to cauſe the ſaid Bugles, ſo remaining, to be publickly ſold, in Manner and for the Pur-'poſes therein preſcribed: And whereas it has been uſual to export ſuch Bugles from this Kingdom to '*Africa* in Exchange for Negroes, to be carried from thence to the *Britiſh* Colonies in *America*, which 'Trade being much interrupted by the Diſturbances and Rebellion in ſeveral of thoſe Colonies, great 'Quantities of ſuch Bugles do now remain warehouſed at ſeveral Ports in this Kingdom, and cannot be 'diſpoſed of without great Loſs to the Proprietors thereof; and it is therefore expedient to enlarge the 'Time limited by the ſaid recited Act for the Exportation of ſuch Bugles, or paying the Duty for the 'ſame:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That, for ſuch of the ſaid Bugles as have been imported into this Kingdom before the firſt Day of *May* one thouſand ſeven hundred and ſeventy-ſix, and lodged and ſecured in any Warehouſe belonging to his Majeſty, as in and by the ſaid recited Act is preſcribed, and ſtill remain unſold, the ſaid Term of five Years ſhall be extended and enlarged to the Term of ten Years, from the Importation thereof, any Thing in the ſaid recited Act, or any other Law, Cuſtom, or Uſage, to the contrary in any-wiſe notwithſtanding.

The aforeſaid Term of five Years extended to 10 Years, in relation to Bugles imported before May 1, 1776, and warehouſed, &c.

'II. And whereas by an Act of Parliament, made in the eighth Year of the Reign of her late Majeſty 'Queen *Anne*, intituled, *An Act for continuing ſeveral Impoſitions, additional Impoſitions, and Duties, upon 'Goods imported, to raiſe Money by way of Loan, for the Service of the Year one thouſand ſeven hundred and 'ten; and for taking off the Overſea-duty on Coals exported in* Britiſh *Bottoms; and for better preventing Frauds 'in Drawbacks upon Certificate Goods; and for aſcertaining the Duties of Corans imported in* Venetian *Ships; 'and to give further Time to foreign Merchants for Exportation of certain foreign Goods imported; and to limit 'a Time for Proſecutions upon certain Bonds given by Merchants; and for continuing certain Fees of the Officers 'of the Cuſtoms; and to prevent Embezzlements by ſuch Officers; and for appropriating the Monies granted to 'her Majeſty; and for replacing Monies paid or to be paid for making good any Deficiencies on the Annuity Acts; 'and for Encouragement to raiſe Naval Stores in her Majeſty's Plantations; and to give further Time for re-'giſtering Debentures as is therein mentioned*; it is, amongſt other Things, enacted, That the Bonds com-'monly called *Plantation-bonds*, and the Securities entered into, in purſuance of an Act, made in the 'eleventh Year of the Reign of his late Majeſty King *William* the Third, intituled, *An Act for the more 'effectual employing the Poor, by the encouraging the Manufactures of this Kingdom*, upon the Exportation of 'wrought Silks, and other Commodities in the ſaid Act mentioned; in caſe there ſhall be no Proſecution 'for ſome Breach or Non-performance of the reſpective Conditions thereof within three Years after the 'Dates thereof, or if upon ſuch Proſecution Judgment be not obtained for her Majeſty within the Space 'of two Years after the Proſecution is commenced, then ſuch Security ſhall be void, and all ſuch Secu-'rities ſo made void by that Act ſhall be delivered up, by the reſpective Officers having the ſame in their 'Keeping, to be cancelled, without Fee or Reward; and if any Officer of his Majeſty's Revenue having 'the Cuſtody of any Bonds ſo required to be delivered up to be cancelled, ſhall, upon reaſonable Demand, 'refuſe or neglect to deliver up ſuch Bonds according to the Purport and Meaning of that Act, then the 'Officer ſo offending ſhall be liable to anſwer to the Party grieved all his Damages, together with Treble 'Coſts of Suit: And whereas there are now remaining, in the Poſſeſſion of the Officers at ſeveral Cuſtom-'houſes in this Kingdom, great Number of ſuch Bonds and Securities, as well as other Bonds and Secu-'rities taken for the due Exportation of other Goods, and for the due Performance of Ships Voyages, in 'purſuance of divers other Acts of Parliament, which have lain for many Years without any Proſecution 'having been commenced thereon; no Proof being diſcovered that the Conditions of ſuch Bonds have not 'been duly performed, though no Certificate has been produced in Diſcharge thereof, nor any Applica-'tion made to the Officers for Delivery thereof by the Parties concerned therein, without which, ſufficient 'Proviſion is not made for cancelling or deſtroying ſuch Bonds, though they are uſeleſs and of no Effect, 'and are an unneceſſary Incumbrance to the Offices where they are lodged, and occaſion great Perplexity 'and Inconvenience to the ſeveral Officers in the Execution of their Duty; for Remedy whereof, and to 'prevent the Diſcouragements which Merchants do and may lie under by the ſaid Bonds lying out 'againſt them, by reaſon that the Goods may have been vended in foreign Parts, from whence no Certi-'ficate can be produced conformable to the ſeveral Statutes requiring the ſame, although the Conditions 'of the ſaid Bonds are or ſhall have been performed;' be it therefore further enacted by the Authority aforeſaid, That, from and after the fifth Day of *July* one thouſand ſeven hundred and ſeventy-ſix, all Bonds, which have been or ſhall hereafter be taken by any Officer, relating to the Revenue and Buſineſs of his Majeſty's Cuſtoms, upon which no Proſecutions hath been or ſhall be commenced, for the Breach or Non-performance of any Covenant or Condition therein contained, within the Space of five Years from the Date of ſuch Bond or Security (except Bonds for Duties, or other Money due to the Crown, and for the good Behaviour of the Officers in the Execution of their Duty) ſhall be void; and it ſhall and may be lawful for the Commiſſioners of his Majeſty's Cuſtoms in *England* and *Scotland* reſpectively, or any three or more of them, to order and direct the ſeveral Officers under their Management, having the Cuſtody of ſuch Bonds, to cancel and deſtroy the ſame in ſuch Manner as they ſhall think proper, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

Act 8 Annæ recited.

After July 5, 1776, all Bonds, taken by any Officer, relating to the Revenue of the Cuſtoms, on which no Proſecution hath been or ſhall be commenced within 5 Years from the Date thereof, (Exception) ſhall be void.

'III. And whereas by the Book of Rates, annexed to the Act of Tonnage and Poundage, made in the 'twelfth Year of the Reign of King *Charles* the Second, Feather Beds, old or new, the Piece, are rated 'at two Pounds thirteen Shillings and Four-pence, and Feathers for Beds the one hundred and twelve 'Pounds are rated at ſix Pounds: And whereas, in order to evade the Payment of the Duties due and

'payable

'payable by Law, according to the before-mentioned Rate upon Feathers for Beds imported from foreign 'Parts. Attempts have been made fraudulently to bring into this Kingdom large Quantities of ſuch Fea- 'thers, packed up in old Ticking, coarſe Cloth, or other old Packages, and to enter the ſame under the 'Denomination of Feather Beds, to the great Prejudice of the public Revenue, and to the Detriment of 'the fair Trader; for Remedy whereof, be it further enacted by the Authority aforeſaid, That, from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and ſeventy-ſix, the before-mentioned Rate of two Pounds thirteen Shillings and Four-pence, for Feather Beds old or new, the Piece, ſhall be, and the ſame is hereby repealed, and the ſeveral Duties payable upon the Importation of ſuch Feather Beds, according to that Rate, ſhall ceaſe, determine, and be no longer paid; and, in lieu and inſtead thereof, all Feather Beds, and all Feathers which have been heretofore entered under that Denomination, dreſſed or undreſſed, new or old, which ſhall be imported into this Kingdom in any ſort of Package whatſoever, ſhall be liable to and pay the ſeveral Subſidies, additional Duties, and all other Impoſts and Duties whatſoever, to which Feathers for Beds are and ſhall be liable, according to the Rate before mentioned of ſix Pounds for every one hundred and twelve Pounds Weight of ſuch Feathers; which ſaid Subſidies, Impoſts, and Duties, ſhall be raiſed, levied, and collected, recovered, paid, and applied, in ſuch Manner and Form, and by ſuch Ways and Means, and under the like Penalties and Forfeitures, and with ſuch Diſcounts, Allowances, and Drawbacks, as the former Duties upon Feathers for Beds were raiſed, levied, collected, paid, and applied, and were ſubject and liable to; and all the Powers, Penalties, Proviſions, Articles, and Clauſes, contained in the ſeveral Acts of Parliament which granted or continued the ſame reſpectively, ſhall continue in full Force and Effect, and ſhall be applied, practiſed, and executed, for the raiſing, levying, collecting, recovering, paying, and applying, the ſaid Subſidies, Impoſts, and other Duties, according to the true Intent and Meaning of this preſent Act, as fully and effectually, to all Intents and Purpoſes, as if the ſaid Clauſes, Powers, and Proviſions, had been repeated and enacted in the Body of this preſent Act.

The Rate of Feather Beds, according to the Book of Rates 12 Car. II. repealed; and, in lieu thereof, all Feather Beds, and Feathers heretofore entered under that Denomination, which ſhall be imported into this Kingdom, ſhall be liable to the ſame Duties as Feathers for Beds, according to the Rate before mentioned.

CAP. XLIX.

An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies therein mentioned for the Service of the Year one thouſand ſeven hundred and ſeventy-ſix; and for further appropriating the Supplies granted in this Seſſion of Parliament; for giving further Relief to the Widows of Commiſſion and Warrant Officers of the Royal Navy; and for making forth Duplicates of Exchequer Bills, Lottery Tickets, Certificates, Receipts, Annuity Orders, and other Orders, loſt, burnt, or deſtroyed.

Moſt Gracious Sovereign,

Preamble. 'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament 'aſſembled, towards raiſing the neceſſary Supplies which we have chearfully granted to your Ma- 'jeſty in this Seſſion of Parliament, have reſolved to give and grant to your Majeſty the Sum herein after 'mentioned; and do therefore moſt humbly beſeech your Majeſty that it may be enacted,' *&c.*

"1,837,428 *l.* 3 *s.* 10 *d* granted out of the Sinking Fund, for the Service of the current Year. Treaſury "impowered to raiſe the ſaid Sum, or any Part thereof, by Loans or Exchequer Bills, on the Credit of "the Sinking Fund. All Perſons who ſhall lend any Money upon the Credit of this Act to have a Tally "of Loan, with Orders for Repayment of the Money, with Intereſt. Orders to be regiſtered in Courſe. "No undue Preference to be given in Payment. No Fee to be taken, on Forfeiture of Treble Damages, "with full Coſts. No undue Preference in point of Regiſtry or Payment to be made. Auditor, *&c.* "neglecting his Duty, liable for Damages, *&c.* to be recovered at *Weſtminſter*. No undue Preference in "the regiſtering, where Orders are brought the ſame Day; nor if ſubſequent Orders are paid before others "not brought in Courſe, ſo as Money be reſerved for the preceding Orders. Orders may be aſſigned. If "it ſhall be judged more adviſeable, the Treaſury may raiſe the ſaid Sum by Exchequer Bills inſtead of "Loans; and the Bills in ſuch Caſe to be made as thoſe preſcribed by the Malt Act of this Seſſion. All "Advantages and Penalties in the Malt Act of this Seſſion, relating to Loans or Exchequer Bills thereby "authoriſed to be made forth, extended to this Act. The ſaid Exchequer Bills, Intereſt, and Charges, "are to be paid out of the Sinking Fund. Bank authoriſed to lend to his Majeſty the Sum of 1,837,428 *l.* "3 *s.* 10 *d.*; notwithſtanding Act 5 & 6 *Gul. & Mariæ*. The Sum of 980,441 *l.* 1 *s.* 1 *d.* 2 *q.* Surplus of "the Sinking Fund in the Exchequer on *April* 5, 1776;—and ſuch Monies as ſhall be paid into the Ex- "chequer between *April* 5, 1776, and *April* 5, 1777, of the Produce of the Duties on *Gum Senega* and "*Gum Arabic*;—11,444 *l.* 4 *s.* 3 *d* 1 *q.* remaining in the Exchequer of the Duties on Rice exported, and "Apples imported, Cambrics and Sugars, granted by 6 *Geo* III.;—and Monies paid by Counties who "have not raiſed Militia;—and alſo of Impreſt-monies repaid;—ſhall be applied towards making good the "Supply. Out of the Surplus of the Sinking Fund, 2,905 *l.* 8 *s* 2 *d.* to be applied for ſupporting the "neceſſary Expences of Forces in *America*, *Nova Scotia*, *Newfoundland*, and the ceded Iſlands, for the "Year 1776,—15,072 *l.* 12 *s.* towards defraying the Charge of Levy-money for the Year 1776,—and "7,938 *l.* 15 *s.* towards defraying the Charge of augmenting his Majeſty's Forces. The Monies ariſing "by the Malt Tax;—Land Tax;—1,500,000 *l.* by Exchequer Bills;—Monies ariſing by the Annuities "and Lottery;—one million by the Vote of Credit; and 980,441 *l.* 1 *s.* 1 *d.* 2 *q.* remaining in the Ex- "chequer on *April* 5, 1776; and ſuch Monies as ſhall be paid into the Exchequer between *April* 5, 1776, "and *April* 5, 1777, of the Produce of the Duties on *Gum Senega* and *Gum Arabic*; and 11,141 *l.* 4 *s* 3 *d.* "1 *q.*

" 1 *q.* of the Monies on Rice exported, and Duties on Apples imported, and on Sugars and Cambrics, by " Act 6 *Geo.* III.; and the Monies paid by Counties who have not raiſed Militia; and the Impreſt-monies " repaid; and 1,837,428 *l.* 3 *s.* 10 *d.* by this Act granted, out of the Exceſſes, *&c.* compoſing the Sink- " ing Fund; together with the Money ariſing from the Sale of *French* Prizes taken before the Declaration " of War; and alſo ſuch Sums of Money as his Majeſty ſhall direct to be applied to the public Service, " out of the Sale of the ceded Iſlands in the *Weſt Indies*; ſhall be applied to the Uſes following: " 2,222,055 *l.* 19 *s.* 6 *d.* towards Naval Services; 5000 *l.* to the Royal Hoſpital for Seamen at *Greenwich*, " *&c.*; 1,000,000 *l.* towards paying off and diſcharging the Debt of the Navy; 249,655 *l.* 18 *s.* 6 *d.* for " the Charges of the Office of Ordnance; 223,171 *l.* 11 *s.* 11 *d.* for the Charges of the Office of Ordnance " not provided for in 1775; 3,474,450 *l.* 4 *s.* 4 *d.* 3-8ths, towards maintaining the Land Forces; of which " 659,200 *l.* 2 *s.* 10 *d.* 7-8ths of a Penny, for defraying the Charges of 20,752 effective Men, *&c.* and " 3213 Invalids, for Guards, *&c.* in *Great Britain*, &c.; 720,527 *l.* 3 *s.* 5 *d.* 3 *q.* for Forces and Gar- " riſons in *Africa*; 42,530 *l.* 19 *s.* 4 *d.* to make good the Difference of Pay between the *Britiſh* and *Iriſh* " Eſtabliſhment of Troops ſerving in *America*; 11,505 *l.* 7 *s.* 3 *d.* for General and General Staff Officers " in *Great Britain*; 89,063 *l.* 14 *s.* for Levy-money; 26,783 *l.* 15 *s.* 2½ *d.* for five *Hanoverian* Battalions " at *Gibraltar* and *Minorca*, in the Year 1775; 46,838 *l.* 1 *s.* 9 *d.* for five *Hanoverian* Battalions at *Gib-* " *raltar*, &c. in 1776; 47,400 *l.* 12 *s.* for a Regiment of Highlanders; 80,984 *l.* 13 *s.* 2 *d.* for ſeveral " Augmentations to his Majeſty's Forces, *&c.*; 381,887 *l.* 4 *s.* 5½ *d.* for 12,394 *Heſſians*, &c.; 121,475 *l.* " 12 *s.* 1 *d.* for 4,300 *Brunſwickers*, &c.; 19,006 *l.* 19 *s.* 3 *d* 3 *q.* for a Regiment of Foot of *Hanau*, &c.; " 16,483 *l.* 1 *s.* 0 *d.* 3 *q.* for a Regiment of *Waldeck*, &c.; 13,973 *l.* 16 *s.* for the Artillery of the Land- " grave of *Heſſe-Caſſel*; 4,244 *l.* 12 *s.* 6 *d.* for Levy-money for the ſaid Artillery; 3,383 *l.* 6 *s.* 8 *d.* for " the Artillery of *Hanau*; 608 *l.* for Penſions to Officers Widows, *&c.*; 97,575 *l.* 12 *s.* to the reduced " Officers of the Land Forces and Marines; 850 *l.* 19 *s.* 6 *d.* to the two Troops of Horſe Guards re- " duced, *&c.*; 107,512 *l.* 10 *s.* to the Out-penſioners of *Chelſea Hoſpital*; 137,448 *l.* 7 *s.* to ſix Regiments " of Foot from *Ireland*, &c.; 845,165 *l.* 14 *s.* 8 *d.* 1 *q.* towards extraordinary Expences of the Land Forces, " *&c.* not provided for; 1,250,000 *l.* for diſcharging Exchequer Bills of laſt Seſſion; 7,406 *l.* 3½ *d.* to " make good to his Majeſty the like Sum iſſued in purſuance of the Addreſſes of the Houſe of Commons; " 3,086 *l.* for the Civil Eſtabliſhment of *Georgia*; 4,950 *l.* for the Civil Eſtabliſhment of *Eaſt Florida*; " 4,950 *l.* for the Civil Eſtabliſhment of *Weſt Florida*; 4,246 *l.* 10 *s.* 5 *d.* for ſupporting the Civil Eſta- " bliſhment of *Nova Scotia*; 1,885 *l.* 4 *s.* for defraying Expences attending Surveys in *North America*; " 13,000 *l.* for repairing and maintaining the Forts in *Africa*; 5,550 *l.* for ſupporting the Civil Eſtabliſh- " ment of *Senegambia*; 6,996 *l.* 10 *s.* 10 *d.* on account of the Expence of new Roads, *&c.* in the High- " lands of *Scotland*; 2000 *l.* to the Commiſſioners of *Weſtminſter* Bridge; 92,421 *l.* 14 *s.* 11 *d.* 1 *q.* to make " good the Deficiency of the Sum granted by Parliament in 1774, for recoining the deficient Gold Coin; " 44,096 *l.* 5 *s.* 10½ *d.* to the Sinking Fund, to make good the Deficiency on *July* 5, 1775; and 37,348 *l.* " 12 *s.* 7 *d.* to make good the Deficiency of Grants for the Service of 1775. The ſaid Aids to be applied " only to the Uſes before mentioned. By Act 15 *Geo.* III. a Sum not exceeding 105,326 *l.* 16 *s.* 8 *d.* " was appropriated to be paid to reduced Officers: Overplus-monies, above ſatisfying ſaid Officers, to be " diſpoſed of to Officers who were maimed, *&c.* in the late Wars, or to Officers Widows and Children, " as his Majeſty ſhall direct. After *June* 24, 1776, the Allowance of the Wages, *&c.* of the one other " Seamen in every hundred ſhall be continued till the Number employed in the Royal Navy amounts to " 30,000. Barons of the Exchequer, on Proof made before them of Exchequer Bills, Lottery Tickets, " *&c.* being loſt or deſtroyed, ſhall grant a Certificate of the ſame; on producing whereof to the proper " Officers, and on giving them ſufficient Security, they are to make out Duplicates of ſaid Bills, *&c.* and " to diſcharge the ſame."

CAP. L.

An Act to indemnify ſuch Perſons as have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and to indemnify Members and Officers, in Cities, Corporations, and Borough Towns, whoſe Admiſſions have been omitted to be ſtamped according to Law, or, having been ſtamped, have been loſt or miſlaid; and for allowing them Time to provide Admiſſions duly ſtamped; and to give further Time to ſuch Perſons as have omitted to make and file Affidavits of the Execution of Indentures of Clerks to Attornies and Solicitors.

" Perſons who have omitted to take the Oaths appointed by Act 1 *Geo.* I. or to have qualified themſelves " according to the Act 13 *Car.* II. or according to the 25 *Car.* II. or according to the 30 *Car.* II. or ac- " cording to the 8 *Geo.* I. or according to the 9 *Geo.* II. or according to the 18 *Geo.* II. or according to " the 6 *Geo.* III. ſuch Perſons qualifying themſelves before the paſſing of this Act, or before *Dec.* 25, 1777, " are indemnified againſt Forfeitures, Incapacities, or Diſabilities incurred by Omiſſion or Neglect. Per- " ſons producing Appointments and Admiſſions before *Dec.* 25, 1777, ſhall be confirmed, and qualified to " act as Clerk, Officer, or Member of Corporations, *&c.* may enjoy all Offices into which they have " been elected; and ſhall be indemnified from all Penalties and Damages incurred by reaſon of Omiſſions. " This Act not to extend to reſtore Perſons to any Office avoided by Judgment of any of the King's Courts " of Record. Perſons who ſhall cauſe Affidavits to be made and filed, on or before the firſt Day of " *Michaelmas* Term 1776, of the actual Execution of Contracts in Writing to ſerve as Clerks to Attornies " or Solicitors, are indemnified and diſcharged from Penalties, Forfeitures, Incapacities, and Diſabilities " incurred or to be incurred by Neglect or Omiſſion."

CAP.

CAP. LI.

An Act for granting further Time for allowing the Drawback upon the Exportation of Muſlins and Callicoes, imported by the *Eaſt India* Company in the Years one thouſand ſeven hundred and ſeventy-three, and one thouſand ſeven hundred and ſeventy-four; for allowing further Time to the ſaid Company to expoſe to Sale ſuch Bohea and Singlo Teas and Coffee as remained unſold on the fifth Day of *April* one thouſand ſeven hundred and ſeventy-ſix; and alſo ſuch Bohea Teas as ſhall be imported on or before a certain Time; and for allowing the Drawbacks on the Exportation of ſuch Teas and Coffee; and for granting further Time for allowing the Drawback on the Exportation of Coffee imported in the Ship *Shrewſbury*, in the Year one thouſand ſeven hundred and ſeventy-three.

Preamble.

'WHEREAS there are great Quantities of Muſlins and White Callicoes remaining in this King-
'dom, which were imported by the United Company of Merchants of *England* trading to the *Eaſt*
'*Indies*, in the Years one thouſand ſeven hundred and ſeventy-three, and one thouſand ſeven hundred and
'ſeventy-four, and which, by reaſon of the Interruption given to Trade by the Rebellion and Diſturb-
'ances ſubſiſting in ſeveral of the *Britiſh* Colonies in *North America*, the Proprietors of ſuch Goods may
'not be able to export within the Term of three Years from the Importation thereof, being the Time
'limited by Law to intitle them to receive the Drawback of the Duties thereon, and it is reaſonable and
'neceſſary that ſome further Time ſhould be granted for the Exportation of ſuch Goods:' May it there-
fore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for all Muſlins and White Callicoes which were imported by the ſaid United Company into this Kingdom, in the Year one thouſand ſeven hundred and ſeventy-three, and which ſhall be exported from hence before the thirtieth Day of *December* one thouſand ſeven hundred and ſeventy-eight; and for all Muſlins and White Callicoes imported into this Kingdom by the ſaid United Company in the Year one thouſand ſeven hundred and ſeventy-four, which ſhall be exported from hence before the thirtieth Day of *December* one thouſand ſeven hundred and ſeventy-nine; whether ſuch Muſlins or Callicoes ſhall have been printed, painted, ſtained, or dyed, in this Kingdom or not, the Exporter or Exporters of ſuch Goods ſhall be allowed and paid the ſame Drawbacks, under the like Rules, Regulations, Securities, Penalties, and Forfeitures, as ſuch Exporter or Exporters would be intitled and liable to, in caſe ſuch Goods had been exported within the Term of three Years from the Importation thereof, any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

The Term of three Years extended to five, in relation to the exporting of Muſlins and White Callicoes, &c.

Preamble.

'II. And whereas, by ſeveral Acts of Parliament now in Force for granting, continuing, and better
'ſecuring the Duties payable *ad valorem* upon unrated *Eaſt India* Goods, and for aſcertaining the Va-
'lues thereof, according to which ſuch Duties ſhall be paid, the Importer or Importers thereof are to give
'Security by Bond for Payment of the ſaid Duties according to the real Values of the ſaid Goods, to be
'aſcertained according to the reſpective Acts of Parliament in that Behalf made (except Coffee), as ſoon
'as the ſaid Goods ſhall be ſold, and alſo for expoſing the ſaid Goods to Sale openly and fairly, by Way of
'Auction, or by Inch of Candle, within the City of *London*, within the Term of three Years after the
'Importation thereof: And whereas by an Act, made in the fourteenth Year of the Reign of his preſent
'Majeſty, intituled, *An Act for granting further Time to the United Company of Merchants of* England
'*trading to the* Eaſt Indies, *to expoſe to Sale the Singlo and Bohea Teas remaining in their Warehouſes unſold on*
'*the fifth Day of* April *one thouſand ſeven hundred and ſeventy-four, and for allowing the Drawbacks on the*
'*Exportation of ſuch Teas*, it was (amongſt other Things) enacted, That for ſuch of the ſaid Bohea Teas
'as were then imported, and which remained unſold on the ſaid fifth Day of *April* one thouſand ſeven
'hundred and ſeventy-four, the ſaid United Company might, at any Time within the Space of four
'Years, to be computed from the Importation thereof, expoſe ſuch Teas to Sale; and that after ſuch
'Sale or Sales there ſhould be allowed the like Diſcounts, on Payment of the Duties on ſuch Teas, as if
'the ſame had been expoſed to Sale within the Term of three Years before mentioned, or any other Time
'theretofore limited by Law: And whereas a great Part of the ſaid Bohea Tea, imported by the ſaid
'United Company, and remaining in their Warehouſes unſold on the ſaid fifth Day of *April* one thou-
'ſand ſeven hundred and ſeventy-four, yet remains unſold; and over and beſides ſuch Bohea Tea, the
'ſaid Company have ſince that Time imported a further conſiderable Quantity of Bohea Tea, which remain-
'ed in their Warehouſes unſold on the fifth Day of *April* one thouſand ſeven hundred and ſeventy-ſix, and
'they expect to import and receive, before the thirty-firſt Day of *December* one thouſand ſeven hundred
'and ſeventy-ſix, a further conſiderable Quantity of Bohea Tea in ſundry Ships now coming Home from
'*China*; and the ſaid Company had alſo in their Warehouſes unſold, on the ſaid fifth Day of *April* one
'thouſand ſeven hundred and ſeventy-ſix, a great Quantity of Singlo Teas and Coffee, and by reaſon of
'the Interruption given to Trade by the Diſturbances in ſeveral of the *Britiſh* Colonies in *America*, the
'ſaid Quantity of Bohea Tea, imported before the ſaid fifth Day of *April* one thouſand ſeven hundred
'and ſeventy-four, and remaining unſold on the fifth Day of *April* one thouſand ſeven hundred
'and ſeventy-ſix, cannot be expected to be ſold by the ſaid Company within the Term of four Years al-
'lowed for that Purpoſe by the ſaid Act of the fourteenth Year of the Reign of his preſent Majeſty; nor
'can it be expected that the ſaid other Bohea Teas herein before mentioned, the ſaid Singlo Teas, and
'Coffee, ſhould be ſold by the ſaid Company within the Term of three Years, to be computed from the
'reſpective Times of the Importation of ſuch Teas and Coffee, and it is neceſſary that ſome further Time
'ſhould be granted to the ſaid Company to put their ſaid Teas and Coffee up to Sale;' be it therefore enacted by

Recital of an Act 14 Geo. III.

by the Authority aforeſaid, That as well for ſuch of the ſaid Bohea Teas, Singlo Teas, and Coffee, as remained unſold on the fifth Day of *April* one thouſand ſeven hundred and ſeventy-ſix, as alſo for ſuch Bohea Teas as hereafter ſhall be imported at any Time or Times on or before the thirty-firſt Day of *December* one thouſand ſeven hundred and ſeventy-ſix, the ſaid United Company may, at any Time within the Space of five Years, to be computed from the Importation thereof, expoſe ſuch reſpective Teas and Coffee to Sale, and after ſuch Sale or Sales there ſhall be allowed the like Diſcounts, on Payments of the reſpective Duties on ſuch Teas and Coffee, as if the ſame had been expoſed to Sale within the Term of three Years, or any other Time heretofore limited by Law, any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

East India Company to be allowed uſual Diſcounts on the Sale of all Teas and Coffee, within five Years after the Importation thereof.

III. And be it further enacted by the Authority aforeſaid, That, for and during the ſaid Term of five Years, to be computed as aforeſaid, there ſhall be drawn back and allowed for all the ſaid Teas and Coffee, which ſhall be exported from this Kingdom as Merchandiſe to *Ireland*, or any of the *Britiſh* Colonies or Plantations in *America*, to the Exporter or Exporters thereof, ſuch and the ſame Drawbacks or Allowances, and under ſuch Rules, Regulations, Securities, Penalties, and Forfeitures, as ſuch Exporter or Exporters would have been intitled to in caſe ſuch Teas and Coffee had been exported within the Term of three Years from the reſpective Times of the Importation thereof; any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

The Term of three Years extended to five, in relation to the Drawback on exporting Teas and Coffee to Ireland and America.

'IV. And whereas, by reaſon of the ſaid Interruption to Trade, a great Part of the Coffee imported 'by the ſaid United Company in the Ship *Shrewſbury*, in the Year one thouſand ſeven hundred and 'ſeventy-three, and which hath been ſold by the ſaid United Company, yet remains uncleared in their 'Warehouſes, belonging to the Buyers thereof, and the ſame cannot be exported within three Years after 'the Importation thereof,' be it therefore further enacted by the Authority aforeſaid, That if the ſaid Coffee, imported by the ſaid Ship *Shrewſbury*, in the Year one thouſand ſeven hundred and ſeventy-three, and now remaining uncleared in the ſaid Company's Warehouſes, ſhall be exported at any Time within five Years, to be computed from the Importation thereof, there ſhall be drawn back and allowed for the ſame, to the Exporter or Exporters thereof, ſuch and the ſame Drawbacks or Allowances, and under ſuch Rules, Regulations, Securities, Penalties, and Forfeitures, as ſuch Exporter or Exporters would have been intitled to in caſe ſuch Coffee had been exported within the Term of three Years from the Importation thereof; any Law, Cuſtom, or Uſage, to the contrary notwithſtanding.

The ſame Time allowed for exporting Coffee, brought by the Shrewſbury, in 1773, and yet remaining in the Company's Warehouſes.

V. Provided always, and be it further enacted by the Authority aforeſaid, That if the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*, ſhall at any Time neglect to keep the Market ſupplied with a ſufficient Quantity of Tea at reaſonable Prices, to anſwer the Conſumption thereof in *Great Britain*, it ſhall and may be lawful to and for the Commiſſioners of the Treaſury, or any three or more of them, or for the Lord High Treaſurer for the Time being, to grant Licences to any other Perſon or Perſons, Body or Bodies Politic or Corporate, to import into *Great Britain*, from any Parts of *Europe*, in ſuch and the like Manner, and ſubject to ſuch Duties, and under ſuch Reſtrictions and Limitations, and upon ſuch Notices, and with ſuch Licences, as are by any Act or Acts now in Force preſcribed and directed with reſpect to Tea to be imported from any Parts of *Europe* by the ſaid United Company of Merchants of *England* trading to the *Eaſt Indies*; any Thing contained in this Act to the contrary thereof in anywiſe notwithſtanding.

In caſe the Company neglect to ſupply the Home Market with Tea, at reaſonable Prices, Commiſſioners of the Treaſury may grant Licenſes to any Perſons to import the ſame.

CAP. LII.

An Act to declare his Majeſty's natural-born Subjects inheritable to the Eſtates of their Anceſtors, whether Lineal or Collateral, in that Part of *Great Britain* called *Scotland*, notwithſtanding their Father or Mother were Aliens.

Preamble.

'WHEREAS by an Act, made in the Parliament of *England*, in the eleventh and twelfth Years of 'the Reign of his late Majeſty King *William* the Third, (intituled, *An Act to enable his Majeſty's 'natural-born Subjects to inherit the Eſtate of their Anceſtors, either Lineal or Collateral, notwithſtanding their 'Father or Mother were Aliens*,) it is enacted, That all and every Perſon or Perſons, being the King's 'natural-born Subject or Subjects, within any of the King's Realms or Dominions, ſhall and may hereafter lawfully inherit, and be inheritable, as Heir or Heirs to any Honours, Manors, Lands, Tenements, or Hereditaments, and make their Pedigrees and Titles by Deſcent from any of their Anceſtors, 'Lineal or Collateral, although the Father and Mother, or Fathers or Mothers, or other Anceſtor of 'ſuch Perſon or Perſons, by, from, through, or under whom he, ſhe, or they, may make or derive their 'Title or Pedigree, were or was, or is or are, or ſhall be, born out of the King's Allegiance, and out of 'his Majeſty's Realms and Dominions, as freely, fully, and effectually, to all Intents and Purpoſes, as if 'ſuch Father or Mother, or Fathers or Mothers, or other Anceſtor or Anceſtors, by, from, through, or 'under whom, he, ſhe, or they, ſhall or may make or derive their Title or Pedigree, had been naturalized, or natural-born Subject or Subjects within the King's Dominions; any Law or Cuſtom to the 'contrary notwithſtanding: And whereas Doubts have ariſen whether the Proviſion of the aforeſaid Statute would take place in *Scotland* by the Rules of the Common Law thereof, and it is reaſonable that 'the ſame Rule of Succeſſion ſhould take place in both Parts of the United Kingdom, and that ſuch 'Doubts ſhould be removed;' be it therefore declared and enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all and every Perſon or Perſons, being the King's natural-born Subject or Subjects within this United Kingdom, or any other of the King's Realms or Dominions, ſhall and may hereafter lawfully inherit, and be inheritable, in *Scotland*, as Heir or Heirs to any Honours, Manors, Lands, Tenements, or Hereditaments, and make their Pedigrees and

Act 11 and 12 Gul. III.

All Perſons, being the King's natural-born Subjects, ſhall inherit as Heirs to any Manors,

Lands, &c. in Scotland, although their Fathers or Mothers, &c. under whom they make their Title, were Aliens.

and Titles by Deſcent from any of their Anceſtors, Lineal or Collateral, although the Father and Mother, or Fathers or Mothers, or other Anceſtor of ſuch Perſon or Perſons, by, from, through, or under whom he, ſhe, or they ſhall or may make or derive their Title or Pedigree, were or was, or is or are, or ſhall be, born out of the King's Allegiance, and out of his Majeſty's Realms and Dominions, as freely, fully, and effectually, to all Intents and Purpoſes, as if ſuch Father or Mother, or Fathers or Mothers, or other Anceſtor or Anceſtors, by, from, through, or under whom he, ſhe, or they ſhall or may make or derive their Title or Pedigree, had been naturalized or natural-born Subject or Subjects within the King's Dominions; any Law or Cuſtom to the contrary notwithſtanding.

No Perſon to inherit as Heir to any Perſon dying poſſeſſed of Manors, Lands, &c. through any Alien Anceſtor, unleſs the Claimant was in being at the Time of ſuch Perſon's Death.

II. Provided always, and be it further enacted, That no Perſon or Perſons ſhall be hereby enabled to inherit as Heir or Heirs, or Co-heir or Co-heirs, to any Perſon dying ſeiſed of any Manors, Lands, Tenements, or Hereditaments, in Poſſeſſion, Reverſion, or Remainder, through any Alien, Anceſtor or Anceſtors, unleſs the Perſon or Perſons ſo claiming or deriving his or their Title as Heir or Heirs, Co-heir or Co-heirs, was or were, or ſhall be in being, and capable to take the ſame Eſtate as Heir or Heirs, Co-heir or Co-heirs, at the Death of the Perſon who ſhall ſo laſt die ſeiſed of ſuch Manors, Lands, Tenements, or Hereditaments, and to whom he, ſhe, or they ſhall ſo claim to be Heir or Heirs, Co-heir or Co-heirs.

Regulations with regard to the Succeſſion, when the Deſcent ſhall fall upon a Daughter, and a Son, &c. ſhall afterwards be born.

III. Provided alſo, and be it further enacted, That in caſe the Perſon or Perſons who ſhall be in being, and capable to take, at the Death of the Anceſtor ſo dying ſeiſed of any ſuch Honours, Manors, Lands, Tenements, or Hereditaments, and upon whom the Deſcent ſhall be caſt, ſhall happen to be a Daughter or Daughters of any Alien, and that the Alien Father or Mother, through whom ſuch Deſcent ſhall be derived by ſuch Daughter or Daughters, ſhall afterwards have a Son born within any of his Majeſty's Realms or Dominions, the Deſcent ſo caſt upon ſuch Daughter or Daughters ſhall be diveſted in Favour of ſuch Son, and ſuch Son ſhall inherit and take the Eſtate, in like Manner as is allowed by the Common Law in Caſes of the Birth of a nearer Heir; or in caſe ſuch Father or Mother ſhall have no Son or Sons, but ſhall have one or more Daughter or Daughters afterwards born within any of his Majeſty's Realms or Dominions, the Daughter or Daughters ſo born afterwards ſhall inherit and take in Coparcenary with the Daughter or Daughters upon whom the Deſcent ſhall be caſt at the Death of the Anceſtor laſt ſeiſed; any Thing in this Act contained to the contrary notwithſtanding.

CAP. LIII.

An Act to continue the Corporation of the Guardians of the Poor within the *Iſle of Wight*, and to confirm the Powers and Authorities now veſted in the ſaid Corporation, and to provide new Powers and Regulations for the Members of the ſame; and to repeal an Act, paſſed in the eleventh Year of the Reign of his preſent Majeſty, intituled, *An Act for eſtabliſhing a Houſe or Houſes of Induſtry in the* Iſle of Wight, *for the Reception, Maintenance, and Employment, of the Poor belonging to the ſeveral Pariſhes and Places within the ſaid Iſland.*

Preamble.

Recital of the former Act, 11 Geo. III.

'WHEREAS by an Act, paſſed in the eleventh Year of the Reign of his preſent Majeſty, intituled, *An Act for eſtabliſhing a Houſe or Houſes of Induſtry in the* Iſle of Wight, *for the Reception, Maintenance, and Employment, of the Poor belonging to the ſeveral Pariſhes and Places within the ſaid Iſland*, all and every the Perſon and Perſons qualified as therein is mentioned were incorporated, by the Name of *The Guardians of the Poor within the Iſle of Wight*; and the ſaid Guardians were thereby required to meet at a certain Time and Place therein mentioned, and being ſo aſſembled, to proceed in the Manner therein directed, by Way of Ballot, to the Choice of twenty-four of the Guardians, which twenty-four Perſons ſo choſen ſhould be called *Directors of the Poor within the Iſle of Wight*: And whereas it was thereby enacted, That it ſhould and might be lawful to and for the ſaid Directors (until the acting Guardians therein directed to be choſen ſhould be choſen) and for the ſaid Directors and acting Guardians (after the ſaid acting Guardians ſhould be choſen) from Time to Time, to borrow any Sum or Sums for the Purpoſes of the ſaid Act, not exceeding in the Whole the Sum of twelve thouſand Pounds, at an Intereſt not exceeding four Pounds *per Centum per Annum*; and to aſſign over, in the Manner therein mentioned, all or any Part of the Poor's Rates, to be collected within the ſaid *Iſle of Wight* in purſuance of the ſaid Act, as a Security for the Repayment of the Principal and Intereſt of the Money ſo to be borrowed: And, in order that the Sum to be borrowed for the Purpoſes of the ſaid Act might be the leſs burthenſome, it was enacted, That the ſeveral Workhouſes then belonging to the ſeveral and reſpective Pariſhes in the *Iſle of Wight* aforeſaid, together with the Lands thereunto belonging, ſhould be veſted, and the ſame were thereby veſted, in Sir *John Barrington* of *Swainſton* in the ſaid *Iſle of Wight* Baronet, Sir *Richard Worſley* of *Appuldurcombe* in the ſaid *Iſle of Wight* Baroner, and Sir *William Oglander* of *Nunwell* in the ſaid *Iſle of Wight* Baronet, and their Heirs and Aſſigns for ever, upon Truſt, that they the ſaid Sir *John Barrington*, Sir *Richard Worſley*, and Sir *William Oglander*, and their Heirs, ſhould ſell and convey the ſaid ſeveral and reſpective Houſes and Lands to ſuch Perſon or Perſons as ſhould be willing to purchaſe the ſame, and ſhould pay the Monies ariſing by ſuch Sale or Sales into the Hands of the Treaſurer or Treaſurers of the ſaid Corporation, to be applied for defraying the Expences of obtaining and other the Purpoſes of the ſaid Act; moſt of which ſaid ſeveral Houſes and Lands have been ſince ſold and conveyed accordingly: And by the ſaid Act his Majeſty was enabled to make a Grant, under the Exchequer Seal, of ſuch Part or Portion of the Foreſt of *Parkhurſt*, in the ſaid *Iſle of Wight*, (of which Foreſt his ſaid Majeſty is in the ſaid Act mentioned to be ſeiſed in Right of his Crown) as his

' ſaid

'ſaid Majeſty's Governor of the *Iſle of Wight* for the Time being, Sir *John Barrington* of *Swainſton* in the 'ſaid *Iſle of Wight* Baronet, Sir *William Oglander* of *Nunwell* in the ſaid *Iſle of Wight* Baronet, *James* '*Worſley* of *Stenbury* in the ſaid *Iſle of Wight* Eſquire, *Henry Roberts* of *Standen* in the ſaid *Iſle of Wight* 'Eſquire, and the Reverend *Leonard Troughear Holmes* of *Weſtover* in the ſaid *Iſle of Wight* Clerk, or the 'Survivors of them, or any three or more of them, (of which Number the Governor for the Time being 'to be one) ſhould, within ſix Months from the paſſing of the ſaid Act, ſet out and allot for the Purpoſes 'of the ſaid Act not exceeding eighty Acres, (ſuch Grant to be made to the Guardians of the Poor 'within the *Iſle of Wight*, incorporated by the ſaid Act, for ſuch Time and Term of Years as his Ma-'jeſty ſhould think proper, notwithſtanding the Limitations of the Civil Liſt Act, made in the firſt Year 'of the Reign of her late Majeſty Queen *Anne*) and ſubject to ſuch Rents and Reſervations, and under 'ſuch Clauſes and Conditions, as are uſually reſerved and contained in like Caſes; and the Lands ſo to 'be granted ſhould be held by the ſaid Guardians, and their Succeſſors, in ſuch Manner, and to and for 'ſuch Uſes, Intents, and Purpoſes, as from Time to Time, ſhould ſeem moſt proper and convenient 'for effecting and accommodating the Purpoſes of the ſaid Act: And whereas, by Letters Patent under 'the Great Seal of *Great Britain*, bearing Date the twenty-firſt Day of *March* one thouſand ſeven hun-'dred and ſeventy-two, his ſaid Majeſty did demiſe, grant, and to farm let, unto the Guardians of the 'Poor within the *Iſle of Wight*, for the Time being, and their Succeſſors, all that Piece or Parcel of 'Land (Part of the Foreſt of *Parkhurſt*, in the *Iſle of Wight*, in the County of *Southampton*) ſituate, lying, 'and being, on the eaſt End of the ſaid Foreſt, and containing, by Eſtimation, eighty Acres of Ground, 'Statute Meaſure; bounded on the Eaſt by a Part of a certain Farm there, called *Dodner Farm*, and by 'Part of a certain other Farm there, called *Saint Croſs Farm*; on the Weſt by a certain High Road or 'Way, leading from the Town of *Newport*, through the ſaid Foreſt, to *Weſt Cowes*; on the North by 'other Part of the ſaid Foreſt, commonly called or known by the Name of *Werrow Common*; and on the 'South by other Part of the ſaid Foreſt; together with all Ways, Paſſages, Waters, Watercourſes, Pro-'fits, Commodities, Advantages, Hereditaments, and Appurtenances whatſoever, to the ſaid Piece or 'Parcel of Ground belonging or in anywiſe appertaining (except as in the ſaid recited Letters Patent is 'excepted); which ſaid Piece or Parcel of Ground, being of an irregular Form, is more particularly de-'ſcribed in a Plan thereof remaining in the Office of his Majeſty's Surveyor General; to have, hold, and 'enjoy, the ſaid Piece or Parcel of Land by the ſaid Letters Patent granted and demiſed, with their and 'every of their Appurtenances (except as therein is excepted) unto the ſaid Guardians and their Suc-'ceſſors, for the Term of nine hundred and ninety-nine Years, to begin, commence, and be computed, 'from the Date of the ſaid Letters Patent, from thence next enſuing, and fully to be complete and ended, 'at and under the yearly Rent of eight Pounds ſeventeen Shillings and Nine-pence, payable as therein is 'mentioned, and under divers Covenants and Agreements therein contained: And whereas the Directors 'and acting Guardians of the Poor within the ſaid *Iſle of Wight*, from Time to Time choſen and elected 'under and by virtue of the ſaid Act, have made a conſiderable Progreſs in erecting a Houſe of Induſtry, 'together with all other convenient Buildings for the Lodging and Employment of the Poor, as thereby 'directed, and in carrying into Execution the other Powers thereby to them granted; but find, that by 'reaſon of the Inſufficiency of the Sum of Money they are authoriſed to borrow for the Purpoſes of the 'ſaid Act, (and which they have already taken up and borrowed) and on Account of ſome Defects there-'in, the good Purpoſes intended by the ſaid Act cannot be completely effected without the further Aid of 'Parliament: And whereas the Purpoſes thereby intended might be better effected, if the ſeveral Clauſes, 'Powers, and Regulations, for the good Government of the Poor of the ſaid Iſland, already made and 'provided by the ſaid Act, and hereby further intended to be made and provided, were reduced into one 'Law;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Corporation erected by the above-recited Act, by the Name of *The Guardians of the Poor within the Iſle of Wight*, ſhall for ever, in Fact and in Name, be one Body Politic and Corporate in Law, to all Intents and Purpoſes; and ſhall have perpetual Succeſſion, and a Common Seal, and ſhall be, and be called, *The Guardians of the Poor within the Iſle of Wight*, and ſhall be enabled to ſue and plead, and be ſued, by that Name, in all Courts and Places of Judicature within that Part of *Great Britain* called *England*; and by that Name ſhall and may, without Licence in Mortmain, purchaſe, take, or receive, any Lands, Tenements, or Hereditaments, of the Gift, Alienation, or Demiſe, of any Perſon or Perſons, for any Eſtate or Intereſt whatſoever; and all Perſons whatſoever are hereby enabled to convey or deviſe the ſame, and to give or bequeath any Money, Goods, and Chattels whatſoever, for the Uſe and Benefit of the Corporation aforeſaid.

Recital of his Majeſty's Letters Patent, dated March 21, 1772.

Guardians cannot effect the Purpoſes of the former Act, for want of Money, &c.

The old Corporation continued, &c.

May purchaſe or receive Lands, &c.

II. And be it further enacted, That all Perſons who are now Members of the ſaid Corporation, ſhall continue and be Members of the ſame, until the laſt *Thurſday* in *June* one thouſand ſeven hundred and ſeventy-ſix incluſive, and ſo long after as they have any of the Qualifications next herein after required, and no longer; and that, on and after the laſt *Thurſday* in *June* one thouſand ſeven hundred and ſeventy-ſix, all and every Perſon and Perſons who ſhall then be, and from Time to Time thereafter ſhall become ſeiſed or poſſeſſed, in his, her, or their own, or Wife's Right, of Lands, Tenements, Hereditaments, or Tithes, either in Fee or for Life, or for a long Term of Years abſolute, or determinable upon any Life or Lives, and rated to the Poor's Rates, in the reſpective Pariſhes and Places within the ſaid *Iſle of Wight*, at the Value of fifty Pounds *per Annum*; and all Heirs-apparent to Lands, Tenements, Tithes, or Hereditaments, rated as aforeſaid at the Value of one hundred Pounds *per Annum*; and alſo all Rectors and Vicars, for the Time being, of the ſeveral Rectories and Vicarages within the ſaid *Iſle of Wight*; and alſo all and every Perſon and Perſons who then, and from Time to Time thereafter, ſhall be rated to the

Who ſhall be Members of the Corporation.

Poor's Rates, in one or more Pariſh or Pariſhes within the ſaid Iſland, for Lands, Tenements, or Hereditaments, or Tithes, occupied and enjoyed by him, her, or them, at the Value of one hundred Pounds *per Annum*, ſhall be, and are hereby declared to be, Members of the ſaid Corporation, and Guardians of the Poor within the ſaid Iſland.

Corporation to continue the ſame; and to enjoy the Ground in the Foreſt of Parkhurſt, &c.

III. And be it further enacted, That, notwithſtanding any Alteration made by this Act in the Conſtitution of this Corporation, it ſhall continue and be one and the ſame Corporation, to all Intents and Purpoſes, with that which now exiſts, and has for ſome Time paſt exiſted, by the Name of *The Guardians of the Poor within the Iſle of Wight*; and that the ſaid Guardians of the Poor ſhall have, hold, and enjoy, the Piece or Parcel of Ground in the Foreſt of *Parkhurſt*, in the *Iſle of Wight*, which his Majeſty, by his Letters Patent, hath granted and demiſed unto them, for the Term, and ſubject to the Rents and Covenants, in the ſaid Letters Patent ſpecified and contained; and that the preſent Directors and acting Guardians of the Poor, and their Treaſurer and Clerks, and all other Officers of the ſaid Corporation, ſhall be and continue in their reſpective Offices until the laſt *Thurſday* in *June* one thouſand ſeven hundred and ſeventy-ſix, incluſive, unleſs in caſe of Death, Reſignation, or Removal.

Preſent Officers to continue till the laſt Thurſday in June, 1776.

Four General Quarterly Meetings to be held every Year.

Time and Place of firſt Meeting.

IV. And be it further enacted, That henceforth four General Quarterly Meetings ſhall be held by the Directors and acting Guardians in every Year, at the Times following; (that is to ſay) Between the Hours of Eleven and One, on the laſt *Thurſday* in *June*, the laſt *Thurſday* in *September*, the laſt *Thurſday* in *December*, and the laſt *Thurſday* in *March*; and that the firſt of the ſaid General Quarterly Meetings ſhall be held on the laſt *Thurſday* in *June* next enſuing the paſſing of this Act, at the *Sun Inn* in *Newport*, and the ſubſequent Meetings at ſuch Place as the Directors and acting Guardians preſent at the preceding General Quarterly Meeting ſhall, from Time to Time, direct and appoint; and that at the ſaid General Quarterly Meetings, all Directors and acting Guardians ſhall have a Right, and are hereby required, if in the ſaid Iſland, to give their Attendance: Provided always, That all Women who ſhall be qualified to be Guardians ſhall be, and are hereby authoriſed to act, at the ſaid General Quarterly Meetings by Proxy appointed under their Hands; and the Perſons appointing ſuch Proxies may, from Time to Time, revoke ſuch Appointment; and ſuch Proxies ſhall be granted to ſuch Perſons as ſhall be Guardians, but no more than one ſuch Proxy ſhall be granted to or received by any one Guardian whatſoever.

Women may act by Proxy.

Guardians to give in their Qualifications; and to defray their own Expences.

No Guardian, &c. to be concerned in any Contract.

V. And be it further enacted, That all and every the Guardians of the Poor aforeſaid ſhall, at the firſt Meeting at which he or ſhe ſhall act, deliver, or cauſe to be delivered, to the Clerk of the ſaid Corporation for the Time being, an Account in Writing, under his or her Hand, of his or her Qualification, and in what Pariſh or Pariſhes, Place or Places, the ſame is ſituate; and that the ſaid Directors and acting Guardians ſhall, at every Meeting to be held under this Act, defray their own Charges and Expences; and that no Perſon ſhall be capable of acting as a Director or Guardian under the Authority of this Act, during the Time he ſhall be concerned in, or have any Contract for the Performance of any Work, or ſupplying any Neceſſaries for carrying this Act into Execution, or the ſupporting of the ſaid Poor.

Officers to be elected at the Firſt Meeting.

VI. And be it further enacted, That at the firſt General Quarterly Meeting, in *June* one thouſand ſeven hundred and ſeventy-ſix, there ſhall be elected twenty-four Directors, thirty-ſix acting Guardians, one or more Treaſurer or Treaſurers, one Clerk, and ſuch other Officers for the Year enſuing, as the ſaid Guardians ſhall ſee neceſſary; all which ſaid Perſons ſhall be reſpectively elected in Manner following; (that is to ſay) The Guardians then aſſembled ſhall, between the Hours of Ten and Two of the Clock of the ſame Day, by a Majority of Voices of ſuch of them as ſhall be ſo aſſembled, appoint ſome one Guardian then preſent to be Preſident or Chairman of ſuch Meeting; and ſuch Perſon ſo elected Preſident or Chairman ſhall cauſe the reſt of the ſaid Guardians then aſſembled to proceed by Way of Ballot to the Choice of twenty-four of the Guardians (twelve of whom ſhall not have been Directors the preceding Year), which twenty-four Perſons ſo choſen ſhall be called *Directors of the Poor within the Iſle of Wight*; and the ſaid Guardians ſo aſſembled as aforeſaid, ſhall by Ballot elect and chuſe one or more other proper and ſubſtantial Perſon or Perſons to be Treaſurer or Treaſurers, and one other ſufficient Perſon to be Clerk of the ſaid Corporation of Guardians (who ſhall from Time to Time enter all their Proceedings in a Book or Books to be kept for that Purpoſe), and likewiſe ſuch other Officers as the ſaid Guardians ſhall find neceſſary for the Execution of this Act; and the ſaid Guardians ſhall and may take Security by Bond, in a ſufficient Penalty, with Sureties, from ſuch Treaſurer or Treaſurers, or other Officers, for the due Execution of his or their Office or Offices.

Officers to give Security.

Manner of electing acting Guardians.

VII. And be it further enacted, That the thirty-ſix acting Guardians ſhall be elected in Manner following; (that is to ſay) The ſeveral Perſon aſſeſſed to the Poor, within their ſaid ſeveral Pariſhes, ſhall aſſemble and meet at their ſeveral and reſpective Pariſh Churches, at ſuch Time as is herein after expreſſed, in order to proceed to the Nomination of ſuch Number of Perſons qualified as Guardians, reſident in ſuch Pariſh, (if ſo many can there be found, if not any Perſon or Perſons, qualified as aforeſaid, out of ſuch Pariſh) as ſhall be in the Proportion of one Guardian for every ſixty Pounds which ſuch Pariſh ſhall be aſſeſſed to pay to the Poor; the Names of which Guardians ſo nominated ſhall, by the Churchwarden or Churchwardens of the ſaid ſeveral and reſpective Pariſhes, be ſet down in Writing, and delivered or tranſmitted to the Clerk for the Time being of the ſaid Corporation, at leaſt ten Days before the ſaid firſt General Meeting in *June* one thouſand ſeven hundred and ſeventy-ſix; at which ſaid firſt Meeting the ſaid Directors ſhall ſet down in Writing ſuch Number of Guardians as ſhall, out of the Number of thirty-ſix acting Guardians to be elected as herein after mentioned, be the juſt and proper Number of Guardians to be allotted as Repreſentatives or Repreſentative of each ſuch Pariſh, in Proportion to the Sum aſſeſſed upon each ſuch Pariſh as aforeſaid; and thereupon the ſaid Directors and Guardians preſent at ſuch firſt General Meeting ſhall begin with the ſaid ſeveral Pariſhes in an alphabetical Order, and elect by Ballot, out of the whole Number of Guardians ſo returned by each reſpective Pariſh, ſuch Number, to be the acting Guardian or acting Guardians for ſuch Pariſh, as ſhall be ſo ſet down by the ſaid Directors to be the proper

proper Proportion of ſuch Pariſh in the ſaid Number of thirty-ſix Guardians; which ſaid thirty-ſix Guardians ſo elected ſhall be and continue acting Guardians, until new ſucceeding acting Guardians ſhall be elected, and be in Office in their Place and Stead, in Manner hereafter mentioned.

Six Weeks Notice to be given of the firſt General Quarterly Meeting.

VIII. And be it further enacted, That the preſent Clerk of the ſaid Corporation of Guardians ſhall give at leaſt ſix Weeks previous Notice of the Time and Place of ſuch firſt General Quarterly Meeting, by cauſing Notices thereof in Writing to be affixed at the principal Door of the ſeveral Pariſh Churches in the ſaid Iſland, to the Intent that the ſeveral Perſons aſſeſſed to the Poor, within their ſaid ſeveral Pariſhes, may aſſemble and meet at their ſaid reſpective Pariſh Churches, on ſuch Day as ſhall in ſuch Notice be expreſſed, not later than three Weeks after the Time of giving ſuch Notice, in order to proceed to the Nomination of Guardians in Manner before mentioned.

Directors, Treaſurer, and Clerk, to be elected annually.

IX. And be it further enacted, That at all future General Meetings to be held on the laſt *Thurſday* in *June* in every Year, after the laſt *Thurſday* in *June* next enſuing the paſſing of this Act, the Directors then and there preſent ſhall, by Ballot, proceed to elect twenty-four of the Guardians (twelve of whom ſhall not have been Directors for the preceding Year) to be Directors for the Year enſuing; and at the ſaid General Meetings, the Directors and acting Guardians there preſent ſhall elect a Treaſurer, and Clerk, and other Officers, for the Year enſuing.

Acting Guardians to be elected annually. Manner of Election.

X. And be it further enacted, That at the ſaid General Meeting, to be held annually on the laſt *Thurſday* in *June*, ſhall be elected in every Year thirty-ſix other Guardians, in the Place and Stead of the acting Guardians of the preceding Year; in order to which Annual Election, ſuch Number of Guardians ſhall be nominated in Manner aforeſaid, by the ſaid ſeveral Pariſhes, in *Eaſter* Week, or within one Month after *Eaſter* in every Year, and be in like Manner tranſmitted by the Churchwarden or Churchwardens of the ſeveral and reſpective Pariſhes where ſuch Election is to be made, to the Clerk for the Time being of the ſaid Corporation, at leaſt ten Days before the ſaid General Annual Meeting; when the ſaid Directors and Guardians there aſſembled ſhall proceed (in ſuch Form and Manner as before is directed to be obſerved at the ſaid firſt General Meeting for electing the acting Guardians) to elect the thirty-ſix acting Guardians for a Year.

Proviſo, as to Repreſentatives of Pariſhes not returning Liſts.

XI. Provided always, and be it further enacted, That in caſe any Pariſh or Pariſhes ſhall neglect or refuſe to make out and return a Liſt or Liſts of Perſons to be acting Guardians, in Manner before directed, that then it ſhall and may be lawful to and for the Directors and acting Guardians preſent at the ſaid General Meeting to proceed, by Way of Ballot, to the Choice of one or more Perſon or Perſons qualified as aforeſaid, either reſident in or living out of ſuch Pariſh or Pariſhes, to be the Repreſentative or Repreſentatives of ſuch Pariſh or Pariſhes ſo neglecting or refuſing to make out and return ſuch Liſt or Liſts as aforeſaid.

Small Pariſhes to join in returning Repreſentatives.

XII. Provided always, and be it further enacted, That if the Aſſeſſment upon any Pariſh within the ſaid Iſland ſhall be ſo ſmall as not to entitle ſuch Pariſh to be repreſented by one of the ſaid thirty-ſix acting Guardians, every ſuch Pariſh ſhall join and act with ſuch contiguous Pariſh or Pariſhes as the Directors ſhall ſee fitting, or by the Notice or Notices to be given to ſuch Pariſh or Pariſhes of the ſaid firſt General Meeting, for electing the ſaid thirty-ſix Guardians, ſhall be directed, as well in electing the ſaid Guardians to be returned to the ſaid Clerk of the ſaid Corporation, previous to the ſaid firſt General Meeting, as alſo at every future Election of Guardians for the ſame Purpoſe, until the ſaid Directors and acting Guardians for the Time being ſhall ſee Cauſe to join the ſame with ſome other Pariſh or Pariſhes, for greater Convenience; which they ſhall have Power to do as they ſhall ſee Occaſion.

Penalty on Directors and Guardians refuſing to act.

XIII. And be it further enacted by the Authority aforeſaid, That every Perſon who, being duly qualified, ſhall be elected a Director, and ſhall refuſe to take that Office upon him, and to act therein, ſhall forfeit the Sum of ſix Pounds; and every Guardian refuſing to act, when elected to be an acting Guardian, ſhall forfeit the Sum of four Pounds, unleſs reaſonable Cauſe ſhall be ſhewn to, and allowed by, the Majority of the Directors and acting Guardians preſent at the next General Quarterly Meeting after ſuch Election; and every Perſon who ſhall be elected a Director or acting Guardian before he ſhall have delivered to the Clerk an Account of his Qualification, ſhall deliver in an Account of his Qualification, as above directed, at the next General Quarterly Meeting after his Election, and if he neglects ſo to do, ſuch Neglect ſhall be conſtrued a Refuſal to take the Office upon him, and he ſhall forfeit as in the Caſes of Refuſal above ſpecified, unleſs he can ſhew reaſonable Cauſe, to be allowed by the Majority of the Directors and Guardians preſent at the ſaid Meeting; all which Forfeitures ſhall and may be ſued for and recovered by Action of Debt, by and in the Name of the Guardians of the Poor within the *Iſle of Wight*, to be brought in any of his Majeſty's Courts of Record at *Weſtminſter*, and when recovered ſhall be paid to the Treaſurer of the ſaid Corporation for the Time being, and added by him to the common Stock for the Uſe of the Poor.

How Penalties to be recovered.

Perſons exempted from thoſe Penalties.

XIV. Provided always, and be it enacted, That no Woman, no Perſon not living in the ſaid Iſland, no Perſon under twenty, or above ſixty-five Years of Age, and no Perſon who ſhall have ſerved, or paid the Penalty for not ſerving, the Office either of Director or acting Guardian, within two Years next before his ſaid Election, ſhall be liable to pay the Penalties aforeſaid.

Vacancies of Members by Removal, &c. how to be ſupplied.

XV. And be it further enacted, That at any other of the General Quarterly Meetings by this Act directed to be held, the Directors preſent ſhall and may fill up, by Ballot among themſelves, any Vacancies that may have happened among the twenty-four Directors, either by Death, Removal, or refuſing to act; and the Directors and acting Guardians preſent at ſuch Meetings ſhall and may, out of the Liſt returned at the laſt preceding Election of acting Guardians, or in caſe of no ſuch Return being made, out of the Number of Guardians within the ſaid Iſland, fill up by Ballot any Vacancies that may have happened among the thirty-ſix acting Guardians, either by Death, or Removal, or refuſing to act; but no ſuch Director or acting Guardian, ſo to be elected to fill up any Vacancy, ſhall continue Director or acting Guardian for any longer Time than the Perſon in whoſe Place he ſhall be elected, might or ought to have continued by virtue of this Act.

XVI. And

Fifteen Directors and acting Guardians to be preſent at General Quarterly Meetings;

XVI. And be it further enacted by the Authority aforeſaid, That at all or any of the four General Quarterly Meetings by this Act directed to be held as aforeſaid, not leſs than fifteen of the Directors and acting Guardians together (whereof five at leaſt ſhall be Directors) ſhall be preſent; and it ſhall and may be lawful to and for the ſaid Directors and Guardians aſſembled at ſuch General Quarterly Meetings, to adjourn ſuch Meetings reſpectively to the ſecond *Thurſday* in the Month next ſucceeding ſuch reſpective Quarterly Meetings; at which Adjournments the Directors and acting Guardians then and there aſſembled ſhall examine and ſettle the Treaſurer's Accounts, and ſhall cauſe the ſame to be delivered, by their Treaſurer or Clerk for the Time being, or other Officer, to one of the Clerks of the Juſtices of the Peace for the County of *Southampton*, acting for the Diviſion of the *Iſle of Wight*; which Juſtices are hereby impowered to hold a Special Seſſions four Times in the Year; (that is to ſay) on the firſt *Thurſday* in the Month next enſuing each of the ſaid Adjournments, to audit the ſaid Accounts; and the Clerk of the ſaid Juſtices ſhall lay the ſame before the Juſtices of the Peace at ſuch Seſſions, to be by the ſaid Juſtices examined, audited, and finally paſſed; for which a Fee of ten Shillings and Sixpence, and no more, ſhall be paid to the Clerk of the ſaid Juſtices or his Deputy; and no other Fee or Reward ſhall be paid to, or be had, received, or taken by, the Clerk of the ſaid Juſtices, or his Deputy, or any other Perſon or Perſons, under any Pretext whatſoever, for auditing or paſſing the ſaid Accounts: Provided that the Juſtices holding ſuch Seſſions, or any or either of them, ſhall not have acted in the Capacity of Director or acting Guardian during the Time for which ſuch Accounts are to be paſſed.

and ſettle Treaſurer's Accounts;

to be audited by Juſtices at Special Seſſions.

Directors and acting Guardians may appoint Governors, and other Officers, at Quarterly Meetings.

XVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and acting Guardians, at any General Quarterly Meeting aſſembled, from Time to Time to appoint one or more Governor or Governors, and Steward or Stewards, and any other Officer or Officers they ſhall find neceſſary (and ſuch Governors and Stewards ſhall be Members of the Church of *England*, and ſhall overſee and inſpect the Perſons ſo maintained in ſuch Houſe); and the ſaid Directors and acting Guardians at any ſuch Meeting may alſo appoint any Woman or Women, who ſhall be maintained by the ſaid Guardians, or any other Woman or Women, as to the ſaid Directors and acting Guardians ſhall ſeem moſt expedient, (provided that ſhe or they ſo appointed be Members of the Church of *England*) to be a Matron or Matrons, to attend and ſuperintend the Poor in ſuch Houſe; and ſuch Governors and Stewards, Matron or Matrons, ſhall from Time to Time make Reports of the Behaviour of ſuch Poor Perſons who ſhall be there maintained; and that the ſaid Directors and acting Guardians, at any ſuch General Quarterly Meetings, ſhall and may from Time to Time appoint ſome Clergyman of the Church of *England* to attend the ſaid Houſe; and the ſaid Directors and acting Guardians, at any ſuch General Quarterly Meeting, ſhall, and they are hereby impowered to make ſuch Allowance to ſuch Clergyman, and Governors and Stewards, and Matron or Matrons, as well as to the Clerk and Treaſurer or Treaſurers, and all Officers to be appointed by virtue of this Act, out of the Money hereby directed to be raiſed, for their Pains and Trouble therein; and may from Time to Time diſplace or diſcharge him, her, or them, or any of them, as to them the ſaid Directors and acting Guardians, at any ſuch Quarterly Meeting, ſhall ſeem meet, and upon their or either of their Removal, Death, or Reſignation, to chooſe others in his, her, or their Stead.

Allowances to be made to Officers.

Directors, &c. may diſcharge Officers at Diſcretion.

Penalty on Directors, &c. for neglecting to hold Meetings.

XVIII. And be it further enacted by the Authority aforeſaid, That if the ſaid Directors and acting Guardians ſhall neglect or refuſe to hold any ſuch Quarterly or Annual Meeting or Meetings, every Director and acting Guardian failing in his Duty therein, (if in the ſaid Iſland) ſhall, on due Proof, by the Oath of one Witneſs or more, before one or more of his Majeſty's Juſtices of the Peace acting in and for the Diviſion of the *Iſle of Wight*, for every ſuch Default, forfeit the Sum of forty Shillings, to be levied by Diſtreſs and Sale, by Warrant under the Hand and Seal of ſuch Juſtice or Juſtices, unleſs a ſufficient Reaſon ſhall be given on the Behalf of ſuch Director or acting Guardian, to be allowed by the Juſtice or Juſtices before whom Complaint of ſuch Default ſhall be made and heard.

Adjudication of Juſtices as to ſuch Penalties to be final.

XIX. And be it further enacted, That the Adjudication of ſuch Juſtice or Juſtices ſhall be final, to all Intents and Purpoſes; and that no Appeal or *Certiorari* ſhall be brought to remove, re-examine, or annul the ſame; and the Forfeiture, when received or levied, ſhall be paid to the Treaſurer for the Time being, and be made a Part of the common Stock of the ſaid Corporation.

Committees to be appointed for each Quarter.

XX. And be it further enacted, That the ſaid Directors and acting Guardians, at the General Quarterly Meeting to be held on the laſt *Thurſday* in *June*, ſhall appoint twenty-one Directors and acting Guardians together (ſix of which Number at the leaſt to be Directors) for each Quarter of the ſucceeding Year, to inſpect, direct, manage, and provide for the poor People in the ſaid Houſe; and for that Purpoſe the ſaid twenty-one Directors and acting Guardians, or any five or more of them (whereof two to be Directors), ſhall, in the reſpective Quarter or Quarters of the Year for which they ſhall be appointed, meet at the ſaid Houſe every *Saturday* Morning (and oftener if neceſſary), or on any other Day that may be thought more convenient, and fixed by the General Quarterly Meeting to be held on the laſt *Thurſday* in *June*, together with the Clerk for the Time being; and ſuch of them as ſhall be there preſent, and all other Directors and acting Guardians who may occaſionally attend, ſhall and may give ſuch Directions as they ſhall think proper, for the Employment, Maintenance, and Relief of the Poor in ſuch Houſe, and for carrying into Execution ſuch Rules, Orders, and Conſtitutions, and ſuch Powers and Authorities, as ſhall be from Time to Time made and granted by the ſaid Directors and acting Guardians.

When Officers to enter on Offices.

Commencement and Determination of Quarters.

XXI. And be it further enacted, That at the next Election of Directors, acting Guardians, and all other Officers of this Corporation, on the laſt *Thurſday* in *June* next enſuing, the Perſons elected ſhall enter on their Offices on the Day following the Day of Election, and ſhall hold the ſame until the firſt Day of *July* in the ſucceeding Year, unleſs in caſe of Death, Reſignation or Removal; and the firſt Quarter of the Year of the Perſons ſo elected ſhall determine on the laſt Day of *September* next enſuing, and the ſucceeding Quarters of the ſame Year ſhall commence on the firſt Days of *October*, *January*, and *April*, and ſhall determine on the laſt Days of *December*, *March*, and *June*, incluſive, reſpectively.

XXII. And

XXII. And be it further enacted, That in all future Elections, after the laſt *Thurſday* in *June* next enſuing the paſſing of this Act, the Year for which the Directors and acting Guardians, and other Officers, ſhall be choſen, ſhall commence on the firſt Day of *July*, and ſhall determine on the laſt Day of *June*, inclusive, in every Year, and ſhall and may be divided according to Calendar Months; and that the ſaid Directors and acting Guardians, appointed for each reſpective Quarter, ſhall take upon them, and act in their reſpective Offices on the firſt Day of the Month next immediately after each of the ſaid General Quarterly Meetings.

Commencement of the Year as to Directors, &c. Year to be divided into Calendar Months.

XXIII. Provided alſo, and be it further enacted, That the ſaid twenty-one Directors and acting Guardians, ſo to be appointed as aforeſaid for each and every Quarter in the Year, may, and they are hereby authoriſed by Agreement amongſt themſelves, to ſubdivide themſelves into Committees of ſeven, to act for each Calendar Month in each Quarter, but ſo as not to preclude any other Director or acting Guardian from being preſent, and voting, at any ſuch Weekly or other Meeting as aforeſaid; and if there ſhall not be preſent at any Meeting ſo appointed to be held, five Directors and acting Guardians together (two whereof ſhall be Directors) every Director, who by any ſuch Agreement ought to have attended, and ſhall be abſent, ſhall, on due Proof by one Witneſs before one or more of his Majeſty's Juſtices of the Peace for the ſaid County, acting for the Diviſion of the *Iſle of Wight*, for every ſuch Offence, forfeit the ſum of twenty Shillings, and every Guardian, who by any ſuch Agreement ought to have attended, and ſhall be abſent, ſhall, on due Proof as aforeſaid, for every ſuch Offence, forfeit the Sum of ten Shillings; and ſuch Forfeitures ſhall be levied by Diſtreſs and Sale, by Warrant under the Hand and Seal of the Juſtice or Juſtices before whom ſuch Proof is made, and when received or levied ſhall be paid to the Treaſurer of the ſaid Corporation, and added by him to the common Stock for the Uſe of the Poor; and the Adjudication of ſuch Juſtice or Juſtices ſhall be final, to all Intents and Purpoſes, and no Appeal or *Certiorari* ſhall be brought to remove, annul, or re-examine the ſame: Provided always, That in caſe the full Number of Directors and acting Guardians, required by this Act to be preſent at any ſuch Weekly Meetings, ſhall not attend at the ſame, it ſhall and may be lawful to and for the Directors and acting Guardians who ſhall be preſent, to adjourn ſuch Meeting to ſome future Day; but the Directors and acting Guardians then preſent may nevertheleſs grant Relief to ſuch poor Perſons as ſhall then apply for the ſame.

Quarterly Committees may ſubdivide themſelves into monthly ones. Penalty on Non-attendance.

Proviſo.

XXIV. And be it enacted by the Authority aforeſaid, That the Directors and acting Guardians for the Time being ſhall have, and they are hereby declared to have, full Power and Authority to make, from Time to Time, ſuch Bye-laws, Rules, Orders, and Conſtitutions, as well for the better governing the ſaid Corporation, as for the better governing, employing, and ſupporting, the ſaid poor Perſons in the ſaid Iſland, and for the carrying on any Trade that may be ſet on Foot for the Employment of the ſaid Poor, and for the other Purpoſes of this Act; and from Time to Time afterwards to repeal, alter, or amend ſuch Bye-laws, Rules, Orders, or Conſtitutions, as to them the ſaid Directors and acting Guardians ſhall ſeem meet, ſo that ſuch Bye-laws, Rules, Orders, and Conſtitutions, are not repugnant to the Laws of the Land: Provided, that not leſs than fifteen of the ſaid Directors and acting Guardians together (five of which Number to be Directors) ſhall be preſent at every Meeting for the making, repealing, altering, or amending ſuch Bye-laws, Rules, Orders, and Conſtitutions; and one Month's previous Notice ſhall be given of every ſuch Meeting, with the Cauſe of holding the ſame, to the Directors and acting Guardians for the Time being, (unleſs ſuch Meetings be one of the four General Quarterly Meetings appointed by this Act to be holden; of which ſaid Meetings all Perſons who are required to attend are bound to take Notice, without any previous Summons or Notice being given to them) and the major Part of the Directors and acting Guardians preſent (of which major Part five at leaſt to be Directors) ſhall give their Aſſent to ſuch Bye-laws, Rules, Orders, and Conſtitutions: Provided alſo, That all Bye-laws, Rules, Orders, and Conſtitutions, already made and eſtabliſhed, and not by this Act altered or repealed, ſhall be and remain in full Force, until repealed, altered, or amended, in Manner before mentioned.

Fifteen Directors, &c. may make or alter Bye-laws.

Proviſo, as to preſent Bye-laws.

XXV. And be it further enacted, That in caſe any two or more of the Directors or acting Guardians of the Poor ſhall ſignify to the Clerk for the Time being, that it is their Deſire that an extraordinary Court or Aſſembly of the Directors and acting Guardians may be held, that then the ſaid Clerk of the ſaid Corporation ſhall, and he is hereby authoriſed and impowered to call ſuch Court or Aſſembly, at ſuch Time and Place as the ſaid Directors or acting Guardians ſhall deſire, (provided that one Month's previous Notice of ſuch Court or Aſſembly ſhall be given, with the Cauſe of holding the ſame; and that at every ſuch Court or Aſſembly not leſs than fifteen of ſuch Directors and acting Guardians ſhall be preſent, five of whom at the leaſt ſhall be Directors;) at which ſpecial Meetings all and every Acts, Matters, and Things, to be done and tranſacted by the Directors and acting Guardians there aſſembled, relative to the Matters compriſed in ſuch Notice, ſhall be good, valid, and effectual, to all Intents and Purpoſes, as if the ſame had been done at a General Quarterly Meeting.

Special Meetings of Directors and acting Guardians may be called.

XXVI. And be it enacted by the Authority aforeſaid, That at all Meetings of the ſaid Directors and acting Guardians, the Directors preſent ſhall, before the Perſons aſſembled proceed to Buſineſs, elect one of their own Number to be Chairman of the ſaid Meeting, which Chairman ſhall have the ſame Right to vote as any other Member preſent; and all Queſtions which ſhall not be directed by this Act to be determined by Ballot, or ordered by any Bye-law ſo to be determined, ſhall be determined by the Majority of Perſons preſent, and in caſe of an Equality of Votes, the Chairman of ſuch reſpective Meeting ſhall have the caſting Vote.

Chairman to be elected.

How Queſtions to be determined.

XXVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Directors and acting Guardians, at the Annual Meeting to be held on the ſaid laſt *Thurſday* in *June* (if they ſhall think proper) to alter and change the Day of the Week whereon the twenty-one Directors and acting Guardians ſo to be appointed to inſpect, direct, manage, and provide for, the ſaid poor People in the ſaid Houſe, ſhall meet for the ſucceeding Year, and the Clerk for the Time being ſhall cauſe immediate Notice

Directors, &c. may alter the Day of the weekly Meeting.

tice of every ſuch Alteration of the weekly Day of Meeting to be advertiſed in the *Saliſbury Journal*, or ſome other public Paper circulating in the *Iſle of Wight*, and to be affixed on the Door of every Pariſh Church in the ſaid Iſland.

Securities already given by Directors, &c. to be deemed valid; and may be aſſigned, &c. the Intereſt of them to be firſt paid.

'XXVIII. And whereas the Directors and acting Guardians of the ſaid Corporation have already bor-
'rowed large Sums of Money under the Authority heretofore veſted in them, and have given Securities
'for the ſame: And whereas the ſaid Directors and acting Guardians will find it neceſſary to borrow
'more Money for effecting all the Purpoſes of this Act;' be it further enacted, That all Securities already given by the ſaid Directors, or by the ſaid Directors and acting Guardians, for Monies already borrowed, be deemed good and lawful Securities, and that they may, from Time to Time, be deviſed, or may be aſſigned, by Indorſement, without Stamps; and ſuch Deviſes or Aſſignments ſhall entitle the Perſon or Perſons to whom the ſame ſhall be made, to all Principal and Intereſt Monies, due or to grow due, upon ſuch Securities; and that all Rates and Aſſeſſments already made, or hereafter to be made, by virtue of this Act of Parliament, or of the Act above recited, for the Purpoſe of maintaining the Poor, be firſt charged to pay the Intereſt due, and to grow due, upon ſuch Securities; and that the Treaſurer of the Corporation for the Time being ſhall pay the Intereſt thereof, and be allowed the ſame on making up his Accounts.

Directors, &c. may borrow more Money.

XXIX. And be it further enacted, That the Directors and acting Guardians aforeſaid ſhall have Power to borrow ſuch further Sums of Money as they may find neceſſary, for the Purpoſes of this Act, provided that the whole Sum by them borrowed, including what they have borrowed already, do not exceed the Sum of twenty thouſand Pounds.

Two Modes of borrowing:

'XXX. And, in order to raiſe the Money hereafter to be borrowed, in ſuch Manner as ſhall be moſt
'beneficial to the Inhabitants of the *Iſle of Wight*, who are to pay the Intereſt of the ſame;' be it enacted, That it ſhall and may be lawful for the Directors and acting Guardians, at their Diſcretion, to raiſe any Part of the ſaid Money by either of the Ways following; (that is to ſay) either by mortgaging a Portion of the Rates and Aſſeſſments hereafter directed to be raiſed, to pay an Intereſt not exceeding four Pounds *per Centum*, till the Principal Money is paid off; or by a Scheme of Survivorſhip, or according to the Proviſions and Regulations herein after contained.

By Aſſignments of the Rates:

XXXI. And be it further enacted, That for ſo much Money as the ſaid Directors and acting Guardians ſhall borrow, at an Intereſt not exceeding four Pounds *per Centum per Annum*, they may aſſign over by Writing, ſigned by ſeven of the ſaid Directors at the leaſt, under the Common Seal of the ſaid Corporation, a ſufficient Portion of the Rates and Aſſeſſments to be collected within the *Iſle of Wight* in purſuance of this Act, as a Security for the Repayment of the Principal and Intereſt of the Money ſo to be borrowed in virtue of this Act; and ſuch Securities may be, from Time to Time, aſſigned and transferred, by Indorſement or otherwiſe, without Stamps; and ſuch Aſſignments or Transfers ſhall entitle the Perſon or Perſons, to whom the ſame ſhall be made, to all Principal and Intereſt Monies ſo due, and to grow due, upon ſuch Securities; and ſuch Monies ſo to be borrowed, ſhall from Time to Time be applied for the Purpoſes of this Act.

By a Scheme of Survivorſhip.

XXXII. And be it further enacted, That if the ſaid Directors and acting Guardians ſhall think proper to raiſe any Portion of the Money, which by this Act they are allowed to borrow, by a Scheme of Survivorſhip, the ſame ſhall and may be raiſed in Manner following; (that is to ſay) if any Number of Perſons ſhall agree with the ſaid Directors and acting Guardians, to pay them a Portion of the Sum ſo to be borrowed, by contributing a Sum of Money for the Purpoſes of this Act, at any Intereſt not exceeding five Pounds *per Centum per Annum* on the whole Sum ſo advanced, to be paid to the ſaid Contributors, their Executors, Adminiſtrators, or Aſſigns, during the Lives of the ſaid Contributors, or of the Perſons by them named, according to the Proviſions herein after made, in ſuch Shares as are proportioned to the Sums of Money which each of the ſaid Contributors reſpectively ſhall advance; that then in ſuch Caſe it ſhall and may be lawful to and for the ſaid Directors and acting Guardians to accept the Sum of Money ſo contributed, and to apply the ſame to the Purpoſes of this Act, and in Recompence for the ſaid Money, out of the Aſſeſſments herein after directed to be made, to cauſe to be paid by the Treaſurers of the Corporation for the Time being, among the Contributors, any Intereſt not exceeding five Pounds *per Centum per Annum* on the whole Sum ſo contributed, according as the ſaid Contributors and the ſaid Directors and acting Guardians ſhall agree, before the ſaid Money is advanced; all which ſaid Intereſt ſhall be fairly divided amongſt the Contributors, their Executors, Adminiſtrators, or Aſſigns, during the Lives of their reſpective Nominees, in Proportion to the Sums by the ſaid Contributors advanced, yearly and every Year, by two equal half-yearly Payments; and upon the Death of every Nominee, the Share or Shares of the ſaid Money which was or were payable during his Life, ſhall be equally divided amongſt the reſt of the Contributors whoſe Nominee ſhall then be living, and ſo from Time to Time, upon the Death of every Nominee whatſoever, whoſe Share or Dividend was payable during the Life of ſuch Nominee, ſhall be equally divided amongſt the reſt of the Contributors, their Executors, Adminiſtrators, and Aſſigns, during the Lives of their reſpective Nominees; ſo that from Time to Time the whole Intereſt agreed to be paid to the ſaid Contributors, for the Sum by them advanced, ſhall be divided and paid among the Contributors whoſe Nominees do ſurvive, until ſuch Time as there ſhall be no Nominee living; and on the Death of all the Nominees, all Intereſt in and for the ſaid Sum of Money ſo contributed ſhall ceaſe.

No Contributor to advance leſs than 100 l.

XXXIII. Provided always, That no Contributor ſhall advance leſs than one hundred Pounds, or name more than one Life for every one hundred Pounds ſo advanced; and that if any Contributor ſhall name any other Life than his or her own, he or ſhe, his or her Executors, Adminiſtrators, or Aſſigns, ſhall be entitled to his or her Share of ſuch Intereſt during the Life of the Perſon whom he or ſhe ſhall ſo name.

Treaſurer to keep a Book to enter the Names of Contributors, &c.

XXXIV. And be it further enacted, That an Account of the ſeveral Portions of Money reſpectively contributed, and the Names of the reſpective Contributors, and of their Aſſigns or Deviſees, and alſo the Names of the Perſons whoſe Lives are by the ſaid Contributors named, together with their Additions and Places

Places of Abode, and ſuch other Deſcriptions as may beſt aſcertain their Perſons, be entered in a Book to be kept by the Treaſurer of the Corporation for that Purpoſe; and that no Perſon's Life, once named and entered in that Book, ſhall afterwards be changed: And that each of the ſaid Contributors ſhall receive from the Treaſurer, at the Time of paying his Money, a Receipt or Certificate, ſpecifying the Sum of Money by the ſaid Contributor paid, together with the Name and Addition of the Contributor, and of his Nominee; which ſaid Receipt or Certificate may be from Time to Time aſſigned, by Indorſement or otherwiſe, without Stamps, or may be deviſed by Will in the ſame Manner as perſonal Eſtate may be deviſed; and ſuch Aſſignee or Deviſee ſhall be intitled to receive the Share of Intereſt due under the ſaid Certificate, ſo long as the Nominee mentioned in the ſaid Certificate ſhall ſurvive; and in Default of ſuch Aſſignment or Device, the Intereſt of ſuch Contributor, ſhall go to his Executors or Adminiſtrators for the Life of the Nominee, ſuch Nominee being ſome other Perſon, as aforeſaid.

and to give them Receipts or Certificates,

which may be aſſigned without Stamps.

XXXV. And be it further enacted, That the Money ſo to be contributed, ſhall be paid to the Treaſurer at ſome one General Quarterly Meeting; and that the Intereſt for the ſaid Money ſhall begin to grow and accrue as ſoon as, and not before, the whole Money is paid, and all the Lives are named and entered in the proper Book; and that the ſaid Intereſt ſhall become due half-yearly, (that is to ſay) on the Day of the ſecond Quarterly Meeting after the ſaid Money is paid, and on the Day of the Quarterly Meeting anſwering to that at which the ſaid Money was paid, and ſo on from Year to Year, Regard not being had to any particular Day of the Calendar Month, but to the Day of the Quarterly Meeting in each Year reſpectively; and that no Perſon ſhall claim any Share of the ſaid Intereſt, unleſs the Nominee for whoſe Life he claims ſhall be alive on the Day on which the ſaid Intereſt ſhall become due.

Money contributed to be paid to the Treaſurer at a Quarterly Meeting, &c.

XXXVI. And be it further enacted, That if the Directors and acting Guardians preſent at any Quarterly Meeting at which the ſaid Intereſt ſhall become payable, ſhall have a reaſonable Doubt whether any particular Nominee be living on the Day on which the ſaid Intereſt becomes due, it ſhall and may be lawful for the ſaid Directors and acting Guardians to order the Treaſurer to with-hold the Payment of the Share claimed under the Life of ſuch Nominee, until ſuch Time as the Perſon claiming the ſame ſhall produce a Certificate of the Life of ſuch Nominee, ſigned by the Miniſter or Churchwardens of the Pariſh where ſuch Nominee ſhall be living on the Day when the ſaid half-yearly Payment ſhall become due, (if ſuch Nominee ſhall be then reſiding in the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick upon Tweed*,) which Certificate the ſaid Miniſter and Churchwardens are hereby required to ſign without Fee or Reward; and in caſe ſuch Nominee be in the Kingdom of *Scotland*, or beyond the Seas, the Treaſurer may be ordered to withhold the Payment until the Claimant ſhall produce a Certificate to the Effect aforeſaid, ſigned by the proper Officers, according to the Uſage of ſigning Certificates in the Place in which ſuch Nominee ſhall then be living; and all Certificates ſo produced as aforeſaid ſhall be filed in the Office of the Treaſurer of the Corporation for the Time being.

Certificates of Nominees being living required in doubtful Caſes.

XXXVII. And be it further enacted, That if any Perſon ſhall receive one or more half-yearly Payments of the ſaid Intereſt, not accruing till after the Death of any Nominee for whoſe Life ſuch Share was payable, it ſhall be lawful for any Contributor, or for the Treaſurer of the Corporation for the Time being, to require the ſame to be repaid to the ſaid Treaſurer, for the Benefit of the Contributors, or their Aſſigns, according to their reſpective Shares in the ſaid Intereſt; and in caſe of Refuſal or Neglect to pay in the ſame within one Month after ſuch Demand, ſuch Perſon ſo refuſing or neglecting ſhall forfeit Treble the Sum ſo received, to be recovered by Action of Debt, in any of his Majeſty's Courts at *Weſtminſter*, in the Name of the Contributor or Treaſurer who ſhall make the Demand as aforeſaid, for the Benefit of the Contributors as aforeſaid; in which Action no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Intereſt Money paid, in certain Caſes, to be returned.

XXXVIII. And be it further enacted, That in caſe any Perſon, who ſhall be intitled to receive any half-yearly Payment of the Intereſt aforeſaid, ſhall at any Time neglect to demand the ſame, until within twenty Days before the next half-yearly Payment ſhall become due, he ſhall loſe and forfeit ſuch half-yearly Payment ſo neglected to be demanded, and the ſame ſhall be divided among the Contributors or their Aſſigns, as if his reſpective Nominee had been dead, and ſo from Time to Time upon every Default: Provided nevertheleſs, that if ſuch Contributor ſhall afterwards make a Demand in due Time for any following half-yearly Payments, ſuch Contributor ſhall, for the future, have his Share of the ſaid Intereſt, as if ſuch Default had not been made.

Contributor neglecting to demand his Intereſt, to loſe the ſame.

XXXIX. And be it further enacted, That no Aſſignee or Deviſee ſhall be entitled to receive any Share of the ſaid Intereſt, until he ſhall have given Notice of ſuch Aſſignment or Deviſe to the Treaſurer of the Corporation for the Time being, and ſhall have required him to make an Entry of ſuch Aſſignment or Deviſe in the Book above directed to be kept by him for that Purpoſe.

Entries to be made of Aſſignments, &c.

XL. And be it further enacted, That every Contributor, his Executors, Adminiſtrators, or Aſſigns, within one Month next after Notice of the Death of his or their reſpective Nominee, ſhall certify ſuch Death to the Treaſurer of the Corporation for the Time being, and ſhall alſo, within three Months after ſuch Notice, deliver, or cauſe to be delivered, up to the ſaid Treaſurer, his or their Receipt or Certificate, by which he or they was or were entitled, during the Life of ſuch Nominee, to receive any Share of the ſaid Intereſt, in caſe ſuch Receipt or Certificate be in his or their Hands or Power; and in Default thereof, ſuch Contributor, his Executors, Adminiſtrators, and Aſſigns, ſhall forfeit the Sum of ten Pounds, to be recovered by Action of Debt as aforeſaid, and to be had and received to the Uſe of any Perſon who ſhall ſue for the ſame.

Contributor to certify the Death of his Nominee, and to deliver up his Certificate;

on Penalty of 10 l.

'XLI. And to the Intent it may appear and be aſcertained, upon every half-yearly Payment, unto and 'among what Perſons, and in what Proportions, the ſaid Intereſt is to be diſtributed;' be it enacted, That every half-year, within Six Days before the reſpective Days of Payment, the Treaſurer ſhall make up an Account of the ſeveral Nominees whoſe Deaths are come to Knowledge, and of the ſeveral Contributors who have made Default in making Demand as aforeſaid, that ſo the reſt of the Contributors may have the Advantage thereof.

Account of the Deaths of Nominees to be made.

Penalty on Treaſurer making up falſe Account, &c.

XLII. And be it further enacted, That if the Treaſurer of the Corporation for the Time being ſhall wilfully make up a falſe Account of the ſeveral Nominees whoſe Deaths are come to his Knowledge, or ſhall knowingly pay to any Contributor or his Aſſigns a Share of Intereſt not accruing till after the Death of the Nominee of ſuch Contributor or his Aſſigns, ſuch Treaſurer ſhall loſe his Office, and ſhall forfeit one hundred Pounds, with Coſts of Suit, to be recovered by Action of Debt, as aforeſaid, in the Name of any Contributor whoſe Nominee ſhall then be living, for the Benefit of all who ſhall be intitled to any Share of the ſaid Intereſt at the Time of entering up Judgement againſt the Defendant in ſuch Action.

Treaſurer to pay Intereſt for Money borrowed.

XLIII. And be it further enacted, That the Treaſurer or Treaſurers of the Corporation for the Time being ſhall pay the Intereſt due on the Monies borrowed, or to be borrowed, by virtue of this Act, out of the Rates and Aſſeſſments by him received, and ſhall be allowed the ſame on making up his Accounts; and that all Monies raiſed or to be raiſed by virtue of this Act, be applied to the Purpoſes of this Act.

Confirmation of former Aſſeſſments, &c.

XLIV. And be it further enacted, That all Rates and Aſſeſſments already made by virtue of the above recited Act, ſhall be deemed to have been well and lawfully made, and all Monies paid under the ſame ſhall be deemed to be well and lawfully paid, and all Arrears due under the ſame ſhall be deemed to be legally due; and if any Perſon refuſes to pay ſuch Arrears, the Churchwardens and Overſeers for the Time being of the Pariſh or Place for which ſuch Rate is made, or any of them, may, by Warrant from any one Juſtice of the Peace acting for the Diviſion of the *Iſle of Wight*, levy the ſaid Arrears, by Diſtreſs and Sale of the Offender's Goods, rendering to the Party the Overplus; and all Arrears due from any of the Churchwardens and Overſeers within the ſaid Iſland, ſhall be by them paid to the Treaſurer of the ſaid Corporation; and if any of them ſhall refuſe to pay the ſame, the Treaſurer, or the Conſtable of the Pariſh or Place from whence ſuch Arrears are due, may levy ſuch Arrears from the Churchwardens and Overſeers ſo refuſing, by Warrant of Diſtreſs from one Juſtice as aforeſaid; and in Default of ſuch Diſtreſs the Inhabitants and Pariſhioners of the reſpective Pariſhes or Places from whence ſuch Arrears are due, ſhall be anſwerable for ſuch Arrears, and ſhall pay the ſame upon a Re-aſſeſſment, in Manner and Form as is herein after provided in caſe of Deficiency by Churchwardens and Overſeers in paying the Rates and Aſſeſſments herein after directed to be made.

Neceſſary Rates before the laſt Thurſday in June to be made.

XLV. And be it further enacted, That all Rates and Aſſeſſments which the Directors and acting Guardians ſhall judge neceſſary to be made before the laſt *Thurſday* in *June* next enſuing the paſſing of this Act, ſhall be made and raiſed in the ſame Proportions, and in the ſame Manner, in which the Rates and Aſſeſſments have been made and raiſed at and ſince the laſt General Quarterly Meeting of the ſaid Directors and acting Guardians; and all Arrears and Deficiencies ſhall be collected, recovered, or made good, in Manner and Form as is next before provided for Arrears and Deficiencies now due.

Directors, &c. may aſſeſs the reſpective Pariſhes.

'XLVI. And, for the better Security of ſuch Sums of Money as have been already borrowed 'by virtue of the ſaid recited Act, or ſhall hereafter be borrowed by virtue of this Act, and for 'paying off and diſcharging ſuch Monies and the Intereſts thereof, and for providing for the Poor, 'employed and relieved, and to be employed and relieved, in the ſaid Houſe, and for defraying 'the other Expences of this Act;' be it further enacted, that the ſaid Directors and acting Guardians ſhall and may, and they are hereby impowered, at the ſaid General Quarterly Meetings, to aſſeſs ſuch Sum and Sums of Money, not exceeding the reſpective Rates herein after mentioned, upon the ſeveral Pariſhes and Places within the ſaid Iſland, as they the ſaid Directors and acting Guardians ſhall judge neceſſary for paying the Intereſt due on the ſaid Debt, and for defraying the Expences of the current Quarter, and for and towards paying off and diſcharging the ſaid principal Debt; and the ſaid Directors and acting Guardians for the Time being, or any three or more of them, (whereof one to be a Director) ſhall, and they are hereby impowered to iſſue Warrants under the Seal of the ſaid Corporation, to the Churchwardens or Overſeers of the Poor, in all and every of the ſeveral Pariſhes and Places within the ſaid Iſland, requiring ſuch Churchwardens or Overſeers to pay, at ſome particular Time and Place, to be ſpecified in the ſaid Warrants, the Sum ſo aſſeſſed upon the ſaid ſeveral Pariſhes and Places reſpectively, to the Treaſurer or Treaſurers of the ſaid Guardians for the Time being, whoſe Receipt for the ſame ſhall be a legal Diſcharge to ſuch reſpective Churchwardens and Overſeers of the Poor: And for raiſing the Sums ſo aſſeſſed by the ſaid Directors and acting Guardians, ſuch reſpective Churchwardens and Overſeers of the Poor ſhall, from Time to Time, and they are hereby required, with as much Equality and Indifference as poſſible, to raiſe, by Taxation of every Inhabitant, Parſon, Vicar, and others, and of every Occupier or Renter of any Land, Houſe, Tythe impropriate, and Propriations of Tythes, in their reſpective Pariſhes and Places, ſo much Money as ſhall be aſſeſſed on ſuch reſpective Pariſhes and Places by the ſaid Directors and acting Guardians, in ſuch and the like Manner, and with ſuch Powers, as Money for the Relief of the Poor is by the Laws now in being to be raiſed, and with ſuch and the like Remedy to Perſons aggrieved by Way of Appeal, as is given concerning Rates or Aſſeſſments made for the Relief of the Poor by the Laws now in being; for all which Sums of Money ſo aſſeſſed and received by the ſaid Churchwardens and Overſeers of the Poor, in caſe of any Deficiency, the Pariſhioners and Inhabitants of the reſpective Pariſhes and Places, wherein ſuch Sums of Money ſhall be ſo aſſeſſed or received, ſhall be anſwerable and ſhall be compellable to pay the ſame upon a Re-aſſeſſment, which, in that Caſe, is hereby directed to be made by the Directors and acting Guardians aſſembled at any General Quarterly Meeting; and ſuch Taxes and Aſſeſſments, and alſo ſuch Re-aſſeſſments, ſhall be levied and recovered in ſuch and the like Manner, and with ſuch Powers, as Money aſſeſſed for the Relief of the Poor is by the Laws now in being to be levied and recovered.

Churchwardens and Overſeers to tax the Inhabitants.

Rates in each Pariſh limited.

XLVII. Provided always, That the Sums to be aſſeſſed by the ſaid Directors and acting Guardians, at their General Quarterly Meetings, upon any one of the ſaid Pariſhes or Places, ſhall not exceed, in any one Year, the Sum which ſhall have been rated, aſſeſſed, or expended, for the Relief of the Poor in ſuch reſpective

reſpective Pariſhes or Places in one Year, upon the Medium already drawn under the ſaid recited Act, from *Eaſter* one thouſand ſeven hundred and ſixty-three, to *Eaſter* one thouſand ſeven hundred and ſeventy.

Churchwardens, &c. to be liable to the general Laws of the Land.

XLVIII. Provided always, and be it enacted, That nothing in this Act contained ſhall exempt the Churchwardens and Overſeers of the ſeveral Pariſhes and Places within the ſaid *Iſle of Wight*, from the ſeveral Duties preſcribed to them by the general Laws and Statutes of the Realm; but all Churchwardens and Overſeers ſhall keep regular Books of Accounts, and ſhall have them ready for public Inſpection, and ſhall regularly paſs their Accounts every Year, and do all other Duties required of them by the general Laws and Statutes of the Realm, other than and except ſuch as are hereby transferred to the Directors and acting Guardians, any Thing in this Act to the contrary notwithſtanding: And in caſe any Churchwarden or Overſeer ſhall die, his Executors or Adminiſtrators ſhall, within forty Days after his Deceaſe, deliver over all Things concerning his Office to ſome Churchwarden or Overſeer of the ſame Place, and ſhall pay, out of the Aſſets left by ſuch Churchwarden or Overſeer, all Sums of Money remaining due, which he received by virtue of his ſaid Office, before any of his other Debts are paid and ſatisfied.

In caſe of no Meeting, how Rates to be made.

XLIX. And be it further enacted, That if the Directors or acting Guardians ſhall have neglected or refuſed to hold any ſuch Quarterly Meeting, or if there ſhall not have appeared a ſufficient Number of Directors and acting Guardians at any ſuch Quarterly Meeting, by Means whereof ſuch Aſſeſſments cannot be made, that then it ſhall and may be lawful to and for any two Juſtices of the Peace for the ſaid County, acting in and for the Diviſion of the ſaid *Iſle of Wight*, to order ſuch Rate to be made for the enſuing Quarter as to them ſhall ſeem meet; and in caſe no ſuch Order ſhall be made within one Month from the Time when ſuch Quarterly Meeting ſhould have been held, the ſame Proportion ſhall be rated, aſſeſſed, and raiſed, in ſuch reſpective Pariſhes and Places, by the reſpective Churchwardens and Overſeers of the Poor, for the enſuing Quarter, as was raiſed in the preceding Quarter, and ſhall be paid to the ſaid Treaſurer in ſuch Manner as is herein before mentioned, with reſpect to the taxing, aſſeſſing, collecting, recovering, and paying, of the Sums aſſeſſed by the ſaid Directors and acting Guardians.

Method of paying the Principal-Money.

'L. And, for the more regular diſcharging of ſuch Sum and Sums of Money as have been already bor-
'rowed under the ſaid recited Act, or ſhall be hereafter borrowed upon the Credit of this Act, and the In-
'tereſt of the ſame reſpectively,' be it enacted, That one equal Moiety or half Part of all ſuch Sum and Sums of Money as ſhall yearly and every Year, for the Space of twenty Years, (to be computed from the Firſt Day of *July* one thouſand ſeven hundred and ſeventy-ſix) be ſaved out of the Rates and Aſſeſſments, and Penalties and Forfeitures, to be raiſed and levied by virtue of this Act, and the Profits of the Work of the Poor, and ſhall remain in the Hands of the Treaſurer of the ſaid Corporation upon ſettling his annual Accounts, ſhall go and be applied, yearly and every Year during ſuch twenty Years, towards the paying off and diſcharging ſuch Sum and Sums of Money as have been ſo already borrowed, or ſhall be hereafter borrowed, upon the Credit of this Act; and that the other Moiety or half Part of the Monies which ſhall be ſo ſaved as aforeſaid, ſhall yearly and every Year, during ſuch twenty Years, be applied to leſſen and reduce the Rates and Aſſeſſments to be made for the Relief of the Poor within the ſaid Iſland, below the preſent Average or Medium Rates, in an equal Degree, and in Proportion to the Rates which ſhall be levied upon the reſpective Pariſhes within the ſaid Iſland; and, from and after the Expiration of the ſaid Term of twenty Years, all and every ſuch Sum and Sums of Money as ſhall be ſaved in Manner aforeſaid, ſhall go and be applied, yearly and every Year, towards the paying off and diſcharging ſuch Sum and Sums of Money as have been already, or ſhall hereafter be, borrowed as aforeſaid, until the Whole of ſuch Monies ſhall be paid off and diſcharged.

Poor to be under the Government of the Guardians.

LI. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, every poor Perſon and Perſons, incapable of providing for himſelf, herſelf, or themſelves, and entitled by the Law of the Land to receive Relief from any Pariſh or Place within the ſaid Iſland, ſhall be under the Management and Government of the Directors and acting Guardians of the Poor for the Time being, and of the ſeveral Committees and Meetings of Directors and acting Guardians held by virtue of this Act; who may, at their Diſcretion, at their weekly or other Meetings, order any of the poor Perſons entitled to Relief to be received and maintained within the ſaid Houſe of Induſtry, or may order Relief to be given and allowed to any poor Perſons out of the ſaid Houſe, as in their Diſcretion they ſhall ſee Occaſion, in ſuch Manner and Form, and by ſuch Ways and Means, and under ſuch Regulations, as ſhall be preſcribed by any Bye-law or Bye-laws from Time to Time to be made by virtue of this Act.

Male Children to remain under the Government of the Guardians till the Age of 18; and Females till 16:

Or may be apprenticed till the Age of 21.

LII. And be it enacted, That all poor Children, who at any Time ſhall be maintained by the ſaid Guardians, ſhall be and remain under their Government till they arrive to the following Ages, *(videlicet)* every Male Child till the Age of eighteen Years, and every Female Child till the Age of Sixteen Years; and that after ſuch reſpective Children ſhall have attained the ſaid reſpective Ages (or ſooner, if the ſaid Directors and acting Guardians ſhall ſee Occaſion), they ſhall be diſcharged from the Rule and Government of the ſaid Guardians, and be at their own Diſpoſal; or if the Parents, Kindred, or Friends, of Children ſo maintained ſhall, before they arrive at the ſaid reſpective Ages of eighteen and ſixteen Years, be able and willing to receive, maintain, and employ, or provide fit and proper Services for ſuch Children, it ſhall and may be lawful to and for the ſaid Directors and acting Guardians (if they ſhall think proper) at any of the ſaid Quarterly or Weekly Meetings, to diſmiſs ſuch Children: And that it ſhall and may be lawful to and for the ſaid Directors and acting Guardians, or any three of them, whereof two at leaſt ſhall be Directors, by and with the Conſent of two of his Majeſty's Juſtices of the Peace for the ſaid County of *Southampton*, acting in and for the Diviſion of the *Iſle of Wight*, at any Time before ſuch Children ſhall arrive at the reſpective Ages aforeſaid, to bind any ſuch Child or Children, where they ſhall

shall see convenient, to any Person occupying any Houses, Lands, or Tenements, within the said Island, for any Term, so as the same does not exceed his or her Age of twenty-one Years; or to bind any such Male Children Apprentices in the Sea Service, to any Captain, Master, or Owner, of any Ship or Vessel, in like Manner as Churchwardens and Overseers of the Poor, with the Assent of Justices of the Peace, by the Laws now in being are impowered to do; and the Person or Persons to whom any such Child or Children shall be bound, shall be obliged to receive and provide for such Apprentices, in like Manner as by the Laws now in being Persons are obliged to provide for poor Apprentices legally bound to them by the Officers of particular Parishes; and no Apprentice so bound out as aforesaid shall, without the Consent of the Directors and acting Guardians, present at a Weekly Meeting, be assigned or turned over to any other Person; and when any such Child is bound, or appointed to be bound Apprentice, or is regularly assigned to any other Person, by virtue of this Act, the Person to whom he or she is so bound, or appointed to be bound, or assigned, shall receive and provide for such Child according to the Indenture signed and confirmed by the two Justices of the Peace, and shall, if necessary, execute the other Part of the said Indenture; and if such Person shall refuse or neglect to receive and provide for the said Child, or to execute the other Part of the said Indenture, such Person who shall so neglect or refuse, being thereof convicted by the Oath of one Witness or more, before any one or more of his Majesty's Justices of the Peace for the said County, acting in and for the Division of the *Isle of Wight*, shall, for every such Offence, forfeit the Sum of Ten Pounds to the Guardians of the Poor of the *Isle of Wight*.

No Apprentice to be turned over without Consent of Directors, &c.

Penalty for not performing Contracts in relation to such Apprentices.

Children may be bound to the Governor or Steward, &c.

LIII. And be it further enacted, That it shall and may be lawful to and for the said Directors and acting Guardians, by and with the Consent of any two such Justices, at any Time before such respective Child or Children shall arrive at such respective Ages as aforesaid, to bind any such Child or Children to be Apprentice or Apprentices to the Governor or Steward for the Time being of the said House, till such Child or Children shall come to the Age or respective Ages of twenty-one Years; and on the Death, Resignation, or Removal, of such Governor or Steward, such Apprentice or Apprentices so bound shall belong and appertain to the succeeding Governor or Steward, without any formal Assignment being made to him of such Apprentice or Apprentices, and so from Time to Time to the Governor or Steward for the Time being, until the Expiration of the Term for which any of such Children shall have been respectively bound; and such Child or Children shall respectively serve the said Governor or Steward for the Time being, as Apprentice or Apprentices, until the End of the said Term for which he, she, or they respectively shall be bound, and shall, during the said Term, be considered as Apprentice or Apprentices to the Governor or Steward for the Time being, to all Intents and Purposes, in the same Manner as if he, she, or they, had been originally bound to every new or succeeding Governor or Steward respectively, and had served the whole Term of his, her, or their Apprenticeship with such Governor or Steward; and such Child or Children, so to be bound to the said Governor or Steward, shall be provided for and maintained by the said Guardians, during such his, her, or their respective Apprenticeship, in the same Manner as other poor Children are to be provided for and maintained by virtue of this Act; and all Profits, Benefit, and Advantage, arising from every such Apprentice so bound to the said Governor or Steward, shall be accounted for to the said Guardians, and shall be had, received, and taken by them, and be applied for the Purposes of this Act.

Children bound by Directors, &c. to be under the same Regulations as other poor Apprentices.

LIV. And be it further enacted, That every Apprentice so bound by the Directors and acting Guardians shall be entitled to all Privileges and Protections, and subject to the like Regulations, and be considered to all Intents and Purposes (except where it is otherwise provided by this Act) as an Apprentice bound out by the Churchwardens and Overseers of any particular Parish, according to the general Laws for binding poor Apprentices.

Children may be apprenticed out of the Island, &c.

LV. And be it further enacted, That it shall and may be lawful to and for the Directors and acting Guardians, or any five of them, whereof two at least to be Directors, to bind any poor Children to be Apprentices, for any Term not exceeding their respective Ages of twenty-one Years, to any Persons willing to receive such Children, whether such Persons be living within or out of the said *Isle of Wight*; and the said Directors and acting Guardians shall have Authority to order the Treasurer, out of the Money in his Hands, to pay such reasonable Sum or Sums of Money at the Time of binding, to the intended Master or Mistress of such Child or Children, as the said Directors and acting Guardians can agree for with the said Master or Mistress.

Directors, &c. may let out the Poor to Harvest-work, &c.

LVI. And be it further enacted, That the said Directors and acting Guardians, at any Weekly Meeting to be held by virtue of this Act, may, upon Application made by any Farmer or other Person, wanting any of such Children or other poor Persons in the said House, either in Harvest or for other Work, suited to the Strength and Abilities of such Children or other poor Persons, let out such Number of such Children or other poor Persons as shall be required, on a Contract for their Labour and Maintenance, on such Terms as shall be settled between the said Directors and acting Guardians and such Person or Persons agreeing for such Children or other poor Persons; and the Wages shall be paid to the Treasurer of the said Guardians, to be applied for the Purposes of this Act; and it shall and may be lawful to and for the said Directors and acting Guardians, at any General Quarterly Meeting to be held by virtue of this Act, to contract (if they shall think it expedient so to do) with any Person or Persons for employing all or any of the Poor in the said House, on such Terms and Conditions as the said Directors and acting Guardians shall think proper, such Contractor or Contractors being subject to such Rules and Regulations as are herein after prescribed, for the Case and Benefit of the said poor People, and so as no such Contract shall subsist or be in Force for any longer Space than one Year: And to the End that all the poor People in the said House may be encouraged to apply themselves to such Tasks in which they shall be employed with Diligence and Humility, it shall and may be lawful to and for the said Directors and acting Guardians, at any

or may contract for employing the Poor for one Year.

Rewards to be given to the industrious Poor;

any Quarterly Meeting, out of the Profits ariſing by the Work which ſhall be done by ſuch poor People, to diſtribute ſuch Rewards to the induſtrious and ſkilful, as to them ſhall appear reaſonable, ſo as no Part of ſuch Rewards be expended in the Purchaſe of unwholeſome or unneceſſary Liquors, the drinking of which the Governors and Stewards, and Matron and Matrons, are hereby ſtrictly enjoined to prevent; and for inciting the Governors and Stewards, Matron or Matrons, and other Officers of the ſaid Houſe, to diſcharge their Duty with Humanity, Diligence, and Fidelity, it ſhall be lawful for the ſaid Directors and acting Guardians, at any General Quarterly Meeting, to allow ſuch Officers, or any or either of them, over and above their reſpective Salaries, ſuch Proportion of the Profits of the Work ſo done by the ſaid poor People as they ſhall think proper; and, after deducting ſuch Allowances and Gratuities as aforeſaid, the Profits of the Work ſo done by the ſaid poor People ſhall be applied to the general Purpoſes of this Act.

and to the Governor, Matron, &c.

LVII. And it is hereby enacted, That if any Perſon or Perſons ſhall convey any ſpirituous or ſtrong Liquors into the ſaid Houſe, ſuch Perſon and Perſons ſhall be ſubject to ſuch and the like Pains and Penalties as are, by an Act of the twenty-fourth Year of the Reign of his late Majeſty King *George* the Second, directed to be inflicted on Perſons conveying ſpirituous Liquors into Priſons or Gaols.

Penalty on bringing ſtrong Liquor into the Houſe.

'LVIII. And whereas it may happen that, by Caſualties or ſudden Illneſs, ſeveral poor Perſons may 'ſtand in Need of an immediate Relief, before Application can be made for the ſame at the Weekly Meet-'ings to be held in purſuance of this Act; for Remedy whereof,' be it enacted by the Authority aforeſaid, That it ſhall and may be lawful, at any Time or Times, for any Director or acting Guardian, upon Application made to him, or upon his own Knowledge of the Fact and Neceſſity of the Caſe, by Writing under his Hand, to order the Churchwarden or Churchwardens, Overſeer or Overſeers of the Poor, for any Pariſh, Place, or Diſtrict, within which any poor Perſon ſhall, from any Caſualty, Accident, or ſudden Illneſs, ſtand in Need of an immediate Aſſiſtance and Support, forthwith to pay unto every ſuch Perſon any reaſonable Sum or Sums of Money for his or her Support, until the next Weekly Meeting of the Committee of Directors and acting Guardians ſhall be held in purſuance of the Directions in this Act; which ſaid Sum or Sums of Money, ſuch Churchwarden or Churchwardens, Overſeer or Overſeers, ſhall immediately pay, and apply in ſuch Manner as ſuch Director or acting Guardian ſo ordering the ſame ſhall direct, out of the Monies collected or to be collected by him or them for the Purpoſes of this Act, and ſhall be allowed the ſame in his or their Accounts; and if any Churchwarden or Overſeer advances ſuch Money out of his own Pocket, he may retain the ſame out of the Rates and Aſſeſſments next by him received by virtue of this Act; and if he ſhall receive no ſuch Rate or Aſſeſſment after having advanced his own Money as aforeſaid, he may demand the Sum ſo by him advanced from his Succeſſors, who are hereby required to pay the ſaid Sum to him, and they ſhall be allowed the ſame in their Accounts: And the ſaid Churchwarden or Churchwardens, Overſeer or Overſeers, upon whom any ſuch Order or Orders ſhall be made by ſuch Director or acting Guardian as aforeſaid, ſhall attend at the next Weekly Meeting of the ſaid Committee of Directors and acting Guardians, and lay before the ſaid Committee the State and Circumſtances of the Perſon or Perſons ſo ordered to be relieved; and the ſaid Committee ſhall give ſuch further Directions for the Maintenance and Relief of ſuch poor Perſon or Perſons, as to them ſhall ſeem expedient: And that it ſhall and may be lawful for two or more of his Majeſty's Juſtices of the Peace for the ſaid County of *Southampton*, acting in and for the Diviſion of the *Iſle of Wight*, by Warrant under their Hands and Seals, to order the Directors and acting Guardians to grant ſuch reaſonable Relief, as to them the ſaid Juſtices ſhall ſeem meet, to any induſtrious poor Perſons who ſhall have Occaſion to apply for the ſame, ſo as no ſuch Order for the Relief of any poor Perſon or Perſons within the ſaid Iſland ſhall be made, by any ſuch two or more Juſtices as aforeſaid, until ſuch poor Perſon or Perſons ſhall have applied or cauſed Application to be made for ſuch Relief, at ſome Weekly Meeting of the Committee of Directors and acting Guardians, to be held in purſuance of this Act, and ſuch Relief ſhall, at ſuch Weekly Meeting, have been refuſed.

Directors and acting Guardians may order temporary Relief to Poor out of the Houſe:

Churchwardens, &c. relieving ſuch Poor, to attend the next weekly Meeting, &c.

In caſe Committee refuſe Relief to any poor Perſon, he may apply to the Juſtices, &c.

LIX. And be it further enacted, That the Churchwardens, Overſeers of the Poor, Conſtables, and other Pariſh Officers for the Time being, of all and every the Pariſhes, Diviſions, and Precincts, within the ſaid Iſland, ſhall from Time to Time, and at all Times hereafter, aid and aſſiſt the ſaid Guardians, Directors, and acting Guardians, to the beſt of their Power, according to the Duty of their reſpective Offices, and ſhall at all Times obey their Warrants and reaſonable Orders relative to the Execution of this Act; and in caſe any Churchwarden or Overſeer of the Poor, or Conſtable, or other Officer, ſhall refuſe or neglect to raiſe and levy the Sums ſo aſſeſſed upon his reſpective Pariſh or Place, or to pay at the Time and Place appointed the Money ſo collected and levied, or to obey any ſuch Warrants or Orders, or ſhall wilfully neglect or refuſe to perform his or their Duty towards the Indemnification of the ſeveral Pariſhes, in Caſes of Baſtardy and Pregnancy of ſingle Women; or, if any Overſeer ſhall, without giving Notice at a Weekly Meeting, ſuffer any Perſon or Perſons having a Wife or Wives, Child or Children, or any ſingle Woman generally known or violently ſuſpected to be with Child, whoſe legal Settlement ſhall not be in any Pariſh within the ſaid Iſland, to inhabit within the Pariſh of ſuch Overſeer, for the Space of thirty Days, without producing a legal Certificate of their Settlement from the Pariſh to which they belong, and ſuch Perſon or Perſons, his or their Wife or Wives, Child or Children, or any ſuch ſingle Woman, ſhall become chargeable to the Guardians of the Poor of the ſaid Iſland, every ſuch Churchwarden, Overſeer, Conſtable, or Officer, ſo neglecting or refuſing, ſhall, on Complaint made by the Chairman of any Weekly or other Committee, in the Name of the Whole, to any one or more Juſtice or Juſtices of the Peace for the ſaid County of *Southampton*, acting in and for the ſaid Diviſion of the *Iſle of Wight*, pay, for every ſuch Offence, being thereof convicted on the Oath of one or more Witneſs or Witneſſes, before ſuch Juſtice or Juſtices, any Sum not exceeding five Pounds, nor leſs than forty Shillings, at the Diſcretion of ſuch Juſtice or Juſtices; ſuch Forfeiture to be paid to the Treaſurer

Churchwardens and Overſeers to aſſiſt and obey the Directors and Guardians.

Penalty on Pariſh Officers for Neglect of Duty.

ſurer or Treaſurers of the ſaid Guardians, and added by him to the common Stock for the Uſe of the Poor.

Coſts of Removals, &c. to be paid by the Treaſurer.

LX. And be it further enacted, That all Coſts, Charges, and Expences, attending the Removals of any poor Perſons, or the Appeals againſt any Removals, and all other neceſſary Expences which ſhall ariſe in Caſes of Baſtardy, or otherwiſe, and which would, if not otherwiſe provided for, be paid and defrayed by the particular Pariſhes or Places within the ſaid Iſland, ſhall hereafter be paid and defrayed by the Treaſurer of the Corporation for the Time being, out of the Monies in his Hands belonging to the ſaid Corporation: Provided always, That the Treaſurer ſhall not pay the ſame until the Bill or Account thereof ſhall have been previouſly allowed at a Weekly or other Meeting, and an Order made at ſuch Meeting for Payment thereof.

Appeals againſt Convictions, how to be brought, &c.

LXI. And be it further enacted, That all Appeals againſt any Convictions given and allowed by virtue of this Act, the Penalties and Forfeitures whereof are given to the Guardians of the Poor of the ſaid Iſland, ſhall be brought againſt the Guardians of the Poor of the ſaid Iſland, and not againſt the Informer or Juſtice concerned in the ſaid Conviction; and all Coſts, Charges, and Expences, incurred by the ſaid Guardians, by Reaſon of ſuch Appeal, ſhall be paid and defrayed by the ſaid Treaſurer of the Corporation, out of the Monies in his Hands belonging to the ſaid Corporation.

Baſtards born in the Houſe to belong to their Mother's Pariſh.

LXII. And be it further enacted by the Authority aforeſaid, That every Baſtard Child that hath been, or ſhall hereafter be born of the Body of any poor Woman in the ſaid Houſe of Induſtry, ſhall gain and be intitled to a Settlement in the Pariſh where the Settlement of the Mother ſhall then be; and that the Settlement of each ſuch Baſtard Child ſhall follow that of the Mother, as fully as if ſuch Baſtard Child had been born in ſuch Pariſh, Townſhip, or Place, to which the Settlement of the Mother ſhall belong, and ſhall be deemed as one of the Poor thereof, to every Intent and Purpoſe whatſoever: And that it ſhall and may be lawful to and for the Churchwardens and Overſeers of the Poor of every ſuch Pariſh, Townſhip, or Place, to which the Settlement of every ſuch Woman ſhall belong, and alſo to and for the Governor of the ſaid Houſe for the Time being (who for this Purpoſe ſhall be conſidered as, and have a like and equal Authority with, an Overſeer of the Poor within every Pariſh and Place within the ſaid Iſland), or any or either of them, to proceed in the ſame Manner, and have and take ſuch and the ſame Remedy againſt the Mother and reputed Father of any ſuch Baſtard Child, for indemnifying the ſaid Guardians of the Poor by reaſon of ſuch Baſtard Child, and likewiſe in all Reſpects as the Law directs in the Caſe of Baſtardy, and as fully as if ſuch Baſtard Child had been actually born in the Pariſh, Townſhip, or Place, in which the Mother's Settlement ſhall then be.

Bonds relating to Baſtards to be delivered to the Guardians, &c.

LXIII. And be it further enacted, That all Bonds already given to parochial Officers within the ſaid Iſland, by private Perſons, to indemnify the Pariſhes from any Charge that may ariſe from particular Baſtard Children, ſhall be delivered by ſuch reſpective Officers to the ſaid Guardians of the Poor; and it ſhall and may be lawful for the ſaid Guardians to ſue on any ſuch Bonds ſo given to ſuch parochial Officers, in their Corporate Name, and they ſhall recover the Penalties thereof, as if ſuch Bonds had been originally made to them; and all Bonds hereafter given for the ſame, or any the like Purpoſes, as aforeſaid, ſhall be made to the ſaid Guardians of the Poor; and all Bonds already or hereafter to be made to the Guardians of the Poor, for the ſame or any the like Purpoſes, ſhall be deemed as good and effectual in Law as if the ſame had been made to the Officers of the reſpective Pariſhes; any Law, Statute, or Cuſtom, to the contrary notwithſtanding.

Guardians may give Certificates.

LXIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Directors and acting Guardians of the Poor, at their General Quarterly Meetings aſſembled as aforeſaid, to grant Certificates under the Common Seal of the Corporation, to any Perſon whoſe legal Settlement ſhall be in any Pariſh or Place within the ſaid *Iſle of Wight*, and who ſhall be willing to remove, or ſhall have removed, out of the ſaid Iſland; which reſpective Certificates, under the Common Seal of the ſaid Guardians, and atteſted by their Clerk for the Time being, and ſigned by two Juſtices of the Peace acting for the Diviſion of the ſaid Iſland, ſhall be good and valid to all Intents and Purpoſes, and no other Certificate whatſoever to be granted within the ſaid Iſland ſhall be valid or of any Effect; any Law, Statute, or Cuſtom, to the contrary notwithſtanding: And that all Certificates which have been delivered to, and remain in the Cuſtody of, the reſpective parochial Officers, by Perſons reſiding within the ſaid Iſland, ſhall be delivered forthwith, and all Certificates which ſhall hereafter be delivered to the reſpective parochial Officers by Perſons coming to reſide, or reſiding, within the ſaid Iſland, ſhall be, from Time to Time, delivered, within the Space of fourteen Days after the Receipt thereof by ſuch Officer, to the Clerk of the ſaid Corporation for the Time being, who ſhall cauſe the ſame to be filed, ſo that Reference may be had thereto at any future Time, and ſhall ſuffer the ſame to be inſpected by any Perſon who ſhall, for good and ſufficient Cauſe, deſire to inſpect the ſame at reaſonable Hours.

Certificates in Cuſtody of Pariſh Officers, &c. to be delivered to the Clerk of the Corporation.

Puniſhment of poor Perſons guilty of lewd or diſorderly Behaviour.

LXV. And be it further enacted, That if any poor Perſon maintained and relieved in the ſaid Houſe, ſhall be guilty of prophane curſing or ſwearing, or of any lewd, immoral, indecent, or diſorderly Behaviour, or ſhall neglect or refuſe to perform the Work or Services which he or ſhe ſhall be required to do, or ſhall be remiſs therein (ſuch Work or Service being ſuited to his or her Age, Strength, and Ability), every ſuch Offender ſhall and may be puniſhed by moderate Correction, or Diſtinction of Dreſs, ſuch Puniſhment to be inflicted by Order of the major Part of the ſaid Directors and acting Guardians preſent at any Weekly Meeting to be held in purſuance of this Act.

Juſtice, on Complaint of the Governor, may commit diſorderly Perſons to the Houſe of Correction.

LXVI. Provided nevertheleſs, That if the Governor or Governors ſhall make Complaint to any Juſtice of the Peace for the County of *Southampton*, acting in and for the Diviſion of the *Iſle of Wight*, againſt any idle or diſorderly Perſon or Perſons maintained and relieved in the ſaid Houſe, and ſuch Perſon ſhall, on Examination of the Complaint, be adjudged by the ſaid Juſtice to be guilty of any ſuch Offence, that then it ſhall and may be lawful for ſuch Juſtice to commit the Offender to the Houſe of Correction for the ſaid

ſaid County at *Newport*, in the *Iſle of Wight*, for any Time not exceeding one Month, or to direct Corporal Puniſhment only, or both Corporal Puniſhment and Commitment, as ſuch Juſtice, according to the Nature of the Offence, ſhall think proper.

Guardians may apprehend idle and diſorderly Perſons within the Iſland.

LXVII. And be it further enacted, That it ſhall and may be lawful to and for the ſaid Guardians, or any one of them, to apprehend, or cauſe to be apprehended, all Perſons being in any Pariſh or Place within the ſaid Iſland, who, not having wherewith to maintain themſelves, or their Families, live idle without Employment, and refuſe to work, according to their Abilities, for the uſual and common Wages given to other Labourers in the like Work, in the Pariſhes or Places where they then are, or who neglect or refuſe to maintain their Wives or Children according to their Abilities, and to convey, or cauſe to be conveyed, to ſome Juſtice of the Peace for the ſaid County, acting in and for the Diviſion of the *Iſle of Wight*, the Perſon or Perſons ſo apprehended, and ſuch Perſon or Perſons ſo apprehended ſhall be deemed idle and diſorderly, and ſhall be dealt with according to the Laws, which ſhall be then in Force, againſt idle and diſorderly Perſons.

Guardians to finiſh and complete the Buildings;

LXVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Directors ſhall and may, and they are hereby required, as ſoon as conveniently may be, to complete and finiſh the ſaid Houſe of Induſtry, for the Reception, Maintenance, and Employment, of the Poor of the ſaid Iſland; and one other ſeparate Building, or Part of a Building, to ſerve as a Houſe or Houſes of Correction for the Puniſhment and keeping to hard Labour ſuch idle and diſorderly Perſons, who being able ſhall refuſe to work, or otherwiſe miſbehave themſelves; and ſuch other Buildings as ſhall, in the Opinion of the ſaid Directors and acting Guardians, be neceſſary for executing the Purpoſes of the ſaid Act; and that until the ſaid Houſe of Induſtry, and ſuch other Buildings as ſhall be adjudged neceſſary as aforeſaid, ſhall be completed, the ſaid Directors, or any ſeven or more of them, ſhall be, and they are hereby declared to be, a Committee to direct and ſuperintend the ſaid Buildings until the ſame ſhall be finiſhed; and the ſaid Directors ſhall keep the ſaid Buildings in good Repair, and from Time to Time alter and enlarge the ſame, in ſuch Manner as ſhall be thought convenient, and the Expence of keeping the ſame in Repair ſhall be defrayed out of the Money from Time to Time raiſed by the Rates by virtue of this Act; and the ſaid Committee ſhall enter all their Proceedings in a Book or Books to be kept for that Purpoſe, and ſhall and may, by Order under their Hands, or the Hands of any four or more of them, at a public Meeting aſſembled, order any Sum or Sums of Money to be paid by the Treaſurer or Treaſurers out of the Money remaining in his or their Hands for the Purpoſes of this Act; and alſo ſhall and may furniſh the ſaid Houſe with all neceſſary Furniture, Houſehold Goods, and Utenſils, and alſo provide a convenient Stock of Flax, Hemp, Wool, Cotton, Thread, Iron, Stone, and Wood, and other Materials, for the Employment of the Poor received and to be received into ſuch Houſe, and for that Purpoſe may ſet up, uſe, and occupy, any Trade, Myſtery, or Occupation whatſoever, in ſuch Houſe.

and to furniſh the ſame.

The Property of Furniture, &c. to be veſted in the Guardians.

LXIX. And be it further enacted, That the Property of all Furniture, Proviſions, Cattle, Cloaths, and of all other Goods and Chattels whatſoever, which now are, or at any Time hereafter ſhall be, received, purchaſed, or acquired, by the ſaid Corporation, or by any Officer of the Corporation for the Uſe of the ſaid Corporation, and ſhall be employed by the ſaid Corporation according to the Purpoſes of this Act, and alſo all Debts due to the Corporation for the Poor's Work, or otherwiſe, ſhall be, and are hereby abſolutely veſted in the ſaid Guardians for the Uſe of the ſaid Corporation; which ſaid Guardians are hereby authoriſed and empowered, by their ſaid Name of Incorporation, to bring Actions for the Recovery thereof, and alſo to make any Accuſation before any Juſtice of the Peace againſt any Perſon or Perſons who ſhall ſteal, or be ſuſpected of ſtealing the ſame, and the ſaid Juſtice ſhall thereupon cauſe every Perſon ſo accuſed to be apprehended, which ſaid Perſon ſo apprehended ſhall be dealt with as if he had ſtolen, or were ſuſpected of ſtealing, the Goods or Chattels of any private Perſon.

The Houſe of Induſtry to be conſidered as a Dwelling-houſe, &c.

LXX. And be it further enacted, That the Houſe of Induſtry, erected by virtue of this, or of the above recited Act, ſhall be conſidered as a Dwelling-houſe, and in all Indictments for ſtealing any Goods or Chattels whatſoever out of the ſame, it ſhall be ſufficient to ſet forth that the ſaid Houſe of Induſtry is the Dwelling-houſe of the Governor thereof, for the Time being, and every Perſon convicted of ſtealing Goods and Chattels out of the ſaid Houſe ſhall receive the like Sentence and Puniſhment, according to the Circumſtances of his Caſe, as if he had ſtolen Goods or Chattels from the Dwelling-houſe of any private Perſon.

Penalty on poor Perſons who ſhall ſell or pawn, &c. any Furniture, Proviſions, or Cloaths, belonging to the Corporation;

LXXI. And be it further enacted, That if any of the ſaid Poor, provided for and under the Care of the ſaid Guardians, ſhall ſteal, take, carry away, ſell, embezzle, pawn, pledge, or wilfully deſtroy or ſpoil, any ſuch the aforeſaid Furniture, Proviſions, Cattle, Cloaths, or any other the Goods or Chattels whatſoever, to the ſaid Corporation belonging as aforeſaid, or ſhall be violently ſuſpected of ſtealing, taking, carrying away, ſelling, embezzling, pawning, pledging, or wilfully deſtroying or ſpoiling the ſame, it ſhall be lawful for two Juſtices of the Peace for the ſaid County, acting in and for the Diviſion of the *Iſle of Wight*, on Application from the Chairman of any Weekly or other Committee, in the Name of the Whole, to hear and determine the Matter of the ſaid Accuſation or Suſpicion, and on Confeſſion of the Party, or on due Proof before them by one credible Witneſs, or more, to order ſuch Confinement and corporal Puniſhment of any ſuch Offender in the Houſe of Correction, inſtead of any Proſecution for Felony as aforeſaid, as they ſhall think proper; and in caſe any poor Perſon ſo accuſed ſhall have abſconded, it ſhall be lawful for the Directors and acting Guardians at ſuch Weekly or other Meeting, by Warrant under the Seal of the ſaid Corporation, to cauſe ſuch Perſon to be apprehended within the ſaid Iſland, and to be conveyed to the ſaid Houſe of Induſtry, there to be confined and puniſhed as aforeſaid: And in caſe any Perſon or Perſons ſhall knowingly buy or receive, or cauſe to be bought and received, or ſhall otherwiſe take into his, her, or their Cuſtody or Power, any ſuch of the aforeſaid Goods, Cattle, Chattels, Furniture, Proviſions, Cloaths, Linen, Wearing-apparel, Tools, Utenſils, and Materials whatſoever before-named, from or by Means or Contrivance of any of the Poor under the Care and Management of the ſaid Guardians, or from any other Perſon or Perſons, without the Privity and Conſent of the ſaid

and on Perſons buying or receiving the ſame;

or harbouring any of the Poor who have abſconded, &c.

ſaid Guardians at ſome ſuch Weekly Meeting; or in caſe any Perſon or Perſons ſhall knowingly receive, entertain, keep, or conceal, any of the ſaid Poor under the Care of the ſaid Guardians, who ſhall have abſconded, eloped, or deſerted from the ſaid Houſe of Induſtry without the Privity and Conſent of the ſaid Guardians, every ſuch Perſon or Perſons ſo offending, and being convicted of any of the Offences aforeſaid, on his or her own Confeſſion in Writing, or upon the Oath of any one Witneſs before any one Juſtice of the Peace for the ſaid County, acting in and for the Diviſion of the ſaid *Iſle of Wight*, ſhall forfeit and pay for every ſuch Offence, the Sum of five Pounds, over and beſides the Value of the Goods, Cattle, Chattels, Apparel, or Materials, ſo bought, received, or taken, into his, her, or their Cuſtody, to be eſtimated at the Price the ſame were originally bought for when new for the Uſe of the ſaid Corporation.

Penalty on Perſons oppoſing the Execution of this Act.

LXXII. And be it further enacted, That if any Perſon ſhall, by open Force and Violence, hinder, or endeavour to hinder, the lawful Execution of any of the Powers and Authorities veſted in any of the Officers, or Members of this Corporation, by virtue of this Act, and ſhall be thereof convicted, on Oath of one Witneſs, before one of his Majeſty's Juſtices of the Peace acting in and for the Diviſion of the *Iſle of Wight*, every Perſon ſo offending ſhall forfeit, for every ſuch Offence, a Sum not exceeding five Pounds, nor leſs than twenty Shillings, to the Uſe of the ſaid Corporation, to be levied by Diſtreſs and Sale; and if ſufficient Diſtreſs cannot be found, every ſuch Perſon ſhall be committed to the Houſe of Correction at *Newport*, within the ſaid Iſland, and be kept to hard Labour for any Time not exceeding two Calendar Months

Convictions not to be quaſhed for want of Form.

LXXIII. And be it further enacted, That all and every Conviction and Convictions for any Penalty whatſoever, in purſuance of this Act, and in any-wiſe relating to the ſaid Corporation, ſhall be drawn up in the following Manner, or in Words to the ſame Effect, and ſhall not be quaſhed, or vacated, or any Advantage taken thereof, for want of Form.

Form of Conviction.

'*Iſle of Wight*, in the County of *Southampton*. } BE it remembered, That on the Day of in the Year of his Majeſty's Reign, is [*or* are] convicted before in the Sum of for [*ſpecifying the Offence and Facts as the Caſe ſhall be.*]

'Given under Hand and Seal, [*or* Hands and Seals,] the Day and Year aforeſaid.'

Penalties and Forfeitures how to be recovered.

LXXIV. And be it further enacted, That all pecuniary Penalties and Forfeitures inflicted, directed, and made payable to the Uſe of the ſaid Corporation, as are herein mentioned and expreſſed (except in ſuch Caſes where it is hereby otherwiſe ordered) and alſo all ſuch other pecuniary Penalties and Forfeitures whatſoever, which ſhall be inflicted and appointed by any Bye-law or Ordinance to be made by the ſaid Corporation, purſuant to the Power hereby given, ſhall and may be ſeverally recovered, and are hereby directed and impowered to be ſeverally recovered, by Diſtreſs and Sale of the Goods and Chattels of every ſuch Perſon having incurred any ſuch Forfeitures, and being thereof convicted, by virtue of a Warrant or Warrants under the Hands and Seals of any two or more Juſtices of the Peace for the ſaid County of *Southampton*, acting for the Diviſion of the *Iſle of Wight*, together with the Coſts of Diſtreſs, to be aſcertained by ſuch Juſtices (who are hereby ſeverally impowered and required, upon the Application of any Perſon, by Order of the ſaid Directors and acting Guardians, to iſſue and grant ſuch Warrant or Warrants, in caſe ſuch Penalty or Forfeiture ſhall not be paid, or Notice of Appeal given, within ten Days after ſuch Conviction;) and in caſe ſuch ſufficient Diſtreſs ſhall not be found, then it ſhall and may be lawful for any ſuch Juſtices, by Warrant under their Hands and Seals, upon the like Application, to apprehend any ſuch Offender or Offenders, and by virtue of ſuch Warrant to cauſe ſuch Offender to be committed to the Houſe of Correction at *Newport*, in the *Iſle of Wight*, for ſuch Space of Time as ſuch Juſtices by ſuch Warrant ſhall appoint, not exceeding three Months, unleſs he or they ſhall ſooner pay ſuch Penalty or Forfeiture, together with the Charges attending the Proceedings againſt him or them, to be aſcertained by ſuch Juſtices, as aforeſaid.

Perſons aggrieved may appeal to the Quarter Seſſions;

LXXV. Provided always, and be it enacted, That in all Caſes of Penalties and Forfeitures given by this Act, to be levied by Diſtreſs and Sale, on Conviction before one or more Juſtice or Juſtices (except where an Appeal is expreſsly taken away by the Proviſions of this Act), it ſhall and may be lawful for any Perſon who ſhall think himſelf or herſelf aggrieved by ſuch Conviction, to appeal to the next General Quarter Seſſions of the Peace, to be holden for the ſaid County at *Wincheſter*, againſt ſuch Conviction, on giving Notice to the Directors and acting Guardians of ſuch Appeal, and entering into a Recognizance of ten Pounds, with ſufficient Sureties, before one or more Juſtice or Juſtices of the Peace for the ſaid County of *Southampton*, acting for the Diviſion of the *Iſle of Wight*, upon Condition to proſecute ſuch Appeal; and, in caſe the ſaid Conviction ſhall be confirmed, to pay the Coſts and Charges of the ſaid Directors and acting Guardians attending ſuch Appeal, to be allowed by ſuch Juſtices; and the Juſtices at ſuch Seſſion aſſembled ſhall and may hear and finally determine ſuch Appeal, and may mitigate, or ſet aſide, ſuch Penalties, in ſuch Manner, and award ſuch reaſonable Coſts to either Party, as they ſhall think proper.

whoſe Determination ſhall be final.

Juſtices to proceed on Complaint of Directors, &c.

LXXVI. And be it further enacted by the Authority aforeſaid, That in all Caſes where one or more Juſtice or Juſtices of the Peace is or are impowered, by the Laws now in being, to proceed on the Complaint of the Churchwardens and Overſeers of the Poor of any Pariſh or Pariſhes, or of any of them, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices of the Peace, and he and they is and are hereby required to proceed on the Complaint of any of the ſaid Directors or acting Guardians, Governors or Stewards for the Time being, in ſuch and the like Manner, to all Intents and Purpoſes, as if ſuch Complaint had been made by ſuch Churchwardens, or Overſeers, or any of them: And, for the better and more eaſy Execution of the Powers and Authorities in this Act contained, all Warrants iſſued by any Juſtice

Governors or Stewards may act as Peace Officers.

Juſtice or Juſtices of the Peace, in purſuance of this Act, or any ways reſpecting the Government and Management of the Poor within the ſaid Iſland, ſhall and may be directed by ſuch Juſtice or Juſtices of the Peace, either to the Governors or Stewards of the ſaid Houſe of Induſtry, for the Time being, or to the Conſtable or Conſtables, or other Peace Officer or Officers of the Pariſh or Place where the ſame are to be reſpectively executed, and ſuch Governors or Stewards are hereby authoriſed and required to execute ſuch Warrants ſo directed to them, accordingly; and all Perſons are hereby required to be aiding and aſſiſting to ſuch Governors or Stewards in the Execution of ſuch Warrants, in the ſame Manner as if ſuch Warrants had been executed by a Conſtable or other Peace Officer.

Forfeitures given to the Poor to be paid to the Treaſurer.

LXXVII. And be it further enacted, That all Forfeitures ariſing from any Offences committed within the ſaid Iſland, where the Whole, or any Part thereof, is given to the Poor of the Pariſh, or for any Offences againſt this Act, ſhall be paid to the Treaſurer or Treaſurers to the ſaid Corporation, to the Uſe of the Poor of ſuch Houſe.

Chairman of a Weekly Committee, &c. may ſummon Witneſſes, and examine them on Oath.

LXXVIII. And be it further enacted, That it ſhall and may be lawful to and for the Chairman of any Weekly Committee, or other Meeting of the Directors and acting Guardians, to be held in purſuance of this Act, and alſo to and for any Juſtice or Juſtices of the Peace of the County of *Southampton*, acting in and for the Diviſion of the *Iſle of Wight*, before whom any Complaint ſhall be made, by virtue of this Act, to iſſue a Summons, in Writing, under his or their Hand or Hands, for the Appearance of any Perſon or Perſons before him or them, as Witneſs or Witneſſes in any ſuch Complaint, and to examine any ſuch Perſon or Perſons upon Oath; which Oath ſuch Chairman, and Juſtice or Juſtices, is and are hereby impowered to adminiſter, touching and concerning ſuch Complaint.

Poor maintained in the Houſe, Inhabitants, &c. to be deemed competent Witneſſes.

'LXXIX. And whereas on the Trial of Actions for Offences againſt this Act, and on the Hearing 'of Examinations and Appeals touching Orders of Removal to and from the ſaid Iſland, and alſo touch-'ing Orders of Baſtardy concerning Baſtards chargeable, or likely to become chargeable, to any Pariſh 'within the ſaid Iſland, and alſo touching Convictions or Adjudications of Offences and Defaults, for 'which Penalties or Forfeitures are or may be impoſed by virtue of this Act, or are or may, by virtue of 'any other Act, be levied for the Uſe of the Poor of any Pariſh or Place within the ſaid Iſland, it will ge-'nerally happen that Perſons who can give the moſt ſatisfactory Teſtimony in ſuch Caſes will be Perſons 'who pay to the Rates and Aſſeſſments impoſed by Order or Direction of this Corporation, or Perſons 'who are Officers of the ſame, or who are maintained within the Houſe of Induſtry, or otherwiſe ſup-'ported by this Corporation: And whereas ſuch Perſons may frequently be deemed to be intereſted, and 'the Judges before whom they appear as Witneſſes may incline to reject their Teſtimony on ſuch Occa-'ſions; for Remedy whereof,' be it enacted and declared, That in all Actions to be brought in any of his Majeſty's Courts of Record at *Weſtminſter*, for the Recovery of any Penalty or Forfeiture given by this Act; and at the Hearing of all Examinations and Appeals touching Orders of Removal to and from the ſaid Iſland, or touching Orders of Baſtardy concerning Baſtards chargeable, or likely to become chargeable, to any Pariſh or Place within the ſaid Iſland, or touching Adjudications or Convictions of Defaults and Offences, for which Forfeitures or Penalties are or may be impoſed by virtue of this Act, or touching any Penalties or Forfeitures which, or any Part of which, by the Laws now in being, or by any Laws hereafter to be made, are or may be given to the Poor of any Pariſh or Place within the ſaid Iſland, the Evidence of Perſons who pay to the Rates and Aſſeſſments impoſed by Order or Direction of this Corporation, and of Perſons who are Members or Officers of the ſame, and of Perſons who are maintained within the ſaid Houſe of Induſtry, or who are otherwiſe ſupported or aſſiſted by the ſaid Corporation, ſhall be taken and admitted, any Law, Cuſtom, Rule, or Uſage, to the contrary notwithſtanding.

Truſtees to ſell Workhouſes not already ſold.

LXXX. And be it enacted by the Authority aforeſaid, That the ſeveral Workhouſes belonging to the ſeveral Pariſhes in the *Iſle of Wight*, together with the Lands thereunto belonging, which, by the above-recited Act, are or were veſted in the Truſtees named in the ſaid recited Act, ſhall continue to be veſted in the ſaid Truſtees, unleſs they have already ſold or conveyed away the ſame; and that the ſaid Truſtees and their Heirs ſhall and do ſell and convey ſuch of the ſaid Houſes and Lands, as they have not already ſold and conveyed away, to ſuch Perſon or Perſons as ſhall be willing to purchaſe the ſame, and ſhall and do pay the Monies ariſing by ſuch Sale or Sales into the Hands of the Treaſurer of the ſaid Corporation, to be applied to the common Stock of the ſaid Corporation, for the Purpoſes of this Act; and all and every Aſſignments, Conveyances, and Aſſurances whatſoever, of all and every or any of the Workhouſes of the ſeveral Pariſhes within the ſaid Iſland, ſold under the ſaid Act by the Truſtees therein mentioned, or the Survivors or Survivor of them, and all and every other Act and Acts, Thing and Things whatſoever, done or procured to be done by the ſaid Directors, or by the ſaid Directors and Guardians, choſen and acting under and by virtue of the ſaid Act, ſhall be, and are hereby declared to be, valid and effectual in the Law, to all Intents and Purpoſes, as if the ſaid Act was to remain, continue, and be in full Force, and not hereby repealed.

All Aſſignments, &c. of Truſtees, Directors, &c. under former Act, to be valid.

Rights of Common on the Land incloſed extinguiſhed, &c.

LXXXI. And be it further enacted by the Authority aforeſaid, That from henceforth all Right of Common, and Common of Paſture, and other Rights and Privileges, in, over, or upon, the ſaid Land or Ground, compriſed in and granted by the ſaid recited Letters Patent, ſhall ceaſe, determine, and be for ever extinguiſhed and annihilated, to all Intents and Purpoſes; and that ſuch Land or Ground, or any of the Buildings already made and erected, or hereafter to be made and erected thereon, ſhall not be ſubject or liable to the Payment of any Rates, Taxes, or Levies whatſoever, or to any Claims or Demands whatſoever, for amending, maintaining, or repairing, any Way or Road whatſoever, on account of incloſing the ſaid Land.

Voluntary Contributions how to be diſpoſed of.

LXXXII. And be it further enacted by the Authority aforeſaid, That all voluntary Contributions, which well-diſpoſed and charitable Perſons ſhall think proper to make towards the carrying on the good Purpoſes hereby intended, ſhall be paid to and received by the Treaſurer of the ſaid Guardians, and be applied and diſpoſed of in ſuch Manner, for the Maintenance, Cloathing, Employment, Accommodation

and Benefit of the Poor in the ſaid Houſe, as the Contributor and Contributors ſhall direct and appoint; and if no particular Direction or Appointment ſhall be given or made, touching the Application of ſuch Contributions, the ſame ſhall be made Part of the common Stock, and applied for the general Purpoſes of this Act; and a Liſt of the Names of ſuch Contributors, and an Account of the Sums by them contributed, ſhall be affixed in the moſt conſpicuous Part of the ſaid Houſe.

Saving the Rights of Lords of Manors, &c.

LXXXIII. And be it further enacted by the Authority aforeſaid, That this Act, or any Thing herein contained, ſhall not prejudice or affect the Rights of the Lord and Lords of any Manor or Manors within the ſaid Iſland, and of the Freeholders and other Inhabitants within the ſaid Iſland, in and to all Rights of Common, or other Rights or Privileges whatſoever, in, upon, or within the ſaid Foreſt of *Parkhurſt*; but that ſuch Lord or Lords for the Time being, and all Perſons claiming or to claim, under or in Truſt for him or them as Lord or Lords aforeſaid, and alſo all Freeholders and Inhabitants within the ſaid Iſland, ſhall at all Times hereafter hold and enjoy all Rights of Common, and other Rights and Privileges, other than and except ſuch Right of Common, and other Rights and Privileges, as can or may be claimed by them, any or either of them, upon the Land incloſed by virtue of the ſaid recited Act, in as full, ample, and beneficial Manner, to all Intents and Purpoſes, as the ſame would have been held or enjoyed in caſe this Act had not been made.

Limitation of Actions.

LXXXIV. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, the ſame ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the County of *Southampton*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the ſpecial Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by Authority of this Act; and if it ſhall appear ſo to have been done, or that ſuch Action or Suit ſhall be commenced after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid, that then the Jury ſhall find for the Defendant or Defendants; and where any Diſtreſs ſhall be made for any Sum or Sums of Money juſtly due, the Diſtreſs itſelf ſhall not be deemed to be unlawful, nor ſhall the Party or Parties concerned therein be deemed Treſpaſſer or Treſpaſſers for Want of Form in any of the Proceedings, nor ſhall the Parties be deemed Treſpaſſers *ab initio* on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Party or Parties aggrieved ſhall recover Satisfaction for the ſpecial Damage he, ſhe, or they ſhall have ſuſtained, and no more: And if in any Action or Suit as aforeſaid, a Verdict ſhall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his, her, or their Action or Suit, after the Defendant or Defendants ſhall have appeared, or if, upon Demurrer, Judgment ſhall be given againſt the ſaid Plaintiff or Plaintiffs, the Defendant and Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have in any other Caſes by Law; and in all Actions and Suits ſo commenced and proſecuted, the Inhabitants of the ſaid Iſland ſhall be deemed and admitted to be good Evidences, any Law, Uſage, or Cuſtom, to the contrary notwithſtanding.

General Iſſue.

Diſtreſs not deemed unlawful for want of Form, &c.

Treble Coſts.

Plaintiff, on Recovery, to be paid full Coſts.

LXXXV. Provided always, That where the Plaintiff or Plaintiffs ſhall recover in ſuch Action, he, ſhe, or they ſhall be paid his, her, or their full Coſts of Suit, and have all the like Remedies for the ſame as in the other Caſes of Coſts.

Plaintiff not to recover after Tender of Amends made.

LXXXVI. Provided nevertheleſs, That no Plaintiff or Plaintiffs ſhall recover in any Action for any Irregularity, if Tender of Amends hath been made by the Party or Parties complained of, before ſuch Action brought; and that for this Purpoſe the Plaintiff or Plaintiffs, before ſuch Action brought, ſhall give ſix Weeks Notice to the Party againſt whom he propoſes to bring the ſame.

Commencement of this Act, and Repeal of the former one.

LXXXVII. And be it further enacted, That this Act ſhall take place on the firſt Day of *June* next enſuing the paſſing of this Act; and, from and after the ſaid firſt Day of *June*, the above-recited Act, paſſed in the eleventh Year of the Reign of his preſent Majeſty (intituled, *An Act for eſtabliſhing a Houſe or Houſes of Induſtry in the* Iſle of Wight, *for the Reception, Maintenance, and Employment of the Poor belonging to the ſeveral Pariſhes and Places within the ſaid Iſland)*, be wholly and entirely repealed.

Expences of this Act how to be paid.

LXXXVIII. And be it further enacted, That the Expences of procuring this Act of Parliament ſhall be paid out of the firſt Monies to be raiſed or borrowed by virtue of this Act.

Public Act.

LXXXIX. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Public Act; and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. LIV.

An Act to continue an Act, made in the fifth Year of the Reign of his late Majeſty King *George* the Second (intituled, *An Act to prevent the committing of Frauds by Bankrupts)*; and alſo an Act, made in the fourteenth Year of the Reign of his preſent Majeſty (intituled, *An Act to prohibit the Importation of light Silver Coin of this Realm from Foreign Countries into* Great Britain *or* Ireland, *and to reſtrain the Tender thereof beyond a certain Sum)*.

" 5 Geo. II. c. 30. *further continued for five Years*; *and* 14 Geo. III. c 42. *further continued for two Years.*"

CAP. LV.

An Act to enable the Truſtees of certain Charity Lands, belonging to the Poor of *Salford*, in the County Palatine of *Lancaſter*, to grant Building-leaſes thereof.

" Indenture of Grant by *Humphrey Booth*, &c. dated 18th *Feb.* 6 *Car.* I. recited. The Truſtees, *&c.* may
" leaſe the Truſt-eſtate for 99 Years; and from Time to Time renew ſuch Leaſes, *&c.* Leſſee may take
" down

" down Buildings, and ſet out Ways or Streets, &c. The moſt improved Rent to be reſerved, and paid " quarterly. Leſſees to covenant to build and repair, and deliver up Poſſeſſion, &c. Leaſes to contain " a Power of Re-entry for Non-payment of Rent. The Truſtees, on granting Leaſes, may take Fines " ſufficient to defray the Expences of this Act; and may apply Part of the Rents in making Improve- " ments, and Payment of Agents Salaries. Truſtees are impowered to direct the Conſtables, &c. in the " Diſtribution of the Rents. Leaſes made by virtue of this Act deemed valid."

CAP. LVI.

An Act for ſupplying the Borough and Town of *Brecknock*, and Liberties thereof, with Water; and for paving, cleanſing, regulating, and lighting, the Streets, Lanes, and public Paſſages there; and for widening and making commodious ſome of the ſaid Streets, Lanes, and Paſſages.

CAP. LVII.

An Act for paving, cleanſing, lighting, and watching, the Borough and Town of *Weymouth* and *Melcombe Regis*, in the County of *Dorſet*; and for removing all Incroachments, Obſtructions, and Annoyances therein.

CAP. LVIII.

An Act to explain and amend an Act, made in the twelfth Year of his preſent Majeſty, *for paving, cleanſing, lighting, and watching, the Streets and Lanes in the Town and Pariſh of* Chatham, *in the County of* Kent; *and for removing and preventing Nuiſances and Annoyances therein*; and to extend the Proviſions of the ſaid Act to ſuch Parts of the *High-ſtreet* in *Chatham*, as are ſituate in the Pariſhes of *Saint Margaret* and *Gillingham*, and to other Places adjoining or contiguous to the ſaid Town.

Preamble. Act 12 Geo. III. recited.

'WHEREAS an Act was made in the twelfth Year of the Reign of his preſent Majeſty, *for paving, cleanſing, lighting, and watching, the Streets and Lanes in the Town and Pariſh of* Chatham, *in the County of* Kent; *and for removing and preventing Nuiſances and Annoyances therein:* And whereas the Commiſſioners appointed by, or in purſuance of the ſaid Act, have cauſed the greateſt Part of the ſaid Streets and Lanes to be paved, cleanſed, and lighted, but Part of the *High-ſtreet* of the ſaid Town of *Chatham* being within the Pariſh of *Saint Margaret* next the City of *Rocheſter*, and another ſmall Part of the ſaid *High-ſtreet* lying within the Pariſh of *Gillingham*, in the ſaid County of *Kent*, Doubts have ariſen whether the ſaid Act empowers the ſaid Commiſſioners to pave, cleanſe, light, and watch, ſuch Parts of the ſaid *High-ſtreet* of the ſaid Town of *Chatham* which lie within the ſaid reſpective Pariſhes of *Saint Margaret* and *Gillingham*, for which Reaſon thoſe Parts have not yet been paved, cleanſed, lighted, or watched; and the ſaid Act has in ſeveral other Reſpects been found ineffectual;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That *Thomas Tomlyn*, *William Kettle*, *John Burton*, *John Matthews*, *William Moulden*, *John Southerden*, *Thomas Baker* the elder, and *John Maynard*, together with the Commiſſioners appointed for putting in Execution the ſaid recited Act, ſhall be, and they are hereby appointed, Commiſſioners for putting in Execution the ſaid recited Act, and this Act.

Additional Commiſſioners.

II. And be it further enacted, That, from and after the paſſing of this Act, the Property of the Pavements in all and every the Streets, Lanes, and public Paſſages, as well of that Part of the Pariſh of *Saint Margaret* next the City of *Rocheſter*, in the ſaid County of *Kent*, which lies on the South Side of the ſaid *High ſtreet* of *Chatham*, commencing at, and extending from, a Boundary Stone, placed at the End of *Chatham* Pariſh, next a certain Place called *The Chapel-ſteps* in the ſaid Pariſh of *Chatham*, Weſtward, to a certain Houſe called *The Round-about-houſe* at or near *Saint Margaret's Bank*; and of that Part of the Carriage-way in the ſaid Pariſh of *Saint Margaret*, which extends from the ſaid Houſe called *The Round-about-houſe*, Weſtward, oppoſite to the End or Corner of his Majeſty's *Victualling-office-wall*, next to a certain Lane there commonly called *Hangman's Lane*, on the North Side of the ſaid *High-ſtreet*; and alſo the Pavements from the ſaid Houſe called *The Round-about-houſe* along the Bank called *Saint Margaret's Bank*, Weſtward, to a certain Public-houſe or Inn lately called *The Flying-horſe*, but now *The Horſe and Groom*, in the Pariſh of *Saint Nicholas*, within the City of *Rocheſter*, in the ſaid County of *Kent*, and the ſeveral Lanes and public Paſſages to the ſaid Bank adjoining; as alſo the Pavements in that Part of the Pariſh of *Gillingham*, in the ſaid County of *Kent*, which adjoineth to and maketh Part of the ſaid *High-ſtreet* of *Chatham* aforeſaid, and the ſeveral Lanes and public Paſſages thereto adjoining; as alſo the Pavements in all and every the *High-ſtreet*, Streets, Lanes, public Ways, and Paſſages, within the ſaid Town and Pariſh of *Chatham*, as well thoſe Parts uſed by Carriages, as thoſe uſed by Foot-paſſengers, within the ſaid ſeveral and reſpective Pariſhes and Limits aforeſaid, now in being, or which hereafter ſhall be made or laid out, or intended for any Street, Lane, or public Paſſage, and of all Materials, Implements, and other Things, to be purchaſed for the Purpoſes of the ſaid recited, or this Act, or uſed, or to be uſed, in or about the making or repairing the ſaid Pavements; ſhall be, and the ſame are hereby reſpectively veſted in the Commiſſioners appointed by the ſaid recited Act, or in purſuance thereof, and by this preſent Act: And they are hereby authoriſed and impowered to pave, cleanſe, light, and watch, the ſaid *High-ſtreet*, Streets, Lanes, public Ways, and Paſſages, of the ſaid ſeveral and reſpective Pariſhes within the Limits before deſcribed, or to make Contracts for executing, performing, and completing, the ſaid ſeveral Pavements,

The Property of Pavements, &c. in certain Parts of Saint Margaret and Gillingham Pariſhes, as alſo in all Parts of Chatham Pariſh, veſted in the Commiſſioners;

who are impowered to pave, or make Contracts for paving, the Streets, &c.

Pavements, Works, and Duties aforeſaid, and to remove all Signs, Sign-irons, and Poſts, Incroachments, Shop-windows, Projections, Trees, Nuiſances, and Annoyances whatſoever, and to convey the Water from the Roofs and Pent-houſes by proper and ſufficient Pipes or Trunks, to be fixed to the Sides of the Houſe, Shop, Warehouſe, or other Building, whereto the ſame belongs, within the Limits aforeſaid, and to recover the Charges and Expences attending the ſame, and the Forfeitures and Penalties incurred thereby, or for Offences committed, in ſuch and the like Manner, and by ſuch and the like Ways and Means, as are particularly provided, declared, mentioned, and expreſſed, in and by the ſaid recited Act, and this Act, in all Points and Reſpects.

Directions for the Foot-pavement on Saint Margaret's Bank.

III. And be it further enacted, That ſuch Parts of the Footway upon *Saint Margaret's Bank* aforeſaid, which ſhall be paved with *Maidſtone* Flats, or *Purbeck* Squares, or other flat or ſmooth Pavement, ſhall not exceed five Feet in Breadth, of ſuch flat or ſmooth Pavement; unleſs the Landlords or Owners of the ſeveral and reſpective Houſes and Buildings ſhall requeſt or deſire it.

Commiſſioners impowered to erect Bars and Poſts on Saint Margaret's Bank:

IV. And be it further enacted, That the ſaid Commiſſioners ſhall and may, and they are hereby authoriſed and impowered (if abſolute Occaſion or Neceſſity ſhall require it, but not otherwiſe) to place, erect, or fix, one or more Bar or Bars, and Poſts, in and upon the ſaid Bank called *Saint Margaret's Bank*, for preventing a public Thoroughfare for Horſes and travelling Carriages to paſs over the ſaid Bank, to annoy the Inhabitants reſiding there, and from Time to Time to remove, or take away, and again to replace, ſuch Bars and Poſts, at their free Wills and Pleaſures.

Provided they do not deprive the Inhabitants of their Right of Paſſage, &c.

V. Provided always, That nothing herein contained ſhall be conſtrued to deprive the Owners or Proprietors, or the Tenants or Occupiers, of the reſpective Tenements, Houſes, or Buildings, upon *Saint Margaret's Bank* aforeſaid, of their accuſtomed Right and Way of Paſſage, with Horſes, Carriages, or otherwiſe, in, upon, or over the ſaid Bank, into the High Road there adjoining, and leading to the City of *Rocheſter*, or Pariſh of *Chatham* aforeſaid, reſpectively.

Commiſſioners not to pave Gillingham, without the Conſent of the Owners of Eſtates.

VI. And be it further enacted, That nothing herein contained ſhall be conſtrued to impower the ſaid Commiſſioners to pave the Footway in that Part of *Gillingham* Pariſh which adjoins *Chatham High-ſtreet*, unleſs all the Proprietors of Eſtates there ſhall, by Petition under their Hands addreſſed and preſented to the ſaid Commiſſioners at a Meeting aſſembled, particularly requeſt and deſire the ſame; but the ſaid Commiſſioners ſhall, nevertheleſs, have Power (if they think proper) to cleanſe and light that Part of the ſaid Pariſh of *Gillingham*, and the ſeveral Lanes which adjoin and make Part of the ſaid *High-ſtreet* of *Chatham* aforeſaid.

The Expences of Paving how to be borne:

VII. And be it further enacted, That all Charges and Expences attending the paving, maintaining, repairing, and keeping in Repair, the ſaid ſeveral Streets, Lanes, public Ways and Paſſages, by virtue, and within the Limits of the ſaid recited or this preſent Act, ſhall be borne and defrayed, under the Direction and Order of the ſaid Commiſſioners, by the Owner or Owners, Proprietor or Proprietors, or by the Parent, Truſtee, Guardian, Aſſignee, or *Ceſtuique* Truſt of any Owner or Owners, Proprietor or Proprietors, of the ſeveral Houſes, Buildings, Yards, Alleys, Paſſages, Gardens, Tofts, Ruins, Waſte Grounds, Lands, Tenements, and Hereditaments, lying next to or adjoining ſuch reſpective Pavements;

To be paid either by Landlord or Tenant,

and ſhall be paid to the Collector or Clerk for the Time being of the ſaid Commiſſioners, by the Owner or Owners, Proprietor or Proprietors, or by their reſpective Parents, Truſtees, Guardians, Aſſignees, or *Ceſtuique* Truſts, or their reſpective Tenants, or Occupiers of the ſaid ſeveral Houſes, Buildings, Yards, Alleys, Paſſages, Gardens, Tofts, Ruins, Waſte Grounds, Lands, Tenements, and Hereditaments, at the Option or Choice of the ſaid Commiſſioners; and ſuch Tenant or Occupier, in caſe he, ſhe, or they,

If Tenants pay, they are to be allowed it out of their Rent.

ſhall pay the ſame, ſhall be at Liberty, and they are hereby impowered to deduct and retain out of his, her, or their Rent or Rents, ſuch Sum or Sums of Money as they ſhall reſpectively pay on account thereof for their reſpective Landlords, Owners, or Proprietors, who are hereby required to allow and deduct ſuch Payments accordingly upon the Receipt of the Reſidue of their reſpective Rents: And if any Owner or Owners, Proprietor or Proprietors, or his, her, or their Parents, Truſtees, Guardians, Aſſignees, *Ceſtuique* Truſts, Tenants, or Occupiers, ſhall neglect or refuſe to pay ſuch Charges within ten Days next after Demand thereof made, by Notice in Writing, under the Hand of the ſaid Collector or Clerk, to be delivered to, or left at the Dwelling-houſe or Place of Abode of, ſuch Owner or Owners, Proprietor or Proprietors, or of their reſpective Parents, Truſtees, or Guardians, or their reſpective Tenants, or Occupiers thereof, the ſame ſhall and may be levied on every ſuch Owner or Owners, Proprietor or Proprietors, or on their reſpective Parents, Truſtees, or Guardians, or on their reſpective Tenants, or Occupiers thereof, at the Option or Choice of the ſaid Commiſſioners, by Diſtreſs and Sale of his, her, and their reſpective Goods and Chattels, by Warrant under the Hands and Seals of any two or more Juſtices of the Peace acting in and for the Weſtern Diviſion of the ſaid County of *Kent*, or for the City of *Rocheſter*, under whoſe Juriſdiction the ſame ſhall ariſe (which Warrant the ſaid Juſtices are hereby authoriſed and required to grant upon Information, on Oath, of ſuch Neglect or Refuſal and Notice; which Oath ſuch Juſtices are hereby impowered and required to adminiſter without Fee or Reward), returning the Overplus (if any) of the Monies to be raiſed by ſuch Diſtreſs and Sale, after deducting all Coſts and Charges attending the ſame, to the Owner or Owners of ſuch Goods and Chattels ſo diſtrained, on Demand; and in caſe ſuch Owner or Owners, Proprietor or Proprietors, or their reſpective Parents, Truſtees, Guardians, Aſſignees, or *Ceſtuique* Truſts, ſhall not live within the ſeveral and reſpective Pariſhes of *Chatham*, *Saint Margaret*, and *Gillingham* aforeſaid, that then the Charges and Expences of paving, maintaining, repairing, and keeping in Repair, ſuch reſpective Pavements, ſhall and may be levied upon ſuch Owner or Owners, Proprietor or Proprietors, or his, her, or their reſpective Parent, Truſtee, or Guardian, of the ſeveral and reſpective Houſes, Buildings, Yards, Alleys, Paſſages, Gardens, Tofts, Ruins, Waſte Grounds, Lands, Tenements, and Hereditaments, by Diſtreſs and Sale of the Goods and Chattels of ſuch Proprietor or Proprietors, or of his, her, or their reſpective Parent, Truſtee, or Guardian, by Warrant under the Hands and Seals of any two or more Juſtices of the Peace for the County, City, Borough, Town, Diviſion,

Penalty on Landlord's or Tenant's neglecting to pay, within ten Days after Demand.

ſion, or Place, where ſuch Goods or Chattels ſhall be; ſuch Owner or Owners, Proprietor or Proprietors, or his, her, or their reſpective Parent, Truſtee, or Guardian, having refuſed or neglected to pay the ſame for the Space of ten Days next after Demand made thereof, by Notice in Writing, under the Hand of the ſaid Collector or Clerk, or of his Agent or Attorney for that Purpoſe appointed, to be delivered to, or left at the Dwelling-houſe or Place of Abode of, ſuch Owner or Owners, Proprietor or Proprietors, or of his, her, or their reſpective Parent, Truſtee, Guardian, Aſſignee, or *Ceſtuique* Truſt, Oath of ſuch Refuſal or Neglect, and Notice, being firſt made, by a credible Witneſs, before ſuch Juſtice or Juſtices granting ſuch Warrant as aforeſaid, which Oath ſuch Juſtice or Juſtices is and are hereby impowered to adminiſter.

Pariſhioners of Saint Margaret and Gillingham to pay for the Pavements on certain Places.

VIII. And be it further enacted, That the Pariſhioners of the reſpective Pariſhes of *Saint Margaret* and *Gillingham* aforeſaid ſhall, under the Direction of the ſaid Commiſſioners, bear and ſuſtain the Charges and Expences of paving, maintaining, repairing, and keeping in Repair, ſuch Part and Parts of the ſeveral Pavements to them reſpectively belonging within the Limits aforeſaid, and by them accuſtomed to be paved, maintained, repaired, and kept in Repair, and the Charges and Expences of paving, maintaining, repairing, and keeping in Repair, ſuch parochial Pavements, within the ſaid Pariſhes of *Saint Margaret* and *Gillingham*, and Limits aforeſaid, ſhall be paid to the ſaid Collector or Clerk, by the Surveyors of the Highways, or by the Churchwardens or Overſeers of the Poor of the reſpective Pariſhes aforeſaid, for the Time being, or by any, or either, or ſuch of them as have heretofore been accuſtomed, and of Right ought to pave, maintain, repair, and keep in Repair, ſuch parochial Pavements; which ſaid Charges and Expences, ſo to be paid by the ſaid Surveyors of the Highways, or the Churchwardens or Overſeers of the reſpective Pariſhes aforeſaid, ſhall be allowed to them reſpectively, in all Accounts, touching their ſeveral Offices or Departments, and to all others whom it may concern: And in caſe the ſaid Surveyors of the Highways, or the Churchwardens or Overſeers of the Poor, of the ſaid reſpective Pariſhes, or any or either of them, ſhall neglect or refuſe to pay to the ſaid Collector or Clerk the Charges and Expences hereby directed to be paid by them reſpectively, for the Space of twenty Days next after the ſame ſhall be demanded of them reſpectively, by Notice in Writing under the Hand of the ſaid Collector or Clerk, to be delivered to them reſpectively, or left at their reſpective Dwelling-houſes or uſual Places of Abode; then, and in every ſuch Caſe, the ſaid Charges and Expences, ſo neglected or refuſed to be paid, ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of the ſaid Surveyors of the Highways, or the Churchwardens or Overſeers of the Poor of the reſpective Pariſhes aforeſaid, for the Time being, or ſuch of them as by the ſaid recited Act, or this Act, is or are directed to pay the Charges and Expences ſo neglected or refuſed to be paid; and ſuch Diſtreſs ſhall be made by Warrant under the Hands and Seals of any two or more Juſtices of the Peace, acting in and for the Weſtern Diviſion in the ſaid County of *Kent*, or for the City of *Rocheſter*, under whoſe Juriſdiction the ſame ſhall ariſe, which Warrant the ſaid Juſtices (on Oath being firſt made before them of ſuch Neglect or Refuſal and Notice) are hereby authoriſed, required, and impowered, to adminiſter and grant; and the Overplus of the Monies ariſing by ſuch Diſtreſs and Sale (if any), after deducting the Charges attending the ſame, ſhall be returned to the Owner or Owners of the Goods and Chattels ſo diſtrained and ſold, on Demand.

Penalty for Default of Payment.

Streets and Lanes firſt paved by Commiſſioners, to be afterwards kept in Repair by Owners of Houſes.

IX. And be it further enacted, That ſuch Parts of the *High ſtreet*, Streets, and Lanes, within the ſaid Town and Pariſh of *Chatham*, which have been firſt paved, or which, at any Time hereafter, ſhall be firſt paved, by the ſaid Commiſſioners, out of the Rates to be raiſed by virtue of the ſaid recited Act, or this Act, ſhall, from Time to Time thereafter, be paved, repaired, and kept in Repair, under the Direction of the ſaid Commiſſioners, by and at the Expence and Charges of the ſeveral Owners or Proprietors of the reſpective Houſes, Tenements, and Hereditaments, fronting or adjoining ſuch Pavements.

Proviſo.

X. Provided always, That nothing in the ſaid recited Act contained ſhall be conſtrued to extend to charge any Proprietors of Eſtates, in the ſaid reſpective Pariſhes of *Saint Margaret* and *Gillingham*, with the Repairs of any of the parochial Pavements thereof, but that the ſame ſhall be firſt paved, and afterwards kept in Repair, under the Direction of the ſaid Commiſſioners, by and at the Expence of the Pariſhioners of the ſaid reſpective Pariſhes.

How Arrears of Expences of firſt paving, and keeping in Repair, ſhall be recovered.

XI. And be it further enacted, That all Arrears of the Charges and Expences of firſt paving, maintaining, repairing, and keeping in Repair, the reſpective Pavements, within the Limits of the ſaid recited Act, or this Act, ſhall and may be collected, levied, and recovered, by ſuch and the ſame Ways and Means, and by virtue, and under ſuch and the like Powers and Authorities, as are granted, provided, and appointed, by the ſaid recited Act and this Act, for recovering the Charges and Expences of firſt paving, maintaining, repairing, and keeping in Repair, the reſpective Pavements in the ſeveral and reſpective Pariſhes of *Chatham*, *Saint Margaret*, and *Gillingham* aforeſaid.

What Part of the old Materials may be made uſe of.

XII. And be it further enacted, That ſuch only of the old Pavement and Materials as have been, or are now uſed in the Pavements of the ſeveral Streets and Lanes, within the Limits deſcribed in the ſaid recited Act, or in this Act, ſhall be hereafter uſed in the paving, repairing, maintaining, or amending, of the ſaid Streets and Lanes, or any of them, as the ſaid Commiſſioners ſhall think fit, any Thing contained in the ſaid recited Act to the contrary thereof in any-wiſe notwithſtanding.

Commiſſioners impowered to make Rates.

'XIII. And, for defraying the Charges and Expences attending the Execution of the ſaid recited Act, 'and of this Act,' be it further enacted, That, from and after the paſſing of this Act, one Rate or Aſſeſſment ſhall once in every Year be made, laid, and aſſeſſed, by the ſaid Commiſſioners, or by any ſeven or more of them, upon all and every Perſon and Perſons who do and ſhall inhabit, hold, uſe, occupy, poſſeſs, and enjoy, any Houſe, Shop, Warehouſe, Wharf, Building, or other Tenement or Hereditament, within that Part of the ſaid Pariſh of *Saint Margaret* which lies on the South Side of the ſaid *High-ſtreet* of *Chatham*, commencing at, and extending from, the aforeſaid Boundary Stone next the ſaid *Chapel-ſteps* in *Chatham* aforeſaid, unto the ſaid Public-houſe or Inn, late called *The Flying-horſe*, but now *The Horſe and Groom*, and within the ſeveral Lanes, Yards, and Places, near and adjoining thereunto, as alſo within that Part of the ſaid Pariſh of *Gillingham*, and the ſeveral Lanes and Paſſages adjoining and leading into the

the *High-ſtreet* of the ſaid Town of *Chatham*, in ſuch Sum and Sums of Money as the ſaid Commiſſioners, or any ſeven or more of them, ſhall judge neceſſary; ſo as ſuch Rate or Aſſeſſment, with reſpect only to the ſeveral Pariſhes of *Saint Margaret* and *Gillingham* aforeſaid, ſhall not exceed in the Whole Sixpence in the Pound, in any one Year, of the yearly Rent or Value of ſuch Houſe, Shop, Warehouſe, Wharf, Buildings, or other Tenements or Hereditaments, according to the Rack-rent, or full yearly Value thereof: And the ſaid Rate or Aſſeſſment ſhall be, and the ſame is hereby veſted in the ſaid Commiſſioners, and ſhall be by them applied for the Purpoſes of the ſaid recited Act, and of this Act, and ſhall be conſolidated and made one joint and general Fund with the Rates appointed to be made by the ſaid former Act, and the ſaid Rate or Aſſeſſment ſhall be made in the Month of *July* in every Year; and the ſaid Commiſſioners ſhall be, and they are hereby inveſted with, the ſame Powers, of inſpecting and making Extracts from the Poor-rates, of appointing one or more Collector or Collectors, within the reſpective Pariſhes of *Saint Margaret* and *Gillingham* aforeſaid, of the Rates or Aſſeſſments to be made by virtue and in purſuance of the ſaid recited Act, or this Act, and to levy and recover the Money ſo rated or aſſeſſed on the Inhabitants of thoſe Parts of the ſaid reſpective Pariſhes of *Saint Margaret* and *Gillingham* before deſcribed, and intended to be included under the ſaid former and this preſent Act, and alſo the Penalty incurred by any Perſon or Perſons neglecting or refuſing to execute the Office of Collector or Collectors of the ſaid Rates or Aſſeſſments, as fully and effectually, as if the ſaid reſpective Pariſhes of *Saint Margaret* and *Gillingham*, within the Limits aforeſaid, had been compriſed in the ſaid former Act.

Rates to be conſolidated, and veſted in Commiſſioners.

Commiſſioners impowered to inſpect Poor-rates, appoint Collectors, &c.

XIV. Provided always, That nothing in the ſaid recited Act or this Act contained ſhall extend, or be conſtrued to extend, to excuſe any Perſon or Perſons, within the reſpective Pariſhes of *Saint Margaret* and *Gillingham* aforeſaid, from the Statute or Highway Duty or Labour, or Contribution or Compoſition-money in lieu thereof.

Certain Inhabitants not exempted from Highway-duty, &c.

XV. And be it further enacted, That ſuch Part of the ſaid former Act as impowers the Commiſſioners to make a Rate or Aſſeſſment, not exceeding Four-pence in the Pound, upon the Inhabitants of *King-ſtreet*, *Queen-ſtreet*, *Croſs-ſtreet*, and other Places, in the ſaid recited Act particularly deſcribed, ſhall be, and the ſame is hereby declared to be repealed: And that, from and after the paſſing of this Act, the ſeveral Inhabitants of *King-ſtreet*, *Queen-ſtreet*, *Croſs-ſtreet*, and other Places, in the ſaid recited Act mentioned, ſhall and may (ſubject nevertheleſs to the optional Clauſe in the ſaid recited Act contained) be yearly rated and aſſeſſed by the Commiſſioners appointed to put the ſaid recited Act and this Act in Execution, for the Purpoſe of lighting and cleanſing ſuch particular Streets as aforeſaid, in any Sum of Money not exceeding in the Whole, in any one Year, the Sum of Sixpence in the Pound, according to the full Value or yearly Rent of their reſpective Houſes and Buildings, in conſideration of the Statute or Highway Duty to be performed by them.

A Clauſe in the former Act repealed.

Inhabitants of certain Streets to pay 6 d. in the Pound.

XVI. And be it further enacted, That in caſe it ſhall happen that any of the Houſes, Shops, Warehouſes, or other Tenements, Buildings, or Hereditaments, within the Limits deſcribed and mentioned in and by this and the ſaid recited Act, ſhall, at the Time of making the ſaid Rate or Aſſeſſment, be empty, untenanted, or unoccupied, that then, and in every ſuch Caſe, any Perſon or Perſons coming into ſuch empty or unoccupied Houſe or Building as aforeſaid, ſhall and may be rated and aſſeſſed by the ſaid Commiſſioners, in proportion to the Time ſuch Perſon or Perſons ſhall ſo occupy the ſame.

Untenanted Houſes, how to be rated.

XVII. And be it further enacted, That the Charges and Expences of marking or numbering the ſeveral Houſes or Buildings, in any of the *High-ſtreet*, Streets and Lanes, public Ways and Paſſages, within the Limits mentioned and deſcribed in and by this or the ſaid recited Act, ſhall at all Times, upon Demand, be paid by the Tenant or Occupier of ſuch Houſe or Building, to the Perſon or Perſons employed by the ſaid Commiſſioners to mark or number ſuch reſpective Houſe, Shop, Warehouſe, or other Building, under and ſubject to a Penalty of two Shillings for every Neglect or Refuſal.

Charges of numbering Houſes to be paid by the Tenant.

XVIII. And be it further enacted, That all Orders which have been or ſhall be made by the ſaid Commiſſioners, and are or ſhall be entered in their Books, by virtue and under the Authority of the ſaid recited Act, or this Act, may be altered, amended, reverſed, annulled, or made void, at any ſubſequent Meeting of the ſaid Commiſſioners; ſuch Commiſſioners being more in Number than the Commiſſioners who made the Order ſo intended to be altered or amended, reverſed, annulled, or made void, and provided that ſeven Days Notice at leaſt be given to all the Commiſſioners, and entered in the Book of Proceedings of the Commiſſioners for the Time being, at ſome Meeting aſſembled, of the Day, Time, and Place, appointed for taking into Conſideration the Orders ſo intended to be altered or amended, reverſed, annulled, or made void.

Orders entered may be varied, provided a greater Number of Commiſſioners than made the Order are conſenting thereto.

XIX. And be it further enacted, That the ſaid recited Act, as to all and every Clauſe, Proviſion, Matter, and Thing, therein contained (except where the ſame ſhall be altered by this Act) ſhall be extended and extend to this Act, and to the Rates and Aſſeſſments hereby authoriſed and directed to be made, laid, and aſſeſſed, and be deemed Part thereof, and ſhall operate, be in Force, and be obſerved, inforced, and performed, in reſpect to this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſame were repeated and re-enacted in the Body of this preſent Act.

Clauſes and Proviſions of former Act to extend to this Act.

XX. Provided always, and be it further enacted, That the Charges and Expences of procuring and paſſing this Act ſhall be paid out of the firſt Monies which ſhall be raiſed by virtue of the ſaid former Act, or this preſent Act.

Expences of this Act how to be paid.

XXI. Provided always, and be it enacted, That nothing in this Act or in the ſaid recited Act contained ſhall in any Manner leſſen or affect the Juriſdiction or Rights of the Mayor and Citizens of the ſaid City of *Rocheſter*, but the ſame ſhall be and remain in full Force, as if this Act, and the ſaid recited Act, had not been made; and that all Matters and Things, ariſing within the Juriſdiction of the ſaid Mayor and Citizens of the ſaid City of *Rocheſter*, determinable before any Juſtice or Juſtices of the Peace, ſhall be referred to, and determined by, the Juſtice or Juſtices of the Peace of the ſaid City of *Rocheſter*; and all Appeals from the Acts, Orders, or Directions, of the ſaid Commiſſioners in this Act, or in the ſaid recited Act,

The Acts not to affect the Juriſdiction of the City of Rocheſter.

Act, ariſing in the Juriſdiction of the ſaid Mayor and Citizens of the ſaid City of *Rocheſter*, ſhall be to the General or Quarter Seſſions of the ſaid City of *Rocheſter*, and ſhall be finally determined at ſuch General or Quarter Seſſions; any Thing in this Act, or in the ſaid recited Act, contained to the contrary thereof in any-wiſe notwithſtanding.

XXII. And be it further enacted, That this Act ſhall be taken and allowed in all Courts of Juſtice as a Public Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without the ſame being ſpecially pleaded. Public Act.

CAP. LIX.

An Act for lighting and watching the Town of *Portſmouth*, in the County of *Southampton*; and for explaining and amending an Act, paſſed in the eighth Year of his preſent Majeſty's Reign, for the better paving and cleanſing the Streets and other public Paſſages in the ſaid Town, and for preventing Nuiſances and Annoyances therein, and for widening and rendering the ſame more commodious.

CAP. LX.

An Act to amend and render more effectual an Act, made in the eighth Year of the Reign of his preſent Majeſty, for opening certain Paſſages, and for paving the Streets, and other Places, in the Pariſh of *Saint Leonard, Shoreditch*, in the County of *Middleſex*, and for preventing Annoyances therein; and for extending the Powers of the ſaid Act to ſuch Part of a Lane, called *Hog-lane*, as lies within the Liberty of *Norton-Falgate*, in the ſaid County.

Preamble. Act 8 Geo. III. c. 33. recited.

'WHEREAS by an Act of Parliament, made in the eighth Year of the Reign of his preſent Majeſty, for opening certain Paſſages, and for paving the Streets and other Places in the Pariſh of *Saint Leonard, Shoreditch*, in the County of *Middleſex*, and for preventing Annoyances therein, Power was given to the Commiſſioners therein named, or their Succeſſors, or any five or more of them, from Time to Time, to cauſe, order, and direct the Streets, called *Holywell-ſtreet, Church-end*, and Part of *Kingſland-road*, and a Lane, called *Hog-lane*, and another Lane, called *Holywell-lane*, in the ſaid Pariſh of *Saint Leonard, Shoreditch*, to be paved, repaired, raiſed, ſunk, or altered, when and in ſuch Manner as they ſhould think fit: And whereas the Commiſſioners appointed by, or in purſuance of the ſaid Act, have cauſed the greateſt Part of the ſaid Streets and Places to be paved, but find that the Money authoriſed to be borrowed by the ſaid Act is inſufficient to anſwer the ſeveral Purpoſes thereby intended: And whereas a ſmall Part of the ſaid Lane, called *Hog-lane*, being within the Liberty of *Norton-Falgate*, in the ſaid County of *Middleſex*, and not within the ſaid Pariſh of *Saint Leonard, Shoreditch*, Doubts have ariſen whether the ſaid Act impowers the ſaid Commiſſioners to pave ſuch Part of the ſaid Lane as lies within the ſaid Liberty of *Norton-Falgate*, for which Reaſon the ſaid Lane has not yet been paved: And the ſaid Act has, in ſeveral other Reſpects, been found ineffectual:' May it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the Commiſſioners appointed by, or in purſuance of the ſaid former Act, or any nine or more of them, to borrow and raiſe, by the granting of one or more Annuity or Annuities, any Sum or Sums of Money not exceeding four thouſand Pounds, over and above the Sums authoriſed to be borrowed by the ſaid former Act, which they the ſaid Commiſſioners ſhall think neceſſary for the Purpoſes of the ſaid former Act, and this Act.

Commiſſioners impowered to borrow the further Sum of 4000 l.

II. Provided always, That none of the ſaid Annuities ſhall exceed the Rate of nine Pounds *per Annum* for every hundred Pounds; and that the Whole of the Annuities to be granted in purſuance of the ſaid former Act, or this Act, ſhall not at any one Time exceed the Sum of one thouſand two hundred and ſixty Pounds.

Proviſo.

III. And be it further enacted, That it ſhall and may be lawful to and for any Perſon or Perſons to contribute, advance, and pay into the Hands of the ſaid Commiſſioners, or any nine or more of them, or into the Hands of any Perſon by them appointed to receive the ſame, for the Purpoſes in the ſaid former Act and this Act mentioned, any Sum or Sums of Money (not exceeding the ſaid Sum of four thouſand Pounds) for the abſolute Purchaſe of one or more Annuity or Annuities, to be paid and payable during the Term of the natural Life of ſuch Contributor or Purchaſer reſpectively, or the natural Life of ſuch other Perſon or Perſons as ſhall be nominated by, or on the Behalf of, ſuch Contributor or Purchaſer reſpectively, at the Time of Payment of his, her, or their reſpective Contribution-money: And every ſuch Contributor or Purchaſer ſhall have the ſame Security, Powers, and Authorities, for the Annuity or Annuities to be purchaſed in purſuance of this Act, as are given or granted to the Purchaſer or Purchaſers of any Annuity or Annuities by the ſaid former Act.

Annuities may be purchaſed of Commiſſioners.

IV. And be it further enacted, That all the Monies to be raiſed as aforeſaid ſhall be, and the ſame are hereby veſted in the ſaid Commiſſioners, for the Purpoſes of the ſaid former Act and this Act.

Purchaſe-monies veſted in the Commiſſioners.

V. And be it further enacted, That the Whole of the ſaid Lane, called *Hog-lane*, ſhall, and the ſame is hereby declared to be under the Direction of the Commiſſioners appointed by, or in purſuance of the ſaid former Act, for the Purpoſes in the ſaid former Act and this Act mentioned: And the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby authoriſed and impowered, from Time to Time, to cauſe, order, and direct the Whole of the ſaid Lane, as well that Part thereof which lies within the ſaid Liberty of *Norton-Falgate*, as that Part which lies within the ſaid Pariſh of *Saint Leonard, Shoreditch*, to be paved, repaired, raiſed, ſunk, or altered, when and in ſuch Manner as they ſhall think fit; and

The Whole of Hog-lane put under the Power of the Commiſſioners.

and the ſaid Commiſſioners ſhall be and are hereby inveſted with the ſame Powers and Authorities for aſſeſſing, collecting, and levying Money for thoſe Purpoſes, as if the Whole of the ſaid Lane had been compriſed in the ſaid former Act.

Penalty on obſtructing Paſſages.

VI. And be it further enacted, That if any Perſon or Perſons ſhall, at any Time or Times hereafter, ſet, fix, place, or lay, or cauſe or procure to be ſet, fixed, placed, or laid, any Caſks, Package, Timber, Stones, Wheels, Bricks, Lime, Sand, Mortar, Wood, Scaffolding, or any other Material or Thing whatſoever, (unleſs the ſame ſhall be incloſed within ſome Board, to be erected in Manner and under ſuch Regulations as are preſcribed by the ſaid former Act) and ſhall not remove the ſame within the Space of two Hours next after Notice in Writing given by any of the Commiſſioners, or by any Perſon duly authoriſed by them, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of five Shillings; and any one of the ſaid Commiſſioners, or any Perſon or Perſons to be appointed by them for that Purpoſe, may ſeize, or cauſe to be ſeized, ſuch Caſks, Package, Timber, Stones, Wheels, Bricks, Lime, Sand, Mortar, Wood, Materials, or other Things, and take or remove, or cauſe the ſame to be taken and removed, to the Pound, or other proper Place, within the ſaid Pariſh, there to be kept and detained until the Owner or Owners thereof, his, her, or their Servant or Servants, ſhall and do pay, to the Perſon in whoſe Cuſtody the ſame ſhall be, the ſaid Sum of five Shillings, together with the Coſts and Charges of removing and keeping the Materials or Things ſo removed: And in caſe the ſaid Penalty and Charges ſhall not be paid within the Space of five Days next after ſuch Seizure, then it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, or any Perſon or Perſons authoriſed by them as aforeſaid, to cauſe the ſame to be appraiſed and ſold, and the Money ariſing from ſuch Sale ſhall be applied for the Purpoſes in the ſaid former Act and this Act mentioned.

Commiſſioners may impound Obſtructions.

Penalty on expoſing Goods to Sale in the Streets,

VII. And be it further enacted, That if any Perſon or Perſons ſhall, from and after the paſſing of this Act, give Leave or Licence to any Perſon or Perſons to ſet or expoſe to Sale any Goods, Fiſh, Fruit, or other Thing, upon the Pavements of any of the Streets or Places in the ſaid former Act or this Act mentioned, or any Part thereof, adjoining or near to his, her, or their Dwelling-houſe or Building; every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of twenty Shillings.

and on driving Carriages on the Foot-way.

VIII. And be it further enacted, That if any Perſon or Perſons ſhall run, drive, or draw, or cauſe to be run, driven, or drawn, upon any Part of the Foot-pavements within the Limits of the ſaid former Act, or this Act, any Wheel or Wheels, Sledge or Wheelbarrow, or any Coach, Waggon, Cart, or other Carriage whatſoever; or ſhall wilfully ride, lead, or drive any Horſe, Aſs, or other Cattle, or Beaſt, upon any Part of the ſaid Foot-pavements; or ſhall throw or caſt any Dirt, Dung, Aſhes, or Rubbiſh, into or upon any of the Carriage or Foot Ways; or ſhall ſtand with any Wheelbarrow, or erect, fix, or bring any Stall in or upon the Pavements aforeſaid; then, and in every ſuch Caſe, and as often as they or any of them ſhall happen, it ſhall and may be lawful for any Perſon or Perſons whomſoever to ſeize and convey the Perſon or Perſons ſo offending before ſome Juſtice of the Peace for the ſaid County of *Middleſex*, who ſhall proceed to examine upon Oath any Witneſs or Witneſſes who ſhall appear, or be produced to give Information touching ſuch Offence; and if the Party or Parties ſhall be convicted of ſuch Offence, either upon ſuch Information as aforeſaid, or upon his, her, or their own Confeſſion, he, ſhe, or they ſo convicted reſpectively, ſhall forfeit and pay the Sum of five Shillings; and in caſe ſuch Offender or Offenders ſhall not, upon ſuch Conviction, immediately pay ſuch Penalty, the ſaid Juſtice is hereby authoriſed and required, by Warrant under his Hand and Seal, according to the Form or Effect mentioned in the Schedule hereunto annexed, to commit him, her, or them, to the Houſe of Correction, or other Gaol for the ſaid County, for any Time not exceeding fourteen Days, unleſs ſuch Penalty, and the reaſonable Charges occaſioned thereby, ſhall be ſooner paid and ſatisfied.

Penalty for Second and ſubſequent Offences.

IX. And be it further enacted, That if any Nuiſance, Obſtruction, or Annoyance, mentioned in the ſaid former Act or this preſent Act, ſhall, after the ſame hath been removed, be replaced; the Perſon or Perſons ſo replacing, or cauſing the ſame to be replaced, being thereof convicted, ſhall forfeit and pay the Sum of ten Shillings, and the like Sum of ten Shillings for every ſubſequent Offence.

Commiſſioners may regulate Stands of Hackney Coaches.

'X. And whereas Hackney Coachmen frequently take their Stands with Coaches in ſuch Places as to 'occaſion conſiderable Obſtructions both in the Carriage and Foot Ways;' be it therefore enacted, That, from and after the paſſing of this Act, the ſaid Commiſſioners, or any five or more of them, may direct and regulate ſuch Stands as they ſhall in their Diſcretion think proper within the Places mentioned in the ſaid former Act, and this preſent Act: And if any Hackney Coachman ſhall not comply with ſuch Regulation, he or they ſhall forfeit the Sum of twenty Shillings for every Offence.

Convictions to be drawn according to the Form in the Schedule.

'XI. And for the more eaſy and ſpeedy Conviction of Offenders againſt the ſaid former Act, and this 'Act,' be it enacted by the Authority aforeſaid, That all and every Juſtice and Juſtices of the Peace before whom any Perſon or Perſons ſhall be convicted of any Offence againſt the ſaid former Act, or this Act, ſhall and may cauſe the Conviction to be drawn up in the Form mentioned in the Schedule hereunto annexed, or in any other Words to the ſame Effect.

Perſons contributary to the Rates may give Evidence or act as Juſtices.

XII. And be it further enacted by the Authority aforeſaid, That any Perſon or Perſons whatſoever, although he, ſhe, or they be contributary to the Rates mentioned in the ſaid former or this preſent Act, ſhall, before any Juſtice or Juſtices of the Peace, or upon any Trial, Hearing, Examination, or otherwiſe, in, about, touching, or concerning the ſaid former Act, or this preſent Act, or the Matters or Things therein or herein contained, be and be deemed a competent Witneſs; and that any Juſtice of the Peace for the County of *Middleſex*, may act in the Execution of the ſaid former and this preſent Act, notwithſtanding he ſhall pay, or be contributary to the Rates aforeſaid; any Law, Statute, or Uſage to the contrary notwithſtanding.

Penalties and Forfeitures how to be recovered.

XIII. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by the ſaid former Act or this preſent Act impoſed, ſhall or may be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of one Juſtice of the Peace for the

the County of *Middleſex*, according to the Form or Effect in the ſaid Schedule mentioned (which Warrant ſuch Juſtice is hereby impowered and required to grant); and in caſe ſufficient Diſtreſs ſhall not be found, it ſhall and may be lawful to and for ſuch Juſtice, and he is hereby authoriſed and required, by Warrant under his Hand and Seal, according to the Form or Effect in the ſaid Schedule mentioned, to cauſe ſuch Offender or Offenders to be committed to the common or other Gaol, or Houſe of Correction for the ſaid County, there to remain, without Bail or Mainprize, for any Time not exceeding fourteen Days, unleſs ſuch Penalties or Forfeitures, and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

Charges of taking, &c. Diſtreſs to be levied.

XIV. And be it further enacted, That when and ſo often as any Diſtreſs ſhall be made by the Authority of the ſaid former Act, or this preſent Act, it ſhall and may be lawful to and for the Perſon or Perſons making ſuch Diſtreſs, to raiſe and levy the reaſonable Charges of taking and keeping ſuch Diſtreſs, and of the Sale thereof.

Expences of paſſing this Act how to be paid.

XV. And be it further enacted, That the Charges of paſſing this Act, and other Charges incident thereto, ſhall be defrayed out of any Monies remaining in or coming to the Hands of the Treaſurer to the ſaid Commiſſioners, or out of the firſt Money that ſhall be raiſed or received by virtue of, or under the ſaid former Act, or this preſent Act.

Public Act.

XVI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be taken and allowed in all Courts of Juſtice as a Public Act; and all Judges, Juſtices, and other Perſons whomſoever, are hereby required to take Notice thereof as ſuch, without the ſame being ſpecially pleaded.

The SCHEDULE referred to, containing the Form of Proceedings.

Form of Conviction.

Middleſex, to wit. } 'BE it remembered, That on this Day of in the Year of the Reign of King *George* the Third is convicted before me one of his 'Majeſty's Juſtices of the Peace for the County of *Middleſex*, of *(ſpecifying the Offence)* 'contrary to an Act of Parliament made in the Year of the Reign of King *George* the Third, 'for, &c. *(ſpecifying the Title of the Act.)*

'Given under my Hand and Seal, the Day and Year above written.'

WARRANT of DISTRESS.

'*To all Conſtables and Headboroughs for the County of* Middleſex.

Middleſex, to wit. } 'WHEREAS hath been duly convicted before me one of his Majeſty's Juſtices of the Peace for the ſaid County of *Middleſex*, in the Sum 'of for *(ſpecifying the Offence)* contrary to the Statute made in the 'Year of the Reign of King *George* the Third, for *(ſpecifying the Title of the Act)* which 'Sum of he now refuſes to pay [*or, as the Caſe may be*, he hath neglected to pay, as 'appears to me upon Oath]. Theſe are therefore, in his Majeſty's Name, to will and require you, or 'either of you, forthwith to levy the ſaid Sum of by Diſtreſs and Sale of the Goods 'and Chattels of the ſaid (ſuch Goods and Chattels being kept by the Space of five 'Days before the ſame are ſold) rendering to him the Overplus (if any be) the reaſonable Charges of ſuch 'Diſtreſs, Sale, and Keeping, being firſt deducted: And if no ſufficient Diſtreſs can be had, or taken, 'that then you certify the ſame to me, to the End ſuch further Proceedings may be had therein, as to 'Law doth appertain.

'Given under my Hand and Seal, the Day of in the Year of our Lord

WARRANT for Want of Diſtreſs of Goods, or where the Party refuſes or neglects to pay the Penalty.

'*To all Conſtables and Headboroughs for the County of* Middleſex.

Middleſex, to wit. } 'WHEREAS hath been duly convicted before me one of his Majeſty's Juſtices of the Peace for the ſaid County of *Middleſex*, in the Sum 'of for [*ſpecifying the Offence*] contrary to the Statute made in the 'Year of the Reign of King *George* the Third, for [*ſpecifying the Title of the Act*] which Sum of 'the ſaid now in my Preſence, refuſes to pay [*or, as the Caſe may be*, hath 'neglected to pay, as appears to me on the Oath of] *(If after a Diſtreſs Warrant iſſued 'and returned, then add)* And no ſufficient Diſtreſs can be found whereon to levy the ſaid Sum, as appears 'to me on the Oath of) Theſe are therefore, in his Majeſty's Name, to will and require you, 'and every of you, to apprehend the ſaid and him ſafely to convey and deliver to the Keeper of *New-'gate*, or the Keeper of [*as the Juſtice ſhall think proper*] or his Deputy, together with this Warrant: 'And I do hereby require you the ſaid Keeper, and Deputy Keeper, to receive the ſaid 'into your ſaid Gaol, and ſafely keep without Bail or Mainprize, for 'unleſs the ſaid Sum of and all reaſonable Charges, ſhall be ſooner paid and ſatisfied.

'Given under my Hand and Seal, the Day of in the Year of our Lord

CAP. LXI.

An Act for erecting a Lighthouſe or Lighthouſes and Landmarks in or near the Port of *Cheſter*, and for placing Buoys upon the Banks and Shoals leading into and in the ſaid Port; and for regulating of Pilots and Perſons towing or tracking of Veſſels to and from the City of *Cheſter*; and for fixing the Rates payable for the ſame reſpectively.

Preamble.

'WHEREAS a conſiderable Trade is carried on from the Port of *Cheſter* to foreign Parts, and coaſtways; and a Number of Veſſels, as well as his Majeſty's Yacht, are frequently employed in conveying Paſſengers between *Great Britain* and *Ireland*: And whereas the Navigation of the ſaid Port from the City of *Cheſter* to the Sea hath been much improved at a great Expence; notwithſtanding which, in dark and tempeſtuous Nights, the ſame is ſtill very difficult, precarious, and uncertain, and the Lives and Properties of many of his Majeſty's Subjects have been loſt: And whereas, if proper Lighthouſes and Landmarks were erected at convenient Places within or near the ſaid Port, and Buoys placed upon the Banks and Shoals leading into and in the ſaid Port, and other Improvements made therein, the Navigation of the ſaid Port would be rendered more ſafe, commodious, and certain, for all trading Ships and Veſſels, and alſo for his Majeſty's Ships of War: And whereas, by virtue of an Act of Parliament, made in the eighth Year of the Reign of our late Sovereign Queen *Elizabeth*, (intituled, *An Act concerning Sea-marks, and Mariners*) the Maſter, Wardens, and Aſſiſtants, of the *Trinity-houſe* of *Deptford Strond*, in the County of *Kent*, are impowered to erect and ſet up ſuch and ſo many Beacons, Marks and Signs, for the Sea, in ſuch Places of the Sea-ſhore Uplands near the Sea-coaſts, or Fore-lands of the Sea, only for Sea-marks, as to them ſhall ſeem meet; and by Letters Patent under the Great Seal of *Great Britain*, bearing Date the eleventh Day of *June*, in the thirty-ſixth Year of the Reign of the ſaid late Queen, the Office of Beaconage and Buoyage, and the ſole Right and Power of making, ſetting up, placing, continuing, renewing, and maintaining, of all Beacons, Buoys, Marks, and Signs, for the Sea, and all Fees, Profits, Advantages, Emoluments, Rights, and Appurtenances, due, payable, appertaining, or belonging thereto, or for or in reſpect thereof, are veſted in them; and the ſaid Corporation have conſented that the Lighthouſes, Buoys, Marks, and Signs for the Sea, herein after authoriſed to be erected and placed, ſhall and may be erected, placed, and maintained, according to the Directions of this Act;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame,

Act 8 Eliz. recited.

Truſtees appointed.

That, from and after the paſſing of this Act, the Mayor, Recorder, and Aldermen, of the City of *Cheſter*, for the Time being, the Commander of his Majeſty's Yacht for the Time being, the Pilot of his Majeſty's Yacht for the Time being, the Collector and Surveyor of the Port of *Cheſter* for the Time being, and alſo every other Perſon for the Time being reſident in the City of *Cheſter*, or in the County of *Cheſter* or *Flint*, who ſhall, in his own Right, or in the Right of his Wife, be ſeiſed of a real Eſtate of the annual Value of one hundred Pounds, or poſſeſſed of a perſonal Eſtate to the Amount or Value of two thouſand Pounds, ſhall be, and are hereby conſtituted and appointed Truſtees for putting in Execution all and every the Truſts, Powers, and Authorities, given and granted in and by this Act; and that no Perſon or Perſons, not being qualified as aforeſaid, ſhall be capable of acting as a Truſtee in the Execution of this Act.

Truſtees to be ſworn as to their Qualifications.

II. Provided, That no Perſon or Perſons (except the ſaid Mayor, Recorder, and Aldermen of the City of *Cheſter* for the Time being, the Commander of his Majeſty's Yacht for the Time being, the Pilot of his Majeſty's Yacht for the Time being, or the Collector or Surveyor of the Port of *Cheſter* for the Time being) ſhall act as a Truſtee or Truſtees under this Act in any Caſe (except in adminiſtering the Oath to any other of the ſaid Truſtees) until he or they ſhall have firſt taken and ſubſcribed the following Oath, before any three or more of the ſaid Truſtees, who are hereby authoriſed and impowered to adminiſter the ſame to any other of the ſaid Truſtees; to wit,

The Oath.

'I *A. B.* do ſwear, That I truly and *bona fide* am, in my own Right, or in the Right of my Wife, ſeiſed of a real Eſtate of the annual Value of one hundred Pounds, or poſſeſſed of a perſonal Eſtate to the Amount or Value of two thouſand Pounds. *So help me* GOD.'

Penalty on Perſons acting not being duly qualified.

And if any Perſon hereby deemed unqualified or incapable to act, ſhall nevertheleſs preſume to act contrary to the true Intent and Meaning hereof, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of one hundred Pounds to any Perſon or Perſons who ſhall inform or ſue for the ſame, to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, Suit, Bill, Plaint, or Information, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed; and ſuch Perſon acting as a Truſtee, ſo ſued or proſecuted in reſpect of his Qualification, ſhall prove, upon the Trial of the Suit or Cauſe, that he is duly qualified as herein before is directed, or otherwiſe ſhall pay the ſaid Sum of one hundred Pounds, without any other Proof or Evidence on the Part of the Plaintiff or Proſecutor than that ſuch Perſon hath acted as a Truſtee in the Execution of this Act.

Firſt General Meeting of Truſtees.

III. And be it enacted by the Authority aforeſaid, That the firſt General Meeting of the Truſtees for putting this Act into Execution ſhall be held at the Town-hall in the City of *Cheſter*, within two Months next after the paſſing of this Act; and that a Notice, ſigned by three of the ſaid Truſtees, ſignifying the Day

Day and Hour of ſuch Meeting, ſhall be inſerted in the *Cheſter* Newſpaper at leaſt ten Days before ſuch Meeting; and that four General Meetings ſhall be held every Year for the future upon the Days following; (that is to ſay) Upon the firſt *Tueſday* in *January*, the firſt *Tueſday* in *April*, the firſt *Tueſday* in *July*, and the firſt *Tueſday* in *October*, at the Hour of Eleven of the Clock in the Forenoon, at ſuch Place within the ſaid City of *Cheſter* (and not elſewhere), as the ſaid Truſtees, or any five of them, at each preceding Meeting ſhall appoint; and the ſaid Truſtees ſhall have power to adjourn ſuch Quarterly Meetings from Time to Time, and to ſuch other Time and Place as Occaſion ſhall require; and that any five of the ſaid Truſtees, attending at any of thoſe Adjournments, ſhall be conſidered as a Committee, and are hereby impowered to act and tranſact Buſineſs in all Caſes for any of the Purpoſes in this Act mentioned, except ſuch particular Buſineſs, Matters and Things, as are herein after mentioned and deſcribed to be tranſacted at the General Quarterly Meetings: And if at any Meeting appointed to be held by virtue of this Act there ſhall not be preſent a ſufficient Number of Truſtees to act or to adjourn to another Day, the Truſtee or Truſtees then preſent, or the Clerk to the ſaid Truſtees for the Time being, ſhall from Time to Time, as often as ſuch Caſe ſhall ſo happen, by giving ten Days previous Notice in Writing, to be inſerted in the *Cheſter* Newſpapers, or fixed upon the moſt public Place of the Cuſtom-houſe and Exchange in *Cheſter*, appoint another Meeting to be held at the Place where the laſt Meeting was appointed to be held; and that ſuch Meeting ſo appointed ſhall be conſidered as an Adjournment; and all Orders and Determinations of the ſaid Truſtees in the Execution of this Act, ſhall be made at Meetings to be held in purſuance of this Act, and not otherwiſe; and that no Order or Determination ſhall be made, unleſs the Majority of the Truſtees preſent at a Meeting ſhall concur therein, ſuch Majority not being leſs than the Number of Truſtees by this Act authoriſed to make any ſuch Order or Determination; and that every Meeting of the Truſtees by virtue of this Act ſhall be public; any thing in this Act contained to the contrary thereof in any wiſe notwithſtanding.

General Meetings to be held quarterly.

Five Truſtees impowered to act.

How to proceed if a ſufficient Number of Truſtees do not attend.

IV. Provided always, and be it further enacted, That no Perſon ſhall act as a Truſtee in any Caſe in the Execution of this Act (except in adminiſtring the Oath to any other of the ſaid Truſtees) until he ſhall have taken and ſubſcribed the Oath following before any three or more of the ſaid Truſtees, who are hereby authoriſed and impowered to adminiſter the ſame to any other of the ſaid Truſtees; to wit,

Truſtees not to act till they have taken the following

'I *A. B.* do ſwear, That I will truly and impartially, according to the beſt of my Skill and Judgment, execute and perform the Powers and Authorities veſted in me by virtue of an Act made in the ſixteenth Year of the Reign of King *George* the Third, *for erecting a Lighthouſe or Lighthouſes and Landmarks in or near the Port of* Cheſter, *and for placing Buoys upon the Banks and Shoals leading into and in the ſaid Port; and for regulating of Pilots and Perſons towing or tracking of Veſſels to and from the City of* Cheſter; *and for fixing the Rates payable for the ſame reſpectively.*'

Oath.

V. Provided always, That ſuch of the ſaid Truſtees who are or ſhall be in the Commiſſion of the Peace for the ſaid County of *Cheſter*, or for the County of *Flint*, and alſo the Mayor and Juſtices of the Peace for the ſaid City of *Cheſter* and County of the ſame City, ſhall and may, and they are hereby reſpectively impowered to act as Juſtices of the Peace in the Execution of this Act within their reſpective Juriſdictions, notwithſtanding their being Truſtees (except only in ſuch Caſes where they ſhall be perſonally intereſted); but no Truſtee ſhall be capable of acting in the Execution of any of the Powers hereby granted during the Time he ſhall hold any Place of Profit under this Act, any Thing herein before contained to the contrary hereof notwithſtanding.

Truſtees may act as Juſtices;

but not to hold any Place of Profit.

VI. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful to and for the ſaid Truſtees, or any five or more of them, or any Perſon or Perſons by them in that Behalf authoriſed, to contract and agree with the Owner or Proprietor of ſuch Pieces or Parcels of Land or Ground as ſhall be wanted for the Purpoſes of this Act, for the abſolute Purchaſe of their Eſtates and Intereſts therein, and alſo to accept and take one or more good Conveyance or Conveyances and Aſſurances in Law thereof in Fee-ſimple, at ſuch Price and Conſideration as ſhall be agreed upon between the contracting Parties: And in caſe the Owners or Proprietors of ſuch Lands or Grounds, or any of them, ſhall refuſe to contract and agree with the ſaid Truſtees, or the Perſon or Perſons ſo to be by them appointed for that Purpoſe, or through any Diſability, Nonage, Coverture, or other Impediment, ſhall not be qualified or enabled to contract or agree, or to execute or perform ſuch Contract or Agreement, or to carry the ſame into Execution, that then, and in every ſuch Caſe, the ſaid Truſtees, or any five or more of them, are hereby impowered and required, from Time to Time, to iſſue out their Warrant or Warrants under their Hands and Seals, directed to the Sheriff of the County of *Flint*, or to the Sheriff of the County Palatine of *Cheſter*, or to the Sheriffs of the City of *Cheſter*, in which the Lands ſo wanted may happen to be ſituate; and in caſe ſuch Sheriff or Sheriffs, or his or their Under-ſheriff or Under-ſheriffs reſpectively, ſhall be intereſted in the Matter in queſtion, then to the Coroner or Coroners within the ſaid reſpective Counties of *Cheſter* and *Flint*, or the City of *Cheſter*, not intereſted as aforeſaid, requiring ſuch Sheriff or Sheriffs, or Coroner or Coroners reſpectively, as the Caſe may require, to ſummon and return a Jury; and ſuch Sheriff or Sheriffs, or Coroner or Coroners, is and are hereby ſeverally authoriſed and impowered to ſummon a Jury, out of their reſpective Counties or City, each Jury conſiſting of twelve able and ſufficient Men (qualified by Law to be returned and to ſerve on Juries for Trials of Iſſues to be joined in his Majeſty's Court of Great Seſſion for the County of *Flint*, or in the Court of Seſſion for the County Palatine of *Cheſter*, or in the Court of the Mayor or of the Sheriffs for the City of *Cheſter*) to appear before the ſaid Truſtees, or any five or more of them, at ſuch Time and Place as by ſuch Warrant ſhall be appointed, ſuch Place to be in the Townſhip in the County, or in the Ward within the ſaid City (as the Caſe ſhall require) which ſhall be next adjacent to the Land wanted; and, for Want of a proper Number of Jurymen appearing, ſuch Sheriff or Sheriffs, or his or their Deputy, or Coroner or Coroners, ſhall return

Truſtees impowered to purchaſe Lands for Lighthouſes, &c.

If Parties cannot agree, &c.

a Jury to be ſummoned.

return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend the Service, being of the County or City wherein the Lands in question shall be situate, and qualified as aforesaid, to make up the said Jury to the Number of Twelve; and all Parties shall and may have their lawful Challenges against any of the said Jurymen: And the said Trustees, or any five or more of them, are hereby authorised and impowered to enter upon any Lands or Grounds that may be so wanted, to survey, mark, and set out the same, and to order the said Jury to view such Place or Places in question as shall be thought requisite, and to administer the Oaths to them and to such Person and Persons as shall be called upon to give Evidence before them; and the said Jury so impannelled and sworn shall enquire into the Value of the Lands and Premises in question, and award and assess such Damages and Recompence as they shall think fit to the Owner or Owners and Occupiers of such Grounds so to be taken, used, applied, or appropriated, for the Uses and Purposes of this Act, for the Purchase of their respective Estates and Interests therein; and the said Trustees, or such five or more of them as aforesaid, shall give Judgment for such Sum or Sums so to be assessed or awarded by such Jury, and shall by Examination upon Oath as aforesaid, and by all other lawful Ways and Means, hear and finally determine all Manner of Distes and Controversies which shall happen or arise between any Person or Persons whomsoever, touching any Matter or Thing relative to the said Premises, or any Part thereof; which said Verdict, and the Judgment, Decree, or Determination thereupon, declared or pronounced by the said Trustees, or such five or more of them as aforesaid, and the Value and Recompence so to be assessed, shall be binding and conclusive upon all Infants, Femes-covert, and all and every other Person or Persons whomsoever, as also on all and every Bodies Politick and Corporate, and against his, her, or their Heirs, Executors, Administrators, Successors, or Assigns, and all others claiming any Title or Interest in the said Ground and Premises; so as Notice in Writing of the Time and Place of such Meeting of the Jury and Juries be given by any five or more of the said Trustees, or by any other Person under their Direction or Authority, at least fourteen Days before every such Meeting, to every Person interested in the Premises, or left in Writing at the Dwelling-house of such Party interested, or at his, her, or their usual Place of Abode, or with some Tenant or Occupier of such Ground, Lands, and Premises, in case such Owner thereof cannot conveniently be found to be served with such Notice.

Jurymen may be challenged. Trustees impowered to enter upon and survey Lands, &c.

Trustees to give Judgment for such Sums as Jury shall award.

Verdict of Jury, &c. to be binding on all Parties.

VII. And be it further enacted, That if any such Sheriff or Sheriffs, Deputies, or Coroner or Coroners, shall make Default in the Premises, every such Person shall, for every such Offence, forfeit the Sum of fifty Pounds, to be recovered in like Manner as the said Penalty on Persons acting as Trustees not qualified is herein before directed to be recovered: And if any Person or Persons, summoned to give Evidence by virtue of this Act, shall neglect or refuse to appear at such Time or Times, Place or Places, as shall be appointed in a Precept or Summons signed by any two or more of the said Trustees, or by Warrant or Warrants signed by one or more such Justice or Justices of the Peace, or appearing, shall refuse to be sworn by, or give Evidence before, the said Trustees, or such five or more of them as aforesaid, or any one or more such Justice or Justices of the Peace; or if any Person summoned as a Juryman, as aforesaid, shall refuse or neglect to appear, or after his Appearance shall refuse to be sworn, or being sworn shall refuse to give or shall not give his Verdict, or in any other Manner wilfully neglect his Duty in the Premises, contrary to the true Intent and Meaning of this Act, every Person so offending in any of the Cases aforesaid (having no reasonable Excuse, to be allowed by the said Trustees, or any five or more of them) shall, for every such Offence, forfeit and pay the Sum of five Pounds.

Sheriffs or Coroners, for Neglect of Duty, to forfeit, for each Offence, 50l. and Jurymen or Witnesses, 5l.

VIII. And it is further enacted by the Authority aforesaid, That all and every Person and Persons, who, in any Examination directed to be taken by virtue of this Act, shall give false Evidence before the Mayor of the said City or his Deputy, or before any Justice or Justices of the Peace, or any Jury to be impannelled and returned as aforesaid, shall and may be prosecuted for the same; and upon Conviction shall be subject and liable to such and the like Punishments as Persons convicted of wilful and corrupt Perjury are by Law subject and liable to.

Persons giving false Evidence to be punished.

IX. And be it further enacted by the Authority aforesaid, That all Sentences, Decrees, Judgments, and Determinations, so to be made by the said Trustees, or any five or more of them, shall be entered in a Book to be kept for that Purpose, under the Hands and Seals of such of the said Trustees as shall so make the same; and the same, or true Copies thereof, or any Part thereof, shall be taken, adjudged, and deemed good and sufficient Evidence in any Court of Law or Equity; and all Persons shall and may have Recourse to the same, paying for every Inspection the Sum of one Shilling, and no more, and may also take Copies thereof, or of any Part thereof, paying for such Copies after the Rate of Sixpence for every two hundred Words: And that upon Payment of any such Sum or Sums of Money so agreed on or assessed to the Parties concerned, or Tender thereof made at his, her, or their Dwelling-house, or if he, she, or they, have no such Dwelling-house, then at the House of some Tenant or Occupier of some Part of the Ground and Premises for which such Sum or Sums of Money shall be payable; or if, upon such Tender as aforesaid, he, she, or they, shall refuse or neglect to receive the same, then, upon Payment of such Sum or Sums into the Hands of such Person or Persons as the said Trustees, or any five or more of them, shall appoint, for the Use of the Parties interested as aforesaid, such Lands, Grounds, or Hereditaments, and the Fee-simple and Inheritance thereof respectively, shall from thenceforth be vested in and become the absolute Property of the said Trustees, to and for the Uses and Purposes of this Act; and then, and not before, it shall and may be lawful to and for the said Trustees, their Agents, Servants, and Workmen, immediately to enter upon the said Lands, Grounds, and Premises, and to erect, build, and place, such Light-house or Lighthouses, Buildings, Landmarks, and other necessary Works as are herein after mentioned, and shall be thought needful for carrying into Execution and completing the Purposes of this Act, as they the said Trustees, or any five or more of them, shall judge expedient and requisite for rendering the Navigation into, in, and out of the said Port of *Chester*, less dangerous, and more certain, safe, and commodious; and also to make, or cause to be made, necessary Roads to such Lighthouse

Determinations of Trustees to be entered in a Book, and deemed good Evidence.

Upon Payment or Tender of the Sum assessed, Lands to be vested in Trustees.

Lighthouſe or Lighthouſes, Buildings, Landmarks, and other Works, paying all reaſonable Damages for cutting ſuch Roads, to be aſcertained in Manner aforeſaid; and that this Act ſhall be ſufficient and effectual to indemnify as well the ſaid Truſtees, and their Executors and Adminiſtrators, as alſo their Agents, Workmen, and Nominees, and all Perſons employed and authoriſed as aforeſaid, againſt the Owners and Occupiers of ſuch Land, Ground, and Premiſes, their reſpective Heirs, Executors, Adminiſtrators, and all Perſons claiming under them, or any of them.

Truſtees, &c. indemnified.

XI. And be it further enacted by the Authority aforeſaid, That in all Caſes when a Verdict ſhall be given or made for more Monies as a Recompence and Satisfaction for any Lands or Grounds, or for any Damage to be done to any Lands or Grounds or Property of any Perſon or Perſons whatſoever, than ſhall have been previouſly offered by and on Behalf of the ſaid Truſtees, or if no ſuch Recompence or Satisfaction ſhall have been offered or tendered in reſpect of Damages by and on Behalf of the ſaid Truſtees, then all the Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, ſhall be ſettled by any two or more Juſtices of the Peace for the County of the City of *Cheſter*, or for the Borough of *Liverpool*, or for either of the Counties of *Cheſter* and *Flint* (ſuch Juſtices not being Truſtees under this Act) and ſhall be defrayed by the ſaid Truſtees out of the Monies to be raiſed by virtue of this Act; and if any Verdict or Aſſeſſment ſhall be given for no greater or for a leſs Sum than had been previouſly offered by or on Behalf of the ſaid Truſtees, then and in ſuch Caſe the Expences of ſummoning ſuch Jury, and taking ſuch Inqueſt, ſhall be ſettled as aforeſaid, and ſhall be borne and paid by the Perſon or Perſons with whom the ſaid Truſtees ſhall have ſuch Controverſy or Diſpute.

Expences of Jury by whom to be borne.

XII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, and they are hereby authoriſed and impowered to erect, or cauſe to be erected, one or more Lighthouſe or Lighthouſes, with neceſſary Buildings to the ſame, upon a certain Piece of Land or Ground called *The Point of Air*, or in or near the Townſhip of *Preſtatyn*, both lying in the County of *Flint*, ſo as the ſame be diſtinguiſhable Lights from thoſe already erected by the Mayor and Corporation of *Liverpool*, and to ſurvey, mark, and ſet out, proper Roads and Ways to the ſame.

Power to erect a Lighthouſe, &c. on the Point of Air, or at or near Preſtatyn.

XII. And be it further enacted by the Authority aforeſaid, That, when and as ſoon as ſuch Lighthouſe or Lighthouſes ſhall be erected as aforeſaid, the ſaid Truſtees, or any five or more of them, ſhall from Time to Time keep and maintain the ſame, and all the Buildings and Premiſes thereunto belonging, in good and ſufficient Repair; and ſhall keep and maintain one conſtant bright and ſufficient Fire or other Light in or upon ſuch Lighthouſe or Lighthouſes every Night from the Time of Sun-ſetting in the Evening to the Time of Sun-riſing every ſucceeding Morning.

A Fire, &c. to be kept in the Lighthouſe from Sun-ſet to Sun-riſe.

XIII. And be it further enacted by the Authority aforeſaid, That, from and after the Time that ſuch Lighthouſe or Lighthouſes ſhall be ſo erected, and proper Light or Lights put or placed in or upon the ſame, it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, or ſuch Perſon or Perſons as they, or any five or more of them, ſhall appoint in that Behalf, to demand, collect, receive, and take, of and from all and every the Maſters, Owners, and other Perſons, taking charge of every Ship or other Veſſel, liable to the Payment of the Duties herein after granted, once in every Voyage, the ſeveral Rates, Tonnage, or Duties, herein after mentioned; that is to ſay,

Duties to be paid to the Truſtees.

For every ſuch Ship or Veſſel navigating, ſailing, or paſſing, over *Cheſter-bar*, or between the South-weſt Part of *Hoyle* Sands, and the main Land on the Coaſt of *Wales*, to or from the Port of *Cheſter* or *Liverpool* and *Saint David's Head* or *Carliſle*, or navigating, ſailing, or paſſing, over *Cheſter-bar*, or between the South-weſt Part of *Hoyle* Sands and the main Land on the Coaſt of *Wales*, to or from any other Port or Place between *Cheſter* or *Liverpool* and *Saint David's Head* or *Carliſle*, the Sum of One Halfpenny *per* Ton:—And for every Ship or Veſſel navigating, ſailing, or paſſing, over *Cheſter-bar*, or between the South-weſt Part of *Hoyle* Sands and the main Land on the Coaſt of *Wales*, to or from the ſaid Ports of *Cheſter* or *Liverpool*, and any other Port or Place in *Great Britain* or *Ireland*, or adjacent Iſlands not herein before named, the Sum of One Penny *per* Ton:—And for every ſuch Ship or other Veſſel navigating, ſailing, or paſſing, over *Cheſter-bar*, or between the South-weſt Part of *Hoyle* Sands and the main Land on the Coaſt of *Wales*, to or from the ſaid Ports of *Cheſter* or *Liverpool*, and any other Port or Place not being within the Kingdom of *Great Britain* or *Ireland*, or the adjacent Iſlands, the Sum of Two-pence *per* Ton; according as ſuch Ship or Veſſel ſhall meaſure, by taking the Length of the Keel of every Ship or Veſſel ſo much as ſhe treads on the Ground; and the Breadth to be taken within-board by the Midſhip-beam from Plank to Plank, and Half the Breadth ſhall be accounted for the Depth of every ſuch Ship or Veſſel; then the Length being multiplied by the Breadth, and the Product thereof by the Depth, and the Whole being divided by ninety-four, the Quotient ſhall give the true Contents of the Tonnage; according to which Method and Rule all Ships and Veſſels ſhall be meaſured, and the ſaid ſeveral Rates, Tonnage, or Duties, be thereby computed and collected accordingly; any Cuſtom, Practice, or Uſage, to the contrary notwithſtanding.

Rule for meaſuring Veſſels.

XIV. And be it further enacted and declared, That the ſaid Duties, ſo to be levied by this Act, ſhall be paid reſpectively at the Cuſtom-houſe in the City of *Cheſter*, or at the Cuſtom-houſe at *Parkgate* in the County of *Cheſter*, or at the Cuſtom-houſe of *Liverpool* in the County of *Lancaſter*, or at ſuch other Place or Places within the ſaid Port of *Cheſter*, as the Truſtees, or any five or more of them aſſembled as aforeſaid, ſhall appoint, according as ſuch Ship or Veſſel ſhall arrive at, or ſail from, or lade or diſcharge her Goods wholly or in part at, any of thoſe Places, to ſuch Perſon or Perſons as the ſaid Truſtees, or any five or more of them, ſhall nominate and appoint as their Receiver for collecting of the ſaid Duties: And that if any Maſter or other Perſon taking Charge of any Ship or Veſſel liable to pay the ſaid Duties, ſhall refuſe or neglect to pay the ſame, alledging or pretending he did not, at the Time for which the ſaid Duties

Where the Duties are to be paid.

How to proceed when Maſters of Veſſels refuſe to pay the Duties.

ties were then demanded, ſail or paſs over *Cheſter-bar*, or between the South-weſt Part of *Hoyle* Sands and the main Land on the Coaſt of *Wales*; then, and in ſuch Caſe, it ſhall and may be lawful for any Collector or Receiver of the ſaid Duties to examine upon Oath (or Affirmation, as the Caſe may happen) ſuch Maſter, or other Perſon taking Charge of ſuch Veſſel, to the Truth thereof; and if ſuch Maſter or other Perſon ſhall refuſe to anſwer upon Oath or Affirmation, whether he did or did not, at the Time for which the ſaid Duties were then demanded, ſail or paſs over *Cheſter-bar*, or between the Southweſt Part of *Hoyle* Sands and the main Land on the Coaſt of *Wales*; then every ſuch Maſter or other Perſon ſhall be ſubject and liable to the Payment of the ſaid Duties; the ſame to be recovered in ſuch Manner as herein after directed.

Truſtees impowered to leſſen the Duties, with Conſent of Mortgagees, &c.

XV. Provided always, and it is hereby further enacted and declared, That it ſhall and may be lawful to and for the ſaid Truſtees, or any thirteen or more of them, at any Time or Times, upon examining and inſpecting the Accounts to be kept of or concerning the Lighthouſes and Landmarks and other Works to be made, erected, and maintained, by virtue and in purſuance of this Act, to leſſen, lower, diminiſh, or reduce, the Duties granted and made payable as aforeſaid, or any of them, ſo as the ſame be done without Prejudice to, and with the Conſent of, the Mortgagee or Mortgagees thereof; and alſo to advance and raiſe again the ſaid Duties, or any of them, ſo to be leſſened or reduced, in ſuch Manner as to them from Time to Time ſhall ſeem meet, requiſite, and expedient, ſo as ſuch Duties, when ſo raiſed again and advanced, do not exceed the Duties herein before granted and made payable, and directed to be collected and levied as aforeſaid; any Thing herein contained to the contrary notwithſtanding.

Exemptions from the Duties.

XVI. Provided always, and be it further enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to charge or make chargeable any of the Ships or Veſſels belonging to his Majeſty, his Heirs or Succeſſors, or any Ship, Veſſel, or Wherry, employed in the Service of his Majeſty's Revenue, nor to charge any open Boat or Sloop, under the Burden of forty Tons, laden only with Limeſtones, Pebble-ſtones for Pavements, Dung or Manure, nor to charge any Sloop or Boat uſed and employed only in the Service of piloting Veſſels, nor to charge any Ship or Veſſel belonging to or bound to or from the Port of *Liverpool*, unleſs ſuch Ship or Veſſel ſhall paſs or ſail over *Cheſter-bar*, or between the South-weſt Part of *Hoyle* Sands and the main Land on the Coaſt of *Wales*, in which Caſe they are to be chargeable with and pay the ſaid Duties herein before granted.

Truſtees may appoint Officers,

XVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any thirteen or more of them, at any of their General Quarterly Meetings, or at any Special Meeting to be appointed for that Purpoſe, to chooſe and appoint, by Writing under their Hands, a Treaſurer and Clerk, and alſo one or more Collector or Collectors for receiving and levying the Duties mentioned in this Act, and ſuch other Officer or Officers as they ſhall judge neceſſary to be employed under them for carrying this Act into Execution; and alſo to ſettle the Fees and Salaries of ſuch Treaſurers, Clerks, Collectors, or other Officers, in ſuch Manner as the ſaid Truſtees, or any thirteen or more of them, at ſuch their Meetings as aforeſaid, ſhall judge neceſſary and reaſonable, and from Time to Time to remove and diſplace ſuch Treaſurers, Collectors, or other Officers, and appoint others in their Places; and no ſuch Treaſurer, Clerk, or other Officer, ſhall be appointed or removed, but at ſome General Quarterly Meeting, or at ſome Special Meeting, as aforeſaid, and unleſs thirteen of the ſaid Truſtees ſhall be preſent; and unleſs a Notice, ſigned by the Treaſurer or Clerk to the ſaid Truſtees, or his Name put at the Foot thereof, ſignifying the Time, Place, and Purpoſe, of ſuch Meeting, be given in the *Cheſter* Newſpaper at leaſt fourteen Days previous to ſuch Meeting; any Thing in this Act contained to the contrary thereof in anywiſe notwithſtanding.

and allow them Salaries.

Truſtees may borrow 3000l.

XVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any nine or more of them, at any of their General Quarterly Meetings, ſhall and may, and they are hereby authoriſed and impowered, from Time to Time, to borrow or take up, at legal or leſs Intereſt, ſuch Sum or Sums of Money as they ſhall think fit, not exceeding three thouſand Pounds, as well on the Credit of the ſaid Lighthouſe or Lighthouſes to be erected as aforeſaid, as of the ſaid Duties ſo made payable as aforeſaid; and by Writing or Writings under the Hands and Seals of the ſaid Truſtees ſo aſſembled, or any nine or more of them, to be duly executed, to grant, bargain, ſell, mortgage, aſſign, and ſet over, the ſeveral Duties ariſing or to ariſe by virtue of this Act, or any Part thereof, unto ſuch Perſon or Perſons, or their Truſtees, as ſhall advance and lend Money thereupon, as a Security for the Payment of any ſuch Sum or Sums of Money to be ſo borrowed, with Intereſt as aforeſaid; and that ſuch Aſſignment or Mortgage ſhall be in the following Words, or any other Words to the ſame Purport or Effect; *videlicet*,

and aſſign the Duties as a Security.

Form of Aſſignment.

'BY virtue of an Act of Parliament, made in the Sixteenth Year of the Reign of his Majeſty King *George* the Third (intituled, *An Act for erecting a Lighthouſe or Lighthouſes and Landmarks in or near the Port of* Cheſter, *and for placing Buoys upon the Banks and Shoals leading into and in the ſaid Port*; *and for regulating of Pilots and Perſons towing or tracking of Veſſels to and from the City of* Cheſter; *and for fixing the Rates payable for the ſame reſpectively*); we, whoſe Names are hereunto ſubſcribed and Seals affixed, being nine or more of the Truſtees appointed in or by virtue of the ſaid Act, in Conſideration of the Sum of of lawful Money of *Great Britain*, to us in Hand paid by *A. B.* of do aſſign unto the ſaid *A. B.* his (*or* her) Executors, Adminiſtrators, and Aſſigns, all and ſingular the Duties ariſing by virtue of the ſaid Act; and alſo the Lands, Buildings, and Premiſes, ſituate, lying, and being, upon the *Point of Air*, or in or near the Townſhip of *Preſtatyn* in the County of *Flint*, veſted by the ſaid Act in the ſaid Truſtees therein named; and all the Eſtate, Right, Title, and Intereſt, of the Truſtees in the Act mentioned, of, in, and to the ſame Premiſes; To hold the ſame unto the ſaid *A. B.* his (*or* her) Executors, Adminiſtrators, and Aſſigns, until the ſaid Sum of together with

'with the Intereſt for the ſame, after the Rate of *per Centum per Annum*, ſhall be fully paid and ſatisfied.

'Given under our Hands and Seals, the Day of in the Year of our Lord

Witneſs, *C. D.*'

Application of the Money to be borrowed.

And that the Money ſo to be borrowed ſhall be iſſued, paid, and applied, for the Uſes and Purpoſes of this Act, in ſuch Manner as is herein after directed; and that no Preference ſhall be given to any Perſon or Perſons advancing any Part or Parts of the Money ſo to be borrowed, in reſpect of the Priority of advancing his, her, or their Part or Parts thereof, but that all ſuch Lenders and Perſons to whom ſuch Aſſignments ſhall be made as aforeſaid, ſhall be, and are hereby declared to be, Creditors on the ſaid Rates or Duties, and on the ſaid Lands, Buildings, and Premiſes, ſo to be mortgaged as aforeſaid, in an equal Degree one with another; any Thing in this Act contained to the contrary notwithſtanding.

Aſſignments to be entered in a Book.

XIX. And be it further enacted by the Authority aforeſaid, That Entries or Memorials of every ſuch Grant or Grants, Aſſignment or Aſſignments, ſo to be granted and made as aforeſaid, containing, the Dates, Names of the Parties, and Sums of Money borrowed, ſhall be made or entered in a Book or Books to be kept for that Purpoſe by the Clerk to the ſaid Truſtees; which ſaid Book or Books ſhall and may be peruſed at all ſeaſonable Times by any of the ſaid Truſtees, or other Perſons intereſted in the Premiſes, without Fee or Reward: And that all and every Perſon and Perſons, to whom any ſuch Grant or Grants, Aſſignment or Aſſignments, ſhall be made as aforeſaid, or who ſhall be intitled to the Money thereby granted or ſecured, may from Time to Time aſſign or transfer his, her, or their Right, Title, Intereſt or Benefit, to the ſaid Principal and Intereſt Money thereby ſecured, to any Perſon or Perſons whomſoever, by indorſing on the Back of ſuch Grant or Security, before one credible Witneſs, the following Words, or Words to the like Purport or Effect; *videlicet*,

Aſſignments may be transferred.

Form of Transfer.

'I Do transfer this Grant or Aſſignment, with all my Right and Title to the Principal Money thereby ſecured, and to all the Intereſt now due or hereafter to become due, unto *C. D.* of his Executors, Adminiſtrators, and Aſſigns.

'Dated this Day of in the Year of our Lord

Witneſs, *E. F.*

Minute-books and Books of Account to be kept diſtinct.

XX. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees ſhall keep or cauſe to be kept and entered in Books to be kept for that Purpoſe, Minutes of their Proceedings; and alſo that fair, juſt, and true Accounts of the Receipts and Diſburſements of all Sums of Money to be collected, received, iſſued, paid, and applied, for the Purpoſe of, or concerning the erecting, building, maintaining, and ſupporting, the Lighthouſe or Lighthouſes, and Landmarks, and alſo for the ſeveral other Things authoriſed to be done by virtue and in purſuance of this Act, ſhall be entered and kept ſeparately and diſtinctly in ſeparate Books, and ſhall not be complicated or intermixed with any other Accounts whatſoever; which ſaid Minute-book and Books of Account ſhall be kept by the Clerk, Treaſurer, or ſome other Perſon or Perſons appointed by the ſaid Truſtees, or any five or more of them, for that Purpoſe, and ſhall be open, at all convenient Hours of Buſineſs, to the Inſpection of all Perſons intereſted therein.

Auditors appointed to ſettle the Treaſurer's Accounts.

XXI. And be it further enacted by the Authority aforeſaid, That, from and after the paſſing of this Act, the ſaid Truſtees, or any ſeven or more of them, at any of their General Quarterly Meetings aſſembled, ſhall from Time to Time appoint three Perſons as Auditors, who ſhall annually inſpect and adjuſt the Treaſurer's Accounts of the Receipts and Diſburſements of all the Monies collected, received, levied, and paid, by virtue and in purſuance of this Act; and upon ſuch Account or Accounts being ſo audited and ſettled, the ſame ſhall from Time to Time be fairly entered and tranſcribed in a Book to be kept for that Purpoſe, and ſubſcribed by ſuch Auditors; which ſaid Book ſhall be kept by the Treaſurer to the ſaid Truſtees for the Time being, or ſome other Perſon by them appointed to keep the ſame, for the Inſpection of all Perſons intereſted therein; and that a General State of ſuch Account or Accounts ſhall be annually printed and publiſhed.

Officers of the Cuſtoms not to grant Cockets, &c. till Payment of the Duties;

on Penalty of 20l.

'XXII. And, to the Intent that the ſaid Rates or Duties may be the better collected and received,' be it further enacted by the Authority aforeſaid, That the Collector of his Majeſty's Cuſtoms, Cuſtomer, Comptroller, Surveyor, Searcher, Coaſtwaiter, and all other Officers of the Cuſtoms whatſoever, within the ſaid Ports of *Cheſter* and *Liverpool*, their reſpective Deputies or Clerks, ſhall not, nor ſhall any of them, after the Commencement of this Act, receive or grant any Cocket, or other Diſcharge or Clearance, or clear inwards or outwards any Ship, Sloop, or other Veſſel, *Britiſh* or foreign, liable and ſubject to the Payment of the ſaid Duties, until the ſame Duties ſhall be fully paid or ſatisfied to the ſaid Receiver or Receivers ſo to be appointed by the ſaid Truſtees to receive the ſame; and until ſuch reſpective Maſter, Owner, or other Perſon taking Charge of any Ship or Veſſel ſubject and liable to the Payment thereof, ſhall produce and ſhew to ſuch Officer reſpectively a Receipt under the Hand of ſuch Receiver for the ſame: And in caſe any ſuch Collector, Cuſtomer, Comptroller, Surveyor, Searcher, Coaſtwaiter, or other Officer, or their Clerk, ſhall make Default in ſuch his Duty aforeſaid, he ſhall, for every ſuch Offence, forfeit and pay the Sum of twenty Pounds, to be recovered in like Manner as the ſaid Penalty on Perſons acting as Truſtees, without being qualified, is herein before directed to be recovered.

In caſe of Non-payment of Duties at Cheſter, Truſtees may diſtrain, &c.

XXIII. And be it further enacted by the Authority aforeſaid, That, in caſe any Owner, Maſter, or other Perſon having or taking upon himſelf, or appearing to have or take, the Command or Charge of any Ship or Ships, Veſſel or Veſſels, charged or chargeable with the ſaid Duties, and payable at the City and Port of *Cheſter*, ſhall refuſe to pay the ſame, then, and in ſuch Caſe, it ſhall and may be lawful to and for the

the ſaid Truſtees, or any five or more of them, or for their Receiver, or other Perſon or Perſons to be appointed by the ſaid Truſtees, or any five or more of them, by virtue of this Act, either with or without any Warrant from the Mayor of the City of *Cheſter*, or any other Juſtice of the Peace for the County of the ſame City, in preference to, and notwithſtanding any Right of Hypothecation, Attachment, Arreſtment, or other Right whatſoever, claimable by or due to any Perſons whomſoever, to ſeize any of the Tackle, Furniture, and Apparel, of or belonging to any ſuch Ship or Veſſel, and the ſame to detain and keep until the Duties payable for ſuch Ship or Veſſel ſhall be paid and ſatisfied; and in caſe of any Neglect or Delay in Payment of the ſaid Duties, for the Space of three Days next after ſuch Seizure, then it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, or their Receiver or Receivers of the ſaid Duties, or ſuch other Perſon or Perſons as ſhall be appointed by the ſaid Truſtees by virtue of this Act, to cauſe the ſaid Tackle, Furniture, and Apparel, ſo ſeized and detained, to be ſold, and out of the Money ariſing by ſuch Sale to ſatisfy the Duties ſo due and unpaid, with the Charge of ſuch ſeizing, detaining, and ſelling, as the ſame ſhall be aſcertained and fixed by the ſaid Truſtees, or any five of them, rendering to the Maſter, Owner, or other Perſon taking Charge of ſuch Ship or Veſſel reſpectively, the Overplus (if any there be) upon Demand.

In caſe of Non-payment of Duties at Liverpool, the Mayor, &c. may ſeize Tackle, Furniture, &c.

XXIV. And be it further enacted by the Authority aforeſaid, That in caſe any Owner, Maſter, or any other Perſon having or taking upon himſelf, or appearing to have or take, the Command or Charge of any Ship or Ships, Veſſel or Veſſels, which ſhall arrive at the Port of *Liverpool*, and be charged with the ſaid Duties, ſhall refuſe to pay the ſame, then, and in ſuch Caſe, it ſhall and may be lawful to and for the Mayor of the Borough of *Liverpool* for the Time being, or his Deputy, or any one Juſtice of the Peace of the ſame Borough, upon Complaint made before him by the Receiver or Receivers, or other Perſon or Perſons appointed to receive the ſaid Duties at the ſaid Port of *Liverpool*, to iſſue out a Warrant to ſeize any Tackle, Furniture, and Apparel, of or belonging to any ſuch Ship or Veſſel, and the ſame to detain and keep until the ſaid Duties payable for ſuch Ship or Veſſel ſhall be paid and ſatisfied; and in caſe of any Neglect or Delay in Payment of the ſaid Duties, for the Space of three Days next after ſuch Seiſure, then it ſhall and may be lawful to and for the ſaid Receivers of the ſaid Duties for the Time being to cauſe the ſaid Tackle, Furniture, and Apparel, ſo ſeized, to be ſold, and out of the Money ariſing by ſuch Sale to ſatisfy the Duties ſo due and unpaid, with the Charge of ſuch ſeizing, detaining, and ſelling, as the ſame ſhall be aſcertained and fixed by the Mayor of the ſaid Borough of *Liverpool* for the Time being, or his Deputy, or ſuch one Juſtice of the Peace as aforeſaid, rendering to the Maſter, Owner, or Agent, of ſuch Ship or Veſſel, the Overplus (if any there be) upon Demand.

Application of the Money to be borrowed, &c.

XXV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, by and out of the Monies that ſhall be ſo taken up by way of Loan or Mortgage as aforeſaid, and by and out of the ſaid Duties herein before granted, in the firſt Place, to pay, ſatisfy, and diſcharge, all the Coſts, Charges, and Expences, of applying for, obtaining, and paſſing, this preſent Act of Parliament, and all the neceſſary Expences preparatory and relating thereto; and after Payment and Satisfaction thereof, then to pay all juſt and reaſonable Charges of erecting, maintaining, and ſupporting, the ſaid Lighthouſe or Lighthouſes ſo to be erected as aforeſaid, and the Fire or other Lights to be kept therein, together with all other Charges relating thereto that ſhall be proper and neceſſary for executing the Truſts of this Act, and the Intereſt of all ſuch Sums of Money as ſhall be ſo borrowed and taken up by way of Mortgage, from the reſpective Times of advancing ſuch Monies, until they ſhall be reſpectively repaid and reimburſed, with the Charges of collecting and recovering the Duties aforeſaid.

Truſtees, with Conſent of the Corporation of Trinity-houſe, &c. may alter or remove Light-houſes.

XXVI. Provided always, and be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any nine or more of them, at any of their General Quarterly Meetings (by and with the Conſent and Approbation of the ſaid Corporation of *Trinity-houſe*, and of the Mayor of *Liverpool* for the Time being, and of the Truſtees for the Docks, Lights, and Harbour, of *Liverpool*, or any ſeven or more of them for the Time being, but not otherwiſe) to alter, remove, or take down, the ſaid Lighthouſe or Lighthouſes, ſo to be erected on the *Point of Air*, and at or near *Preſtatyn* aforeſaid, or either of them, and to erect and build the ſame again in any other Part or Place at or near the ſaid *Point of Air*, or at or near *Preſtatyn* aforeſaid, as the Shifting or Alteration of the Banks and Channels may require.

Penalty on neglecting to keep Fires.

XXVII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, appointed or to be appointed by the ſaid Truſtees to attend any Lighthouſe or Lighthouſes that ſhall be erected in purſuance of this Act, ſhall neglect to keep and ſhew forth good and ſufficient Fires and Lights during the Whole of the ſeveral Periods of Time by this Act limited and deſcribed for that Purpoſe, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds.

Truſtees may erect Land-marks, &c.

XXVIII. And be it further enacted by the Authority aforeſaid, that it ſhall and may be lawful to and for the Truſtees appointed by this Act, or any five or more of them, and they are hereby authoriſed and impowered at any Time hereafter (when the Fund ariſing from the Duties herein before granted, or any voluntary Subſcriptions ſhall enable them) to erect and build, or cauſe to be erected and built, one or more Landmarks within the Townſhips of *Thurſtaſton* and *Caldy* in the County of *Cheſter*, or in any other proper Place or Places within the ſaid Port of *Cheſter*; and the ſame Truſtees, or any five or more of them, are hereby impowered to ſurvey, mark, ſet out, and take, ſuch and ſo much Land or Ground as ſhall be neceſſary for the erecting and building ſuch Landmarks, and alſo to ſet out proper Roads to the ſame, they the ſaid Truſtees making a reaſonable Satisfaction to the Owners or Occupiers of the Land on which ſuch Landmarks ſhall be ſo erected, and for ſuch proper Roads as aforeſaid; the ſame to be aſcertained, ſettled, and adjuſted, in Manner aforeſaid.

Truſtees may place Buoys.

XXIX. And be it further enacted by the Authority aforeſaid, That the ſaid Truſtees, or any five or more of them, may and they are hereby authoriſed to lay and fix Buoys in proper Places upon *Cheſter-bar*, and

and other Banks and Shoals leading into and in the Port of *Cheſter*, between the South-weſt Side of *Hoyle* Sands and the main Land on the Coaſt of *Wales*; and may from Time to Time remove, alter, diſplace, and replace, the ſame as they ſhall find neceſſary and proper for the Safety of Ships and Veſſels.

Any Perſon wilfully deſtroying or ſetting on Fire the Lighthouſes, &c.

XXX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whomſoever, after the paſſing of this Act, ſhall maliciouſly, wilfully, or wantonly, demoliſh, alter, break down, deſtroy, or ſet on fire, the ſaid Lighthouſe or Lighthouſes, or Landmarks, or any or either of them, or remove, ſink, or deſtroy, any of the ſaid Buoys, or otherwiſe injure any of the Works to be erected, made, placed, or ſet up, for the Purpoſes of this Act, or ſhall wilfully, maliciouſly, or wantonly, extinguiſh or put out any of the ſaid Fires or Lights, that ſhould and ought to be kept burning and ſhewn forth in the ſaid Lighthouſe or Lighthouſes, or either of them; every ſuch Perſon or Perſons ſo offending in any of the Caſes aforeſaid, and being thereof convicted, ſhall be adjudged guilty of Felony, and that the Court or Courts, by and before whom ſuch Perſon or Perſons ſhall be indicted and tried, ſhall and have hereby Power and Authority to tranſport ſuch Felon or Felons for the Space of Seven Years, in like Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm, or for a longer Time, according to the Heinouſneſs of the Crime or Crimes which ſuch Perſon or Perſons ſhall be charged with and convicted of, at the Diſcretion of ſuch Court.

ſhall, on Conviction, be deemed guilty of Felony.

Lighthouſes, Landmarks, &c. veſted in Truſtees:

XXXI. And be it further enacted by the Authority aforeſaid, That the Right and Property of all and every the Lighthouſe, or Lighthouſes, Landmarks, and other Directions, to be built, conſtructed, ſet up, fixed, placed, or made, in purſuance of this Act, ſhall be veſted in the ſaid Truſtees, appointed by or to be elected in purſuance of this Act, for the Term herein after mentioned; and that they, or any five or more of them, are hereby authoriſed and impowered to bring any Action or Actions, in the Name of any one of them, by the Name or Style of *The Truſtees for the Lighthouſe or Lighthouſes in the Port of Cheſter*, or in the Name of their Receiver or Treaſurer, or to prefer any Bill or Bills of Indictment againſt any Perſon or Perſons who ſhall ſteal, take away, break down, move, diſplace, alter, ſink, or ſpoil, the ſaid Lighthouſe or Lighthouſes, or any of the Landmarks, Buoys, or other Directions, or ſhall do any Act whereby any Damage may accrue to the ſame, or any of them, or any Parts thereof reſpectively; and the Damage, when recovered, after deducting the Coſts of Suit, ſhall be paid and applied to ſuch and the ſame Uſes as other pecuniary Penalties in this Act are directed to be paid and applied; and that the ſaid Truſtees may, in any Caſe whatſoever relative to this Act, ſue and be ſued by the Name or Style of *The Truſtees for the Lighthouſe or Lighthouſes in the Port of Cheſter*; and that Service of any Writ or Proceſs upon the Treaſurer for the Time being to the ſaid Truſtees, in order to enforce an Appearance, ſhall be deemed good Service.

Their Name or Style:

May ſue and be ſued.

Truſtees to pay 5 l. a Year to the Corporation of Trinity-houſe for 99 Years; after which Term, the Lighthouſes, &c. to be veſted in the ſaid Corporation.

XXXII. Provided always, and be it further enacted by the Authority aforeſaid, That the ſaid Truſtees ſhall, out of the Duties herein before granted, pay to the ſaid Corporation of *Trinity-houſe* the yearly Rent or Sum of five Pounds at the *Trinity-houſe* in *London*, by equal Quarterly Payments, for and during the Term of Ninety-nine Years, to be computed from the Time of exhibiting a Light in either of the ſaid Lighthouſes; and that, from and immediately after the Expiration of the ſaid Term of Ninety-nine Years, the ſaid Lighthouſes and Lights, and all the Duties herein before granted, and all the Powers, Means, Remedies, and Methods, hereby given for obtaining or compelling Payment thereof, ſhall veſt in the ſaid Corporation of *Trinity-houſe*, and ſhall be from thenceforth for ever held, exerciſed, and enjoyed, by them; and that the ſaid Corporation of *Trinity-houſe*, and their Agents, ſhall have full Power and Authority of entering into and inſpecting the State of the ſaid Lighthouſes and Lights; and that the ſame ſhall from Time to Time be amended and repaired according to every Notice to be for that Purpoſe given by the ſaid Corporation of *Trinity-houſe* to the ſaid Truſtees, or any five or more of them; and that in caſe the ſaid Lighthouſes ſhall not, during the ſaid Term, be kept properly lighted during the Night-ſeaſon, it ſhall and may be lawful to and for the ſaid Corporation of *Trinity-houſe* to enter into the ſaid Lighthouſes, Lights, and Duties, and to evict the ſaid Truſtees thereſrom, and to hold and enjoy the ſame for the Reſidue of the ſaid Term; but ſubject to the Payment of all Money then owing upon the Credit of the ſaid Duties, and all Intereſt due and to grow due thereon: Provided alſo, That in caſe the ſaid Lighthouſes ſhall not be kept in good Repair, it ſhall and may be lawful to and for the ſaid Corporation of *Trinity-houſe*, within three Months next after every Notice given, to cauſe the ſame to be repaired in ſuch Manner as they ſhall think fit; and the Expence thereof ſhall be defrayed by the ſaid Truſtees out of the ſaid Duties; and in caſe any Default ſhall be made in Payment of the ſaid yearly Rent or Sum of Money ſo directed to be paid to the Corporation of *Trinity-houſe* as aforeſaid, it ſhall and may be lawful for the ſaid Corporation to collect and receive the ſaid Duties until ſuch Time as the ſaid Rent ſo in Arrear ſhall be fully ſatisfied and paid.

If Truſtees neglect to repair Lighthouſes, the Corporation may order it to be done, &c.

Truſtees may examine and grant Licences to Pilots.

'XXXIII. And, in order that proper and ſkilful Perſons may be appointed Pilots for conducting Ships 'and Veſſels into and out of the ſaid Port of *Cheſter*,' be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any ſeven or more of them, at any of their General Quarterly Meetings aſſembled as aforeſaid, and they are hereby authoriſed and impowered to examine and enquire into the Skill and Ability of every Perſon and Perſons reſiding within the Port of *Cheſter*, who ſhall tender or offer himſelf or themſelves to be admitted as a Pilot or Pilots within the Port of *Cheſter* aforeſaid; and if, upon a ſtrict Examination, the Perſon or Perſons ſo offering him or themſelves as a Pilot or Pilots within ſuch Port, ſhall be found well qualified and approved of by the ſame Truſtees, or any ſeven or more of them, as aforeſaid, the ſaid Truſtees may appoint ſuch Number of the Perſons ſo examined as they ſhall think ſufficient to be Pilots within the ſaid Port, and ſhall grant to each of them a Licence to act as Pilots within the ſame Port; which Licence ſhall contain the Name, Age, and Place of Abode, of the Perſon ſo licenſed, and ſhall certify that he is duly qualified to act as a Pilot to conduct Ships and Veſſels into and out of the Port of *Cheſter*; and the ſaid Licence ſhall be ſubſcribed with the

proper Hand-writing of ſeven or more of the ſaid Truſtees: And every ſuch Perſon or Perſons reſpectively ſhall from thenceforth be deemed duly qualified to exerciſe and follow the Occupation or Buſineſs of a Pilot or Pilots within the Port of *Cheſter* as aforeſaid; and that no more than five Shillings ſhall be taken by the Clerk of the ſaid Truſtees for the writing, filling up, or compleating of any one Licence; and no ſuch Licence ſo to be granted as aforeſaid ſhall continue in Force for any longer Time or Term than three Years from the Date thereof; any Thing herein contained to the contrary notwithſtanding.

Pilots acting without a Licence, to forfeit 10 l.

XXXIV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, not being licenſed as aforeſaid, ſhall, from and after the Time that the ſaid Truſtees ſhall have fixed a proper Number of Pilots, take upon him or themſelves to conduct or pilot any Ship or Veſſel into or out of the ſaid Port of *Cheſter*, or if any Pilot ſo licenſed as aforeſaid ſhall, after the Expiration of ſuch his Licence, continue to act as a Pilot without the Renewal of the ſame; every ſuch Perſon or Perſons ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds.

Licenſed Pilots not doing their Duty, on proper Notice, to forfeit 10 l.

XXXV. And be it further enacted by the Authority aforeſaid, That in caſe any Pilot, who ſhall receive ſuch Licence as aforeſaid, ſhall refuſe or neglect to take the Charge or Conduct of any Ship or Veſſel outward-bound, upon proper Notice being firſt given to ſuch Pilot, or if any ſuch Pilot ſhall be plying betwixt *Dalpoole* in the County of *Cheſter* aforeſaid, and Weſtward of *Cheſter-bar*, and upon a Gun being fired, or an Enſign being hoiſted in a Weſt, or other uſual Signal given from any Ship or Veſſel, ſhall refuſe or neglect forthwith to board and take under his Charge or Care ſuch Ship or Veſſel, or, if any ſuch Ship or Veſſel cannot be boarded without imminent Danger, ſuch Pilot ſhall refuſe or neglect to lead the Way with his Boat, every ſuch Pilot ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds.

Pilots miſbehaving, their Licences may be recalled.

XXXVI. And be it further enacted by the Authority aforeſaid, That in caſe it ſhall appear to the ſaid Truſtees, or any five or more of them, that any Pilot or Pilots ſo licenſed as aforeſaid ſhall have miſbehaved him or themſelves in the conducting of any Ship or Veſſel, or in the Execution of any other Part of his or their Duty as a Pilot or Pilots, or if ſuch Pilot or Pilots ſhall refuſe to obey any Summons of the ſaid Truſtees, or any five or more of them, at any of their Meetings, requiring his or their Appearance before the ſaid Truſtees, or ſhall not obey all ſuch Orders as the ſaid Truſtees, or any five or more of them, ſhall make in the Premiſes, or in anywiſe offend or miſbehave him or themſelves as a Pilot or Pilots; then, and in any ſuch Caſe, the ſaid Truſtees, or any five or more of them, upon Examination thereof, are hereby authoriſed and empowered to recal the Licence or Licences granted to ſuch Pilot or Pilots reſpectively, and to declare the ſame to be from thenceforth revoked and utterly void, or to ſuſpend ſuch Pilot or Pilots for ſuch Time as the ſaid Truſtees, or any five or more of them, ſhall think proper: And if any ſuch Perſon or Perſons ſo offending or miſbehaving him or themſelves (after Notice in Writing of his Licence being recalled, or of his being ſuſpended as aforeſaid, given to him or them in Perſon, or left at his or their uſual Place of Abode) ſhall preſume to act as a Pilot or Pilots in conducting any Ship or Ships, Veſſel or Veſſels, into or out of the Port of *Cheſter*, he or they ſhall be ſubject to the like Penalty as Perſons acting as Pilots, without being licenſed by the ſaid Truſtees, by virtue of this Act are ſubject to.

Penalty on Pilots acting after their Licences are recalled, &c.

Security to be given for Pilotage of outward-bound Veſſels,

XXXVII. And be it further enacted by the Authority aforeſaid, That if any of the Pilots ſo to be licenſed as aforeſaid ſhall be requeſted by the Maſter, Commander, Owner, or Agent, of any Ship or Veſſel outward-bound, to take the Charge or Conduct of ſuch Ship or Veſſel, it ſhall and may be lawful to and for ſuch Pilot, previous to his taking ſuch Charge or Conduct, to demand a ſufficient Security from ſuch Maſter, Commander, Owner, or Agent, for the Payment of ſuch Pilotage outward, according to the Rates and Prices herein after mentioned, or that ſhall be fixed by the ſaid Truſtees, or any thirteen or more of them; and if ſuch Commander, Owner, or Agent, ſhall refuſe to pay ſuch Rates, or give ſuch Security, then, and in ſuch Caſe, ſuch Pilot may refuſe to conduct or pilot ſuch Ship or Veſſel as aforeſaid, without being ſubject to or incurring any of the Penalties inflicted by this Act on Pilots refuſing to take the Charge or Conduct of Ships or Veſſels as aforeſaid.

or Pilots may refuſe to conduct them.

Rates of Pilotage.

'XXXVIII. And, for preventing exorbitant Demands being made by any Pilot or Pilots, ſo to be 'licenſed as aforeſaid, for the conducting or piloting any Ship or Veſſel into or out of the ſaid Port of '*Cheſter*,' be it enacted by the Authority aforeſaid, That no greater Rates for Pilotage ſhall be demanded or taken by any ſuch Pilot or Pilots than what is or are herein after mentioned; that is to ſay,

For piloting or conducting any Ship or Veſſel belonging to any of his Majeſty's Subjects into the ſaid Port of *Cheſter*, from the Length of the *Great Ormſhead* on the Coaſt of *Wales*, bearing South and by Weſt, to the City of *Cheſter*, during the Winter Seaſon, the Sum of nine Shillings a Foot for every Foot of Water ſuch Ship or Veſſel ſo to be piloted or conducted ſhall then draw; ſuch Winter Seaſon to begin and commence on the firſt Day of *October*, and end on the thirty-firſt Day of *March* yearly, both Days incluſive:—And for piloting or conducting any ſuch Ship or Veſſel out of the ſaid Port of *Cheſter* from the City of *Cheſter* to the Length of the *Great Ormſhead* aforeſaid, during the Winter Seaſon, to be computed as aforeſaid, the Sum of ſix Shillings a Foot for every Foot of Water ſuch Ship or Veſſel, ſo to be piloted or conducted out of the ſaid Port, ſhall then draw:—And for piloting or conducting any ſuch Ship or Veſſel into the ſaid Port of *Cheſter* from the Length of the *Great Ormſhead* aforeſaid to the ſaid City of *Cheſter*, during the Summer Seaſon, the Sum of ſeven Shillings a Foot for every Foot of Water ſuch Ship or Veſſel ſo to be piloted or conducted as aforeſaid ſhall then draw; ſuch Summer Seaſon to begin and commence on the firſt Day of *April*, and end on the thirtieth Day of *September* yearly, both Days incluſive:—And for piloting or conducting any ſuch Ship or Veſſel out of the ſaid Port of *Cheſter* from the ſaid City of *Cheſter* to the Length of the *Great Ormſhead*, during the like Summer Seaſon, the Sum of five Shillings

Shillings a Foot for every Foot of Water ſuch Ship or Veſſel, ſo to be piloted or conducted out of the ſaid Port, ſhall then draw:

And ſo in Proportion for half a Foot of Water in all the Caſes aforeſaid; but no Allowance to be made for odd Inches above or under Half a Foot.

Veſſels in the Coaſting-trade to pay only Half the Rates.

XXXIX. Provided always, and be it further enacted by the Authority aforeſaid, That every Maſter, or other Perſon having the Command of any Ship or Veſſel in the Coaſting-trade, or trading to or from *Ireland*, whoſe Ship or Veſſel ſhall be conducted or piloted into or out of the ſaid Port of *Cheſter* in Manner aforeſaid, ſhall pay or cauſe to be paid one Half only, and no more, of the ſaid reſpective Rates for ſuch Pilotage, according to the Seaſon of the Year, as before deſcribed.

Coaſting-Veſſels not to pay for leſs than 8 Feet Draught of Water.

XL. Provided alſo, That no Maſter or Commander of any Coaſting Ship or Veſſel, or of ſuch Ships or Veſſels as trade to or from *Ireland*, which ſhall be conducted or piloted into or out of the ſaid Port of *Cheſter*, ſhall pay any leſs Sum for ſuch Pilotage than for eight Feet Draught of Water, according to the Rates hereby directed to be paid for ſuch Ships or Veſſels; but if ſuch Ship or Veſſel ſhall draw more than eight Feet Draught of Water, the Overplus ſhall be paid for according to the Rates aforeſaid.

Rates for alien Ships.

XLI. And whereas Ships or Veſſels belonging to Aliens, or the Subjects of Foreign Powers, frequenting the Port of *Cheſter*, uſually draw leſs Water in proportion to their Burthen than Ships or Veſſels belonging to the Subjects of *Great Britain*;' be it therefore enacted by the Authority aforeſaid, That the following and no greater Rates ſhall be demanded or taken for the piloting or conducting of any ſuch alien Ship or Veſſel into or out of the ſaid Port of *Cheſter*; that is to ſay,

For piloting or conducting any ſuch Ship or Veſſel into the ſaid Port of *Cheſter*, from the Length of the *Great Ormſhead* on the Coaſt of *Wales*, bearing South and by Weſt, to the City of *Cheſter*, during the Winter Seaſon (ſuch Winter Seaſon to be computed as aforeſaid) the Sum of twelve Shillings a Foot for every Foot of Water ſuch Ship or Veſſel ſhall then draw:—And for piloting or conducting any ſuch Ship or Veſſel out of the ſaid Port from the City of *Cheſter* to the Length of the *Great Ormſhead* aforeſaid, during the ſaid Winter Seaſon, the Sum of ten Shillings a Foot for every Foot of Water ſuch Ship or Veſſel ſhall then draw:—And for piloting or conducting any ſuch Ship or Veſſel into the ſaid Port of *Cheſter*, from the Length of the *Great Ormſhead* aforeſaid to the City of *Cheſter*, during the Summer Seaſon (ſuch Summer Seaſon to be computed as aforeſaid) the Sum of ten Shillings a Foot for every Foot of Water ſuch Ship or Veſſel ſhall then draw:—And for piloting or conducting any ſuch Ship or Veſſel out of the ſaid Port from the City of *Cheſter* to the Length of the *Great Ormſhead* aforeſaid, during the Summer Seaſon, the Sum of ſeven Shillings a Foot for every Foot of Water ſuch Ship or Veſſel ſhall then draw:

And ſo in proportion for Half a Foot of Water in any of the Caſes aforeſaid; but no Allowance to be made for odd Inches above or under Half a Foot.

Pilot offering to inward bound Veſſels, and refuſed, to be paid; on leading the Way with his Boat.

XLII. And be it further enacted by the Authority aforeſaid, That in caſe the Maſter or Commander of any Ship or Veſſel inward-bound ſhall refuſe to take on Board and employ a Pilot, ſo to be licenſed as aforeſaid, who ſhall offer his Service, ſuch Maſter or Commander ſhall pay or cauſe to be paid to the Pilot who firſt boards him, or offers his Service as aforeſaid, and ſhall be ſo refuſed, the full Pilotage inwards, according to the different Rates authoriſed by this Act, as if the ſaid Pilot had been received and employed in conducting or piloting ſuch Ship or Veſſel into the ſaid Port of *Cheſter*; and that notwithſtanding ſuch Refuſal of the Maſter or Commander to take on Board or employ any ſuch Pilot ſo licenſed as aforeſaid, in any of the Caſes aforeſaid, the Pilot ſo offering his Service ſhall, and is hereby required to attend and lead the Way with his Boat, for ſuch Ship or Veſſel to follow, until ſuch Ship or Veſſel ſhall be brought to an Anchor at *Dalpoole* or *Parkgate* within the Port of *Cheſter*, before ſuch Pilot ſhall be intitled to any Pilotage under this Act.

Proviſo.

XLIII. Provided always, That if no Pilot or Pilots ſhall be ready to offer his or their Service, before any Ship or Veſſel ſhall have paſſed by or got to the Eaſtward of *Cheſter-bar*, the Maſter or Commander of ſuch Ship or Veſſel may refuſe to employ or pay any Pilot or Pilots who may afterwards offer to take the Charge of ſuch Ship or Veſſel.

Maſters in the Coaſting-trade may pilot their own Veſſels, and any Perſon aſſiſt a Ship in Diſtreſs.

XLIV. Provided alſo, That this Act ſhall not extend to prevent or hinder the Maſter or other Perſon having the Command of any Ship or Veſſel in the Coaſting-trade, or trading to or from *Ireland*, from conducting or piloting his own Ship or Veſſel into or out of the ſaid Port of *Cheſter*, without being ſubject to the Payment of the ſaid Rates for Pilotage; nor to hinder any Perſon or Perſons from aſſiſting any Ship or Veſſel in Diſtreſs, or to ſubject ſuch Perſon or Perſons to any of the Penalties in this Act; any Thing herein contained to the contrary thereof in anywiſe notwithſtanding.

Every Maſter to give the Pilot an Account of the Draught of Water of his Ship, &c.

XLV. And be it further enacted by the Authority aforeſaid, That the Maſter or Commander of every Ship or Veſſel ſo to be piloted or conducted into or out of the ſaid Port of *Cheſter* as aforeſaid, ſhall, and is hereby required to declare and give a true Account, to the Pilot employed in conducting or piloting ſuch Ship or Veſſel, of the Draught of Water ſuch Ship or Veſſel ſhall then draw; and in caſe the Pilot ſo employed ſhall ſuſpect the Truth of the Declaration of ſuch Maſter or Commander, ſuch Pilot ſhall and is hereby authoriſed to admeaſure, or cauſe ſuch Ship or Veſſel to be admeaſured, in order to find the true Draught of Water ſuch Ship or Veſſel ſhall then draw.

On Non-payment of Pilotage, Truſtees may diſtrain.

XLVI. And be it further enacted by the Authority aforeſaid, That in caſe any Owner or Maſter, or any other Perſon having or taking upon himſelf, or appearing to have or take, the Command or Charge of any Ship or Ships, Veſſel or Veſſels, charged or chargeable with the reſpective Rates for Pilotage hereby authoriſed to be paid or allowed by this Act, ſhall refuſe to pay the ſame; then, and in ſuch Caſe, it ſhall be lawful to and for the ſaid Truſtees appointed by this Act, or any nine or more of them, or for their Receiver or other Perſon or Perſons by them appointed for the Time being, to recover ſuch Rates by Diſtreſs

Distress and Sale, in such Manner as is herein before particularly mentioned and directed for recovering the Duties herein before granted.

Chester Pilot-boats to carry two Masts. Liverpool Pilots may take the Charge of Chester Ships in certain Cases, &c.

XLVII. And be it further enacted by the Authority aforesaid, That every Pilot that shall be so licensed in the Port of *Chester* as aforesaid, shall have and carry two Masts.

XLVIII. And be it further enacted by the Authority aforesaid, That if any Ship or Vessel at Sea, or to the Westward of *Chester-bar*, bound for the Port of *Chester*, shall be met or boarded by a *Liverpool* Pilot, and no *Chester* Pilot near at Hand, or in Sight, that then it shall and may be lawful (if the Master or Commander of such Ship or Vessel shall think proper, but not otherwise) for the said *Liverpool* Pilot to take the Charge of such Ship or Vessel until she shall arrive or come to an Anchor at *Dalpools*, in the Port of *Chester*; and also that the *Liverpool* Pilots shall be allowed to take the Charge of piloting his Majesty's Ships into or out of the Port of *Chester* at all Times whatever; any Thing in this Act to the contrary hereof notwithstanding.

Trustees empowered to lessen the Rates of Pilots, &c.

XLIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any thirteen or more of them, at any of their General Quarterly Meetings, to alter, lessen, lower, diminish, or reduce, the Rates of Pilotage hereby made payable, or any of them; and also to advance and raise the same again in such Manner as to them the said Trustees, or any thirteen or more of them, as aforesaid, from Time to Time, shall seem meet, requisite, and expedient, so as such Rates, when raised again and advanced, do not exceed the Rates herein before made payable, and directed to be taken by Pilots as aforesaid.

Trustees impowered to fix Rates for piloting small Distances.

L. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any nine or more of them, at any of their Quarterly Meetings, to ascertain, settle, and fix, the Rates of Pilotage from one Place to another for any Distance within the intermediate Space between the *Great Ormshead* aforesaid, and the said City of *Chester*; so as such Rates in the Whole do not exceed the Rates herein before fixed for piloting any Ship or Vessel from the Length of the *Great Ormshead* aforesaid to the City of *Chester* aforesaid, inwards or outwards, according to the Season of the Year.

Trustees may grant Licences to Persons for tracking or towing Vessels.

'LI. And, for the better towing and tracking of Ships and Vessels with Horses to and from the said 'City of *Chester*, within the said Port of *Chester*,' be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any seven or more of them, from Time to Time, at any of their General Quarterly Meetings assembled, and they are hereby authorised and impowered to examine and enquire as to the Care and Ability of every Person who shall tender or offer himself to be admitted as a Tower or Tracker of Ships or Vessels with Horses, within the Port of *Chester* aforesaid; and every Person who, upon such Examination and Enquiry, shall be approved by the said Trustees, or any seven or more of them, shall receive a Licence containing his Name, Age, and Place of Abode, and also certifying that he is duly qualified to tow or track Vessels with Horses within the said Port of *Chester*; which Licence shall be subscribed with the proper Hand-writing of seven or more of the said Trustees; and every Person so licensed (and no other) shall be deemed duly qualified to exercise and follow the Occupation or Business of a Tower or Tracker of Vessels with Horses within the Port of *Chester* as aforesaid; and that no more than two Shillings and Sixpence shall be taken by the Clerk to the said Trustees for the writing, filling up, or compleating, of any one such Licence; and no such Licence, so to be granted as aforesaid, shall continue in Force for any longer Time or Term than three Years from the Date thereof: And if any Person shall, from and after the first Day of *January* one thousand seven hundred and seventy-seven, presume to tow or track any Ship or Vessel with Horses within the said Port of *Chester*, without being duly licensed so to do, every such Person or Persons shall, for every such Offence, forfeit and pay the Sum of ten Pounds.

Towers acting without Licence, to forfeit 10 l.

Rates for towing or tracking.

'LII. And, for preventing any exorbitant Demand being made by any Tower or Tracker with Horses, 'so licensed for towing or tracking any Ship or Vessel as aforesaid,' be it further enacted by the Authority aforesaid, That no greater Rates or Prices shall be taken by any such Person for towing or tracking with Horses as aforesaid, than what is or are herein after mentioned; that is to say,

For towing or tracking any Ship or Vessel from the City of *Chester* to the new Quay in the River *Dee*, or from the New Quay to the said City of *Chester*, during the Winter Season, the Sum of one Pound five Shillings (such Winter Season to commence on the first Day of *October*, and end on the thirty-first Day of *March* yearly, both Days inclusive):—And for towing or tracking any Ship or Vessel from the said City of *Chester* to the said New Quay, or from the said New Quay to the said City of *Chester*, during the Summer Season, the Sum of one Guinea (such Summer Season to commence on the first Day of *April*, and end on the thirtieth Day of *September* yearly, both Days inclusive).

Trustees impowered to lessen the Rates of Towers or Trackers, &c.

LIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any thirteen or more of them, at any Time or Times, at any of their General Quarterly Meetings, to alter, lessen, lower, diminish, or reduce, the said Rates for towing or tracking of Ships and Vessels with Horses hereby made payable, or any of them; and also to advance and raise again the same in such Manner as to them the said Trustees, or any thirteen or more of them, at such General Meetings, from Time to Time, shall seem meet, requisite, and expedient; so as such Rates, when raised again and advanced, do not exceed the Rates herein before made payable, and authorised to be taken by Towers or Trackers as aforesaid; any Thing herein contained to the contrary thereof in any wise notwithstanding.

Trustees may suspend or vacate Licences granted to Towers or Trackers.

LIV. Provided always, and it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any seven or more of them, at any such General Quarterly Meetings as aforesaid, to suspend or recal any Licence or Licences which shall have been granted to such

Towers or Trackers as aforesaid, and who shall in any-wise neglect his or their Duty as Towers or Trackers, or shall not conform themselves to all such Rules, Orders, or Bye-laws, as shall be made by virtue of this Act for the better Government of such Towers or Trackers within the said Port of *Chester*: And if any Tower or Tracker, whose Licence shall be suspended or taken away as aforesaid, shall take upon him or themselves to tow or track any Ship or Vessel with Horses within the said Port of *Chester*, such Tower or Tracker shall be liable to all such Pains and Penalties, and to be recovered in the same Manner, as are provided by this Act against such Person or Persons as shall tow or track Ships or Vessels with Horses within the said Port of *Chester*, without being first examined, approved, and licensed, as aforesaid.

The Clerk may appoint extraordinary Towers, in Cases of Emergency.

'LV. And, in order to prevent Inconveniences that might arise for Want of a sufficient Number of 'Persons to tow or track Vessels with Horses within the said Port of *Chester* as aforesaid,' be it further enacted by the Authority aforesaid, That in case of any Emergency, or extraordinary Want of Towers or Trackers, it shall and may be lawful to and for the Clerk for the Time being to the said Trustees, or such Person as he shall depute, from Time to Time, as often as Occasion shall require, to license by Writing, or verbally appoint, for one Day only at any one Time, such and so many Towers or Trackers as shall be found necessary and useful on such Emergencies or extraordinary Want of Towers or Trackers as aforesaid; and that such Towers or Trackers so licensed or appointed shall not be liable, on the Day for which they are so respectively appointed, to any Penalty inflicted by this Act upon Persons acting as Towers or Trackers without being licensed by the said Trustees as aforesaid; any Thing herein before contained to the contrary thereof in anywise notwithstanding.

Trustees may make Bye-laws;

'LVI. And, for the better regulating and managing the said Lighthouse or Lighthouses, Lights, Land-'marks, and Buoys, and all other Works, Matters, and Things, authorised to be built, made, erected, 'and done, by virtue of this Act, and for the better governing and regulating all such Pilots, and all 'Towers and Trackers of Vessels who shall be respectively licensed to act as such within the said Port 'of *Chester*,' be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Trustees appointed by this Act, or any nine or more of them, at any of their General Quarterly Meetings, to be held in pursuance of this Act, to make, ordain, and establish, such Rules, Orders, Bye-laws, and Regulations, for the better regulating and managing the said Lighthouse or Lighthouses, Lights, Landmarks, Buoys, and all other the Works, Matters, and Things, herein before mentioned relating thereto, as to them shall seem proper and expedient; and also to make, ordain, and establish, separate Rules, Orders, Bye-laws, and Regulations, for the better governing and regulating, of all such Pilots so to be appointed and licensed as aforesaid, and likewise to make, ordain, and establish, other separate Rules, Orders, Bye-laws, and Regulations, for the better governing and regulating of all such Towers or Trackers so to be licensed as aforesaid: And it shall and may be lawful for the said Trustees, or any nine or more of them, at any such General Quarterly Meetings, from Time to Time, as Occasion may require, to repeal, add to, amend, or alter, the said respective Rules, Orders, Bye-laws, and Regulations, or any of them, as to them shall, from Time to Time, seem proper and expedient, and to fix and appoint reasonable pecuniary Penalties (not exceeding five Pounds upon one Person for any one Offence) for the Non-observance, Non-performance, or other Breach of all or any of the said respective Rules, Orders, Bye-laws, or Regulations; and all such pecuniary Penalties shall and may be recovered by such Ways and Means as are herein after directed for Recovery of any pecuniary Penalties inflicted by this Act: Provided always, That none of the said respective Rules, Orders, Bye-laws, or Regulations, herein before authorised to be made, be repugnant to the Laws, Statutes, or Customs, of this Realm, nor prejudicial or derogatory to any Right, Authority, or Jurisdiction, belonging to the Office of the Lord High Admiral of *Great Britain*: And the said Trustees, or any five or more of them, shall cause the said respective Rules, Orders, Bye-laws, and Regulations, to be printed either together or separately, as they shall think most proper, and to be hung up in some conspicuous Place at the Custom-house for the said Port of *Chester*, and in the Custom-house or Dock-office in *Liverpool*, and shall also cause Lists of the Pilots and of the Towers or Trackers, who shall from Time to Time be respectively licensed as aforesaid, to be printed and hung up in some conspicuous Place at the Custom-house in the said Port of *Chester*, and to pay the Expences attending the same out of any Money arising by virtue of this Act.

and alter or repeal the same.

Bye-laws, &c. to be printed.

Penalty on placing Stake-nets across the Channels, &c. in the Port of Chester.

'LVII. And, in order to prevent the setting or placing of Stake-nets, Posts, or other Obstructions, in 'or across the Channels, and upon the Banks and Shoals within the said Port of *Chester*,' be it further enacted by the Authority aforesaid, That if any Person or Persons shall, from and after the first Day of *January* one thousand seven hundred and seventy seven, fix or place any Stake-nets, in, over, or across, any of the Channels within the said Port of *Chester*, or in or upon the Banks and Shoals in the same Port, or fix or set any Post or other Obstruction to the Navigation within the said Port of *Chester*, to the Prejudice of Ships, Boats, or Vessels, navigating to or from the said City of *Chester*, and being convicted thereof before one or more Justice or Justices of the Peace of the County or City where the Offence shall be committed, upon the Oath of one or more Witnesses, such Person so offending shall forfeit and pay the Sum of ten Pounds.

Penalty on discharging Ballast within High-water Mark.

'LVIII. And, in order to prevent Masters of Ships and other Persons discharging and throwing over-board Gravel, Ballast, or other Rubbish, below or within the Limits of High-water Mark within the 'Port of *Chester*,' be it further enacted by the Authority aforesaid, That if any Person or Persons whomsoever shall discharge or cast out of any Ship or Vessel, being within the Port of *Chester*, any Gravel, Ballast, or Rubbish, (except only on the Land where Tide never flows) every such Person so offending shall forfeit and pay the Sum of ten Pounds.

Application of the Overplus money.

LIX. Provided always, and be it further enacted, That if, after defraying all Expences which shall have been incurred by reason or on account of applying for, obtaining, and passing, this present Act of Parliament,

Parliament, and all the neceſſary Expences preparatory and relating thereto, and of erecting, building, and ſetting up, the ſaid Lighthouſe or Lighthouſes and other Buildings, and alſo the Landmarks, Buoys, and all other Works by this Act directed or authoriſed to be erected, built, ſet up, or made, as aforeſaid, it ſhall be found, upon ſettling a General Account by ſuch Auditors as aforeſaid, that there remains in the Hands of the Treaſurer to the ſaid Truſtees any Surplus of the Money to be raiſed by virtue of this Act than in the Opinion of the ſaid Truſtees, or any thirteen or more of them, will be required to defray all Expences attending the Maintenance and Support of the ſaid Lighthouſe or Lighthouſes and other Buildings, and the ſaid ſeveral Landmarks and Buoys aforeſaid, and all other the Purpoſes attending the Execution of this Act, all ſuch Surplus-money ſhall and may from Time to Time be laid out and applied in improving, ſupporting, and preſerving, the ſaid Port of *Cheſter*, in ſuch Manner as the ſaid Truſtees, or any nine or more of them, at any of their General Quarterly Meetings aſſembled, ſhall from Time to Time direct, order, or appoint; any Thing in this Act contained to the contrary thereof in any-wiſe notwithſtanding.

No additional Duties to be paid.

LX. Provided always, and be it enacted and declared by the Authority aforeſaid, That nothing in this Act ſhall extend, or be conſtrued to extend, to charge any Maſter or other Perſon taking the Charge of any Ship or Veſſel with any other or greater Rates, Duties, or Tonnage, for erecting, building, or making, any Lighthouſe, Landmarks, or any other Works, than ſuch as are in and by this Act particularly mentioned and deſcribed; any Thing in this Act contained to the contrary hereof in any-wiſe notwithſtanding.

Mayor of Cheſter, or Juſtices of Peace, &c. to hear and determine Offences againſt this Act.

LXI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Mayor of the City of *Cheſter* for the Time being, or any one or more Juſtice or Juſtices of the Peace for the County of the ſame City, or for the Mayor of the Borough of *Liverpool* for the Time being, or any one or more Juſtice or Juſtices of the Peace for the ſame Borough, or for any Juſtice or Juſtices of the Peace for the Counties of *Cheſter* and *Flint*, within their reſpective Juriſdictions, to hear and determine any Offences which are made ſubject to and puniſhable by any pecuniary Penalties for Breach of any of the Bye-laws, or otherwiſe, where the pecuniary Penalties to be levied do not exceed the Sum of ten Pounds; and ſuch Mayor, Deputy Mayor, Juſtice or Juſtices of the Peace, is and are hereby authoriſed and required, upon any Information exhibited, or Complaint before him, them, or any of them, made, in that Behalf, within three Months next after ſuch Offence committed, to ſummon the Party or Parties accuſed, and the Witneſſes on either Side; and if ſuch Information or Complaint ſhall be verified upon Oath by one or more credible Witneſs or Witneſſes, to iſſue a Warrant or Warrants for apprehending the Party or Parties ſo offending, and upon the Appearance, or Contempt of the Party accuſed in not appearing, upon Proof of Notice given, to proceed to the Examination of the Witneſs or Witneſſes upon Oath, and to convict and give ſuch Sentence, Judgment, or Determination, as in their Opinion ſhall be juſt and conformable to the Tenor and true Meaning of this Act: And where the Party accuſed ſhall be convicted of ſuch Offence upon ſuch Information as aforeſaid, or Confeſſion, it ſhall and may be lawful to and for ſuch Mayor, his Deputy, Juſtice or Juſtices reſpectively, and they are hereby impowered to draw up a Conviction in ſuch Form of Words as to ſuch Mayor or his Deputy, or ſuch Juſtice or Juſtices, ſhall ſeem proper and applicable to the Matter in queſtion, and to iſſue his or their Warrant or Warrants for levying the pecuniary Penalties and Forfeitures ſo adjudged to be incurred, by Diſtreſs or Diſtreſſes of the Goods and Chattels of the Offender or Offenders, and to cauſe Sale to be made thereof, in caſe they ſhall not be redeemed in five Days, rendering to the Party offending, after Payment of the ſaid Penalties, and all the Coſts of the Conviction, Diſtreſs, and Sale, the Overplus, if any there be: And in caſe any Perſon or Perſons ſhall be convicted, in purſuance of this Act, of any Offence puniſhable by pecuniary Penalties for Breach of Bye-laws or otherwiſe as aforeſaid, and if no Goods or Chattels of any Perſon or Perſons ſo offending ſhall at the Time of ſuch Conviction be found, then, and in ſuch Caſe, it ſhall and may be lawful to and for ſuch Mayor, or his Deputy, or ſuch Juſtice or Juſtices of the Peace before whom ſuch Perſon or Perſons ſhall be ſo convicted as aforeſaid, to commit ſuch Offender or Offenders to the Houſe of Correction or Common Gaol of the ſaid City, Borough, or County, as the Caſe may happen, there to be kept to Hard Labour for any Time not exceeding ſix Months, or until ſuch pecuniary Penalty or Penalties ſhall be paid.

On Conviction of Offenders, Mayor or Juſtice may iſſue a Warrant for levying Penalties by Diſtreſs.

For Want of Diſtreſs, Offenders may be committed.

Truſtees may mitigate Penalties.

LXII. Provided always, That it ſhall and may be lawful to and for the ſaid Mayor, Deputy Mayor, or Juſtices of the Peace as aforeſaid, for the Time being, or any of them, by whom ſuch Judgment, Sentence, or Determination, ſhall be given, pronounced, or made, from Time to Time, when they ſhall ſee Cauſe, to mitigate or leſſen any of the pecuniary Penalties or Forfeitures as aforeſaid, as they in their Diſcretion ſhall think fit, ſo as not to remit or leſſen any Penalty or Forfeiture more than one Moiety of the Penalty inflicted and directed to be levied by this Act.

Application of Penalties.

LXIII. And be it further enacted by the Authority aforeſaid, That all pecuniary Penalties or Sums of Money recovered in purſuance of this Act, ſhall go and be paid, applied, and diſpoſed of, in Manner following; that is to ſay, one Moiety thereof to the Uſe of any Perſon or Perſons who ſhall, by Action, Suit, Bill, Plaint, or Information, or otherwiſe, recover the ſame; and the other Moiety to the ſaid Truſtees, to be applied in ſuch Manner as the Monies to be raiſed by virtue of this Act are hereby directed to be paid and applied.

Diſtreſs not to be deemed unlawful for Want of Form.

LXIV. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceeding relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on Account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the

Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover Satisfaction for the ſpecial Damage in an Action upon the Caſe.

Writings to be without Stamps.

LXV. Provided always, and be it further enacted, That no Summons, Order, Determination, Judgment, Decree, Warrant, Contract, Conveyance, Agreement, Bond, or other Writing or Proceeding whatſoever, under the Hand and Seal or Hands and Seals of any Juſtice of the Peace, or of the ſaid Truſtees, or any of them, or any other Perſon or Perſons whomſoever, or any Transfer or other Writing whatſoever relative to the Execution of this Act, ſhall be charged or chargeable with any Stamp-duty whatſoever; and that no Proceeding to be had or taken in purſuance of this Act ſhall be quaſhed or vacated for Want of Form only.

Perſons aggrieved may appeal to the Quarter Seſſions.

LXVI. Provided always, That any Perſon or Perſons thinking him, her, or themſelves aggrieved by any Order or Judgment made or given by any Juſtice or Juſtices of the Peace in purſuance of this Act, or of any of the ſaid Rules or Bye-laws, may, within ſix Calendar Months next after ſuch Order ſhall have been made or given, appeal to the Juſtices of the Peace at the General or Quarter Seſſions to be held in and for the ſaid Counties of *Cheſter* or *Flint*, or for the County of the City of *Cheſter* reſpectively, where the Cauſe of Appeal ſhall ariſe, and not elſewhere, who ſhall hear and determine the ſaid Complaint at ſuch General Quarter Seſſions; or, if they think proper, may adjourn the Hearing thereof to the next General Quarter Seſſions of the Peace to be held for the ſaid County or City reſpectively; and, if they ſee Cauſe, may mitigate any Forfeiture or Fine, and may order Money to be returned which ſhall have been levied in purſuance of ſuch Rules, Bye-laws, Orders, or Determinations, or any of them; and may alſo order ſuch further Satisfaction to be made to the Party injured as they ſhall judge reaſonable.

Limitation of Actions.

LXVII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, every ſuch Action or Suit ſhall be brought or commenced within ſix Calendar Months next after the Fact committed, or, in caſe there ſhall be a Continuation of Damage, then within three Calendar Months next after the doing or committing ſuch Damage ſhall ceaſe, and not afterwards; and ſhall be laid and brought in the County or City where the Matter or Matters in Diſpute ſhall ariſe, and not elſewhere; and ſhall not be removed by *Certiorari*, or any other Writ or Proceſs whatſoever; and the Defendant or Defendants, in ſuch Action or Suit may plead the General Iſſue, and give this Act and the Special Matter in Evidence upon any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time ſo limited for bringing the ſame, or ſhall be brought in any County or Place otherwiſe than as aforeſaid, then and in ſuch Caſe the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or ſuffer a Diſcontinuance of his, her, or their Action or Actions, Suit or Suits, after the Defendant or Defendants ſhall have appeared, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if, upon Demurrer or otherwiſe, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendants ſhall and may be intitled to Treble Coſts of Suit, and ſhall have ſuch Remedy for recovering the ſame as any Defendant or Defendants hath or have for Coſts of Suit in any other Caſes by Law.

General Iſſue.

Treble Coſts.

Rights of the Corporation of Cheſter reſerved.

LXVIII. Provided always, and be it enacted and declared by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be deemed or conſtrued to extend, to take away, change, alter, or leſſen, any Juriſdiction, Right, or Power, of the Mayor and Citizens of the City of *Cheſter* not particularly affected by this Act; but that the Mayor and Citizens of the City of *Cheſter* ſhall and may, at all Times hereafter, be at Liberty to have, uſe, exerciſe, and enjoy, all ſuch Powers, Rights, and Privileges, not particularly affected by this Act, in as full and ample Manner, to all Intents and Purpoſes, as they might or could have done in caſe this Act had not been made.

Rights of the River Dee Company reſerved.

LXIX. Provided always, and be it enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be deemed or conſtrued to extend, to alter, defeat, or obſtruct, any of the Powers given to the Company of Proprietors of the Undertaking for recovering and preſerving the Navigation of the River *Dee*, by the ſeveral Acts of Parliament for making the ſaid River navigable; but that the ſaid Company and their Succeſſors, their Deputies, Agents, Workmen, Officers, and Servants, may at all Times hereafter be at Liberty to have, uſe, exerciſe, and enjoy, all ſuch Powers, Rights, and Privileges, in as full and ample Manner as they might or could have done in caſe this Act had not been made; any Thing herein before contained to the contrary notwithſtanding.

This Act not to affect the Rights of Liverpool Corporation, &c.

LXX. Provided alſo, That nothing in this Act ſhall extend to take away, alter, leſſen, change, or intrude upon, any of the Juriſdictions or Powers of the Mayor, Bailiffs, and Common Council of *Liverpool* for the Time being, the Truſtees for the Docks and Harbour of *Liverpool*, and for the erecting and maintaining of the Lighthouſes, Landmarks, and Buoys, erected and placed in and for the Port of *Liverpool*; nor for the licenſing or managing of the Pilots or Pilotage acting or ſailing in or out of the ſaid Port; nor of the Rights or Eſtates of or belonging to the Mayor, Bailiff, or Burgeſſes, of the Borough and Corporation of *Liverpool*, or of any Part thereof; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

General Saving of Rights.

LXXI. Saving and reſerving always to his Majeſty, his Heirs and Succeſſors, and to all Lords and Ladies of Manors, Bodies Politic or Corporate, and other Perſon and Perſons, all their and every of their Juriſdictions, Rights, Privileges, Powers, Eſtates, and Intereſts whatſoever, except ſuch as are meant and intended to be affected, altered, or taken away, by this Act.

Public Act.

LXXII. And be it further enacted, That this Act ſhall be allowed in all Courts whatſoever as a Public Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP.

CAP. LXII.

An Act to enable the Commiſſioners of Sewers for ſeveral Limits in the Eaſtern Parts of the County of *Kent*, more effectually to drain and improve the Lands and Grounds within the *General Vallies*.

Preamble.

'WHEREAS there are in the Vallies from *Fordwich-bridge* to *Sandwich-haven*, in the County of '*Kent* (commonly called *The General Vallies*), upwards of ſeven thouſand Acres of valuable and 'improveable Arable Lands, Marſh Lands, Meadow Lands, and Low Grounds, within the Limits of the 'Commiſſion of Sewers herein after mentioned; and, although conſiderable Sums of Money have for 'ſeveral Years paſt been annually raiſed and expended in draining the ſaid Lands and Grounds, they are 'frequently overflowed: And whereas, if the Commiſſioners of Sewers for the Time being for the ſeveral 'Limits herein after particularly deſcribed, in the Eaſtern Parts of the ſaid County of *Kent*, were im-'powered to make a proper Cut or Drain from the River *Stour*, at or near the Salt-works at *Stonar*, into '*Sandwich-haven*, the Lands within the ſaid *General Vallies* would be much better and more effectually 'drained, and at leſs Expence, than they have been for ſeveral Years paſt: And whereas the Commiſ-'ſioners of Sewers for the ſaid Limits are willing and deſirous to make the ſaid Cut or Drain, and ſuch 'other Works as ſhall be neceſſary for the better and more effectual draining the Lands and Grounds 'within the ſaid *General Vallies*; but Doubts have ariſen whether they have ſufficient Powers, by the 'Laws now in being relating to Sewers, to effect the ſame: And whereas the draining of the ſaid Lands 'and Grounds will not only be of great Benefit to the Owners and Occupiers thereof, but alſo of public 'Utility;' may it therefore pleaſe your Majeſty that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Commiſſioners of Sewers for the Time being, for the ſeveral Limits between *Merſham*, *Aſhford*, *Chart*, and *Canterbury*, and between *Canterbury*, *Fordwich*, *Chiſlett*, *Reculver*, and the Town and Port of *Sandwich*, and the Liberties thereof, and within the whole Iſle of *Thanet*, and within the whole Lath of *Saint Auſtin's*, and between *Deal*, *Eaſtry*, *Wingham*, and *Sandwich*, and between *Hernehill*, *Whitſtable*, and *Seaſalter*, and in the Borders or Confines of the ſame, and in *Merſham*, *Aſhford*, *Chart*, City of *Canterbury*, and the Liberties thereof, and in *Sandwich* and in the Liberties thereof, and in *Graveney* and *Hernehill* aforeſaid, and in *Brokeſbridge* and *Fordſborne*, in the Eaſtern Parts of the County of *Kent*, or in the Borders or Confines of the ſame, ſhall, and they are hereby authoriſed and impowered to make a Cut or Drain at or near the Salt-works at *Stonar*, in the ſaid County of *Kent*, from the River *Stour* aforeſaid, into *Sandwich-haven*, of ſuch Dimenſions as they ſhall think fit; and from Time to Time to cleanſe, ſcour, widen, deepen, alter, maintain, and ſupport the ſame in ſuch Manner as they ſhall think proper, ſo that the ſaid Cut or Drain ſhall never exceed forty Feet in Width; and alſo to make, raiſe, maintain, and ſupport, ſuch ſufficient and proper Banks, and all ſuch other Works on the Sides of the ſaid Cut or Drain, as they ſhall think neceſſary; and to make proper and convenient Floodgates within the ſaid Cut or Drain (each Floodgate not to exceed four Feet ſix Inches in Width); and the ſaid Commiſſioners of Sewers ſhall have full Power and Authority over all and ſingular the ſaid Works to be made, raiſed, erected, and ſet up, by virtue of this Act; and ſhall and may from Time to Time alter, remove, repair, rebuild, enlarge, widen, deepen, ſcour, and cleanſe the ſame, paying to ſuch Perſon or Perſons, Body or Bodies Corporate, Politic, or Collegiate, as ſhall or may have a Right or Property in or to any Lands or Grounds through which the intended Cut or Drain ſhall be made, or from which any Earth ſhall be dug or taken, or through or upon which any ſuch Banks and other Works as aforeſaid ſhall be made, raiſed, erected, built, or ſet up, his, her, or their Guardian, Truſtee, or Committee, or any Perſon or Perſons claiming in his, her, or their Right, ſuch Sum or Sums of Money for the Damages they ſhall reſpectively ſuſtain thereby, as ſhall be aſcertained and fixed by the ſaid Commiſſioners of Sewers, who have full Power and Authority to aſcertain and fix ſuch the Amount thereof, notwithſtanding their being Owners or Occupiers of Lands or Eſtates lying within the ſaid *General Vallies*: And in caſe the ſaid Commiſſioners of Sewers and ſuch Owners or Proprietors cannot agree touching ſuch Recompence and Compenſation, the ſaid Commiſſioners ſhall and are hereby required to cauſe a Jury of the County of *Kent* to be ſummoned to aſcertain and fix the Money to be paid for the Lands and Premiſes ſo made uſe of for making the ſaid Cut or Drain or other Works as aforeſaid; and in caſe the Jury give a Verdict for the ſame, or for a leſs Sum than was offered by the ſaid Commiſſioners of Sewers, the Owner or Proprietor of ſuch Lands or Premiſes as aforeſaid ſhall bear all the Expences attending the Jury; but if a Verdict ſhall be given for a greater Sum than was offered by the ſaid Commiſſioners of Sewers to ſuch Owner or Proprietor as aforeſaid, then the ſaid Commiſſioners of Sewers ſhall bear all the Expences attending ſuch Jury, any Thing in this Act to the contrary hereof notwithſtanding; and that the ſaid Commiſſioners of Sewers ſhall not proceed in ſuch Works until ſuch Money ſo aſcertained by the Commiſſioners, or in caſe the Proprietors of ſuch Lands ſhall refuſe to accept the ſame, then ſuch Sum as ſhall be aſcertained and ſettled by the ſaid Jury, ſhall be fully paid and ſatisfied, or legally tendered in Payment and Satisfaction unto ſuch Owner or Owners, Proprietor or Proprietors, as aforeſaid.

Commiſſioners of Sewers authoriſed to make a Cut or Drain, from the River Stonar into Sandwich-haven;

and alſo proper Floodgates, and other Works, for the better draining the Lands within the General Vallies.

If Parties cannot agree, a Jury to be ſummoned.

Expences of Jury by whom to be borne.

II. Provided always, and be it further enacted and declared by the Authority aforeſaid, That nothing herein contained ſhall extend, or be deemed or conſtrued to extend, to authoriſe or impower the ſaid Commiſſioners of Sewers, or their Servants, Agents, or Workmen, or any other Perſon or Perſons whomſoever, to make uſe of the ſaid Cut or Drain, ſo to be made from the River *Stour*, at or near *Stonar*, into *Sandwich-haven*, as aforeſaid, or any other Works to be by them made and erected at or near the ſaid intended

The Cut and other Works to be uſed for no other Purpoſe than draining the General Vallies.

tended Cut or Drain, for any other Purpoſe whatſoever than for draining and improving the ſeveral Lands and Grounds within the *General Vallies*, between *Fordwich-bridge* and *Sandwich-haven* aforeſaid.

'III. And whereas a Cut is already nearly made and completed, through certain Lands of *John* Lord 'Viſcount *Dudley* and *Ward*, at *Stonar* aforeſaid, between the River *Stour* and *Sandwich-haven*, into which 'Cut a Penſtock or Drain from the Salt-works belonging to the ſaid Lord Viſcount *Dudley* and *Ward* 'empties itſelf, and it is neceſſary for the ſaid Salt-works that the ſaid Penſtock or Drain ſhould always 'remain free and open: And whereas the ſaid Commiſſioners of Sewers may think proper to make uſe of 'the ſaid Cut for the Purpoſes of this Act,' be it therefore enacted by the Authority aforeſaid, That no Work ſhall be done or made, by the ſaid Commiſſioners of Sewers, which ſhall in any-wiſe prevent or obſtruct the free Courſe of the Water through the ſaid Penſtock from the Salt-works at *Stonar*, but that the ſame ſhall have a free Paſſage into the ſaid Cut, and ſhall be under the ſole Direction and Management of the Owner or Occupier of the ſaid Salt-works for the Time being.

Free Courſe of Water to be preſerved through the Drain from Lord Dudley's Salt-works.

'IV. And whereas it may be neceſſary for making the ſaid Cut or Drain at or near *Stonar* aforeſaid, to 'make uſe of Part of the Lands belonging to *Joſias Wordſworth* Eſquire, in the Pariſh of *Minſter*: And 'whereas the ſaid *Joſias Wordſworth* is willing that ſuch Part or Parts of ſeven Acres of his Land lying 'next and adjoining to *Stonar* aforeſaid (not exceeding three Acres thereof in the Whole) as ſhall be 'wanted by the ſaid Commiſſioners of Sewers, may be made uſe of by them for making the ſaid Cut or 'Drain, and ſuch other Works as ſhall be neceſſary to be made or uſed for the Purpoſe only of draining 'the Lands and Grounds within the ſaid *General Vallies*, upon making a reaſonable Compenſation to him 'for the ſame,' be it therefore further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners of Sewers to purchaſe and make uſe of any Part or Parts of the ſaid ſeven Acres of the ſaid Lands of the ſaid *Joſias Wordſworth*, in the ſaid Pariſh of *Minſter* (not exceeding three Acres thereof in the Whole), which ſhall be wanted for making the ſaid Cut or Drain, or any Part or Parts thereof, or for making or erecting any Works which the ſaid Commiſſioners of Sewers ſhall think neceſſary to be made or erected for the Purpoſe only of draining and improving the Lands and Grounds within the ſaid *General Vallies*.

Commiſſioners of Sewers may make Uſe of Part of Mr. Wordſworth's Lands.

V. Provided always, and it is hereby declared, That nothing in this Act contained ſhall authoriſe or impower the ſaid Commiſſioners of Sewers, or their Agents, Workmen, or Servants, to take or uſe any other Part or Parts of the Lands of the ſaid *Joſias Wordſworth* than as aforeſaid, without the Conſent in Writing for that Purpoſe of the ſaid *Joſias Wordſworth*, his Heirs or Aſſigns, firſt had and obtained.

Proviſo, relating to the reſt of Mr. Wordſworth's Lands.

VI. And be it further enacted, That in caſe the ſaid Cut or Drain ſhall be made at or near the Salt-works at *Stonar* aforeſaid, the Bank on the South Side of the ſaid Cut or Drain from the ſaid River *Stour* to *Sandwich-haven* aforeſaid, along by the Salt-works, ſhall be the Property of the Owner of the Land whereon the ſame now is or may be made; and the ſame ſhall and may from Time to Time be repaired, enlarged, and made uſe of (but without Prejudice to the ſaid Cut or Drain, or the Works therein or belonging to the ſame) by the Owner or Owners thereof, without any Interruption or Hindrance from or by the ſaid Commiſſioners of Sewers, or any other Perſon whomſoever: Provided always, That nothing herein contained ſhall extend to prevent or hinder the ſaid Commiſſioners of Sewers, or their Agents or Workmen, from coming, going, paſſing, and repaſſing, on, over, and from the ſaid Bank, to make, repair, or amend, any of their Works in, upon, or adjoining to the ſaid Cut or Drain, as often as Occaſion ſhall require, the ſaid Commiſſioners of Sewers making good all Damages which ſhall be done to the ſaid Banks by their ſaid Agents or Servants in making, repairing, or amending, the Works aforeſaid.

Banks on the South Side the Cut to be the Property of the Owner of the Lands whereon the ſame ſhall be made.

'VII. And whereas it will be neceſſary, for the Accommodation of Paſſengers, that a Bridge ſhould be 'built over the ſaid intended Cut or Drain;' be it therefore further enacted, That the ſaid Commiſſioners of Sewers ſhall, and they are hereby authoriſed and required to erect and build, or cauſe to be erected or built, a good and ſubſtantial Carriage-bridge where the ſaid intended Cut or Drain croſſes or interſects the Road leading from the Town of *Sandwich* to the *Iſle of Thanet*, or within ten Yards of the ſame; and that the Paſſage or Road over the ſaid Bridge ſhall be made, and at all Times remain, fourteen Feet broad at the leaſt; and the ſaid Bridge ſhall be free to all Perſons whomſoever; and that no Perſon ſhall be ſubject or liable to the Payment of any Toll or Pontage whatſoever for paſſing or repaſſing over the ſaid Bridge, either on Foot, or with Horſes, Cattle, or Carriages, or any other Thing whatſoever; and that the Expences attending the building the ſaid Bridge ſhall be defrayed out of ſuch Money as ſhall be raiſed and received by virtue of this Act; and the ſaid Bridge ſhall at all Times thereafter be repaired, ſupported, and maintained, by the ſaid Commiſſioners of Sewers, and the Expences thereof defrayed out of the Scots and Sums of Money hereafter to be raiſed by them within the ſaid *General Vallies*: Provided always, That the ſaid Commiſſioners of Sewers ſhall not make the ſaid Cut, or any Part thereof, in or acroſs the ſaid Road, until ſuch Time as they ſhall have made and perfected ſuch Bridge, or ſhall have made or left a convenient Paſſage for Accommodation of his Majeſty's Subjects uſing the ſaid Road.

Commiſſioners of Sewers to erect a Bridge acroſs the Road, leading from Sandwich to the Iſle of Thanet. Bridge to be free.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Commiſſioners of Sewers, at their firſt or any other General Seſſion, or at any Adjournment thereof which ſhall be holden next after the paſſing of this Act, and ſo from Time to Time yearly, or otherwiſe, during the Term of ſeven Years, to be computed from the Time of paſſing of this Act, to aſſeſs, rate, tax, and charge, or ſcot, for the Purpoſe of doing and executing ſuch Works, Matters, and Things, as are by this Act authoriſed and directed to be done, all and every the Owner or Owners, and Occupier or Occupiers, or either of them, of all and ſingular the Lands and Grounds within the ſaid *General Vallies*, which now are, or ſhall be hereafter, legally ſcotted to the ſaid *General Vallies* by the ſaid Commiſſioners of Sewers, in ſuch Rates or Sums of Money as they ſhall think proper, not exceeding the Sum of two Shillings and Sixpence *per* Acre, in any one Year, according to the ſame Rates and Proportions which they now are or hereafter may be ſcotted to the ſaid *General Vallies*, and not otherwiſe, and to levy the ſame; ſo as the ſaid Occupiers, or any of them, ſhall not be ſubject or liable to pay any greater Share or Proportion

Commiſſioners impowered to make Rates for draining the General Vallies; not exceeding 2s. 6d. per Acre in one Year.

Application of the Rates, &c.

Proportion thereof than the Sum of one Shilling and Sixpence *per* Acre in any one Year: And that the Money ariſing thereby ſhall be applied for the ſeveral Purpoſes of this Act, and to no other Uſe or Purpoſe whatſoever; the ſaid Owners and Occupiers, during the ſaid Term, for and in reſpect of their ſaid Lands and Grounds, remaining nevertheleſs liable to and chargeable with the ſame Aſſeſſments, Rates, Taxes, or Scots, for all other Purpoſes to which they now are, or, at or immediately before the paſſing of this Act, were liable to or chargeable with by the Laws in being relating to Sewers; but that, from and after the Expiration of the ſaid Term of ſeven Years, the reſpective Owners or Occupiers of ſuch Lands or Grounds ſhall not be ſubject to any other Aſſeſſments, Rates, Taxes, or Scots, to be made or raiſed by the ſaid Commiſſioners of Sewers, than are or ſhall be authoriſed to be raiſed by the Laws relating to Sewers; any Thing in this Act contained to the contrary notwithſtanding.

Commiſſioners to give Notice of Rates, and Times of Payment,

IX. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners of Sewers ſhall, and they are hereby required, as ſoon as conveniently may be after the making of any Aſſeſſments, Rates, or Taxes, by virtue of this Act, to cauſe Notice thereof, and alſo of the Day or Days for paying the ſame, and of the Place or Places appointed for that Purpoſe, by publiſhing ſuch Notice twice in the *Canterbury* Newſpaper or Newſpapers, or in ſuch other Manner as the ſaid Commiſſioners of Sewers ſhall order and direct, ſo as ſuch Notice ſhall always be given fourteen Days at leaſt before the Time appointed for Payment of the ſaid Aſſeſſments, Rates, Taxes, or Scots: And in caſe any Perſon or Perſons, who are or ſhall be liable to and ought to pay ſuch Aſſeſſments, Rates, Taxes, or Scots, as aforeſaid, ſhall, without any reaſonable Cauſe, to be approved of by the ſaid Commiſſioners of Sewers upon Appeal, or otherwiſe, at their Seſſion of Sewers, or Adjournment of any former Seſſion of Sewers, which ſhall firſt happen after fourteen Days from the due Publication of ſuch Aſſeſſments, Rates, Taxes, or Scots, neglect or refuſe to pay the ſame, at ſuch Times and Places which ſhall be appointed for the Payment thereof by the ſaid Commiſſioners of Sewers as aforeſaid; every ſuch Perſon ſo neglecting or refuſing ſhall be liable to and ſhall pay double the Sum of Money ſo aſſeſſed, rated, and taxed, by the ſaid Commiſſioners of Sewers, upon ſuch Perſon or Perſons, to be raiſed and levied in ſuch Manner as the ſingle Aſſeſſments, Rates, Taxes, or Scots, are herein after directed to be, or by the Laws relating to Sewers may be, raiſed and levied.

Penalty on Perſons neglecting or refuſing to pay the ſame.

Occupiers of Lands to pay the Rates,

and deduct the ſame out of their Rents.

X. And be it further enacted by the Authority aforeſaid, That all and every the Tenants and Occupiers of ſuch Lands ſhall, and are hereby required to pay all and every ſuch Sum or Sums of Money as ſhall be ſo aſſeſſed, rated, and taxed, or ſcotted, on the reſpective Landlords or Owners of ſuch Lands, unto the Perſon or Perſons who ſhall be appointed by the ſaid Commiſſioners of Sewers to receive the ſame, and ſhall and may deduct and retain out of his, her, or their Rents, all ſuch Sum and Sums of Money as they ſhall ſo pay as aforeſaid; and the ſeveral and reſpective Landlords or Owners of ſuch Lands are hereby required to allow all ſuch Deductions and Payments upon Receipt of the Reſidue of their ſaid Rents; and every ſuch Tenant or Occupier, paying ſuch Aſſeſſment, Rate, or Tax, ſhall be acquitted and diſcharged of ſo much Money as the ſaid Aſſeſſment, Rate, or Tax, which they ſhall ſo pay, ſhall amount to, as fully and effectually as if the ſame had been actually paid in Part of Rent to his, her, or their Landlord or Landlords; any Leaſe, Covenant, or Agreement, made before the paſſing of this Act, to the contrary thereof notwithſtanding.

Certain Tenants not intitled to deduct the Rates.

XI. Provided always, and be it further enacted and declared by the Authority aforeſaid, That no Leſſee or Tenant of any ſuch Lands, charged with the ſaid Rates, Taxes, or Aſſeſſments, by the ſaid Commiſſioners of Sewers, who ſhall hold the ſame by virtue of or under any Leaſe from any Biſhop or Collegiate Church or College, or any Eccleſiaſtical or other Corporation Aggregate or Sole, or by virtue of or under any beneficial Leaſe, ſhall be intitled to deduct the ſaid reſpective Aſſeſſments, Rates, or Taxes, or any of them, chargeable by this Act, out of the Rent reſerved or made payable by any ſuch Leaſe; but that the ſaid reſpective Aſſeſſments, Rates, or Taxes, ſhall be charged upon and paid by the Leſſees or Tenants ſo holding ſuch Lands.

Method of recovering the Rates.

XII. And be it further enacted by the Authority aforeſaid, That in caſe Default ſhall be made by any Perſon or Perſons aſſeſſed, rated, taxed, or ſcotted, by virtue of this Act, or by any Tenant or Occupier of any Lands, for or on the Behalf of his, her, or their Landlord or Landlords, or the Owner or Owners thereof, ſo aſſeſſed, taxed, or ſcotted, in his, her, or their reſpective Payments, on the Day or Days to be appointed for Payment thereof by the ſaid Commiſſioners of Sewers as aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners of Sewers, although they ſhall be Landlords, Owners, or Occupiers of Lands within the ſaid *General Vallies*, by Warrant or Warrants under their Hands and Seals, to authoriſe and impower any Perſon or Perſons to enter upon the Lands or Grounds ſo rated and taxed as aforeſaid, in the Poſſeſſion of ſuch Perſon or Perſons who ſhall make Default in Payment as aforeſaid, or into any other Meſſuages or Tenements, Lands or Hereditaments, in the Poſſeſſion of ſuch Perſon or Perſons, or any other Meſſuages or Tenements, Lands or Hereditaments, of the Landlord or Landlords, Owner or Owners, of the Lands or Grounds ſo rated, taxed, and ſcotted; and to raiſe and levy the Sum or Sums of Money ſo rated, taxed, and ſcotted upon, or which ought to be paid by, ſuch Perſon or Perſons for ſuch Rate, Tax, or Scot, by Diſtreſs and Sale of the Goods, Chattels, and Cattle, which ſhall be there found; and the Perſon or Perſons making ſuch Diſtreſs ſhall and may deduct and retain to himſelf all reaſonable Charges of taking, keeping, and ſelling ſuch Diſtreſs, out of the Money ariſing from ſuch Sale; and the Overplus ariſing from ſuch Sale (if any be) after Payment of the ſaid Sum or Sums ſo diſtrained for, and all ſuch Charges as aforeſaid, ſhall be returned on Demand to the Owner or Owners of the Goods, Chattels, and Cattle, which ſhall be ſo diſtrained and ſold; and in caſe any Diſpute ſhall ariſe touching the Coſts and Charges occaſioned by ſuch Diſtreſs and Sale as aforeſaid, the ſame ſhall be ſettled and determined by the ſaid Commiſſioners of Sewers; and their Determination therein ſhall be final.

Diſputes to be ſettled by Commiſſioners.

Commiſſioners may diſtrain for a ſingle Rate.

XIII. Provided always, That the ſaid Commiſſioners of Sewers may, if they think fit, order and direct any Diſtreſs or Diſtreſſes to be made for ſuch Sum or Sums of Money as were originally aſſeſſed, rated, taxed,

taxed, or ſcotted, upon any Perſon or Perſons, for his, her, or their ſingle Aſſeſſment, Rate, Tax, or Scot only.

Perſons aggrieved may appeal to the Commiſſioners;

XIV. Provided nevertheleſs, That in caſe any Perſon or Perſons ſhall find him, her, or themſelves aggrieved, by any Aſſeſſment, Rate, Tax, or Scot, made, charged, or impoſed upon him, her, or them, by virtue of this Act, it ſhall and may be lawful to and for ſuch Perſon or Perſons, giving reaſonable Notice to the Expenditor or Expenditors of the Valley or Vallies wherein their ſaid Eſtates are ſituate, and other Parties intereſted, to appeal to the ſaid Commiſſioners of Sewers, at their Seſſion of Sewers, or Adjournment of any former Seſſion of Sewers, which ſhall firſt and next happen after fourteen Days from the due Publication of ſuch Aſſeſſment, Rate, Tax, or Scot, who, notwithſtanding they ſhall be Owners or Occupiers of Eſtates within the ſaid General Vallies, ſhall finally hear and determine ſuch Appeal; and may, at their Diſcretion, award and order reaſonable Coſts to the Party againſt whom ſuch Appeal ſhall be determined; to be raiſed and levied by ſuch Warrant or Warrants, under the Hands and Seals of the ſaid Commiſſioners of Sewers, in ſuch Manner as is herein before directed for levying the ſaid Aſſeſſments, Rates, Taxes, or Scots.

whoſe Determination ſhall be final.

'XV. And, foraſmuch as the Aſſeſſments, Rates, Taxes, or Scots, authoriſed to be made and collected by virtue of this Act, will not be ſufficient to defray the immediate Expence of ſuch Works, for or on account of which the ſaid Aſſeſſments, Rates, Taxes, or Scots, not exceeding two Shillings and Sixpence *per* Acre in any one Year, are herein before directed to be raiſed,' be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners of Sewers ſhall and may, and they are hereby authoriſed and impowered from Time to Time, at any General Seſſion of Sewers (but at no other Time), to borrow and take up any Sum or Sums of Money which they ſhall think neceſſary for the making and carrying the ſaid Works into Execution, not exceeding in the Whole the Sum of three thouſand Pounds, and by Writing under their Hands and Seals to mortgage or aſſign the Aſſeſſments, Rates, and Taxes, herein before authoriſed to be made, raiſed, and received, by virtue of this Act, within the ſaid *General Vallies*, or any Part or Parts thereof, for any Term or Number of Years not exceeding ſeven Years from the paſſing of this Act, in ſuch Manner or Form as to the ſaid Commiſſioners of Sewers ſhall ſeem meet, as a Security for all and every Sum or Sums of Money which ſhall be ſo borrowed, to ſuch Perſon or Perſons who ſhall advance and lend the ſame, his, her, or their Truſtee or Truſtees, Executors or Adminiſtrators, with Intereſt for the ſame, not exceeding five Pounds *per Centum per Annum*: And that Copies of all ſuch Mortgages and Aſſignments ſhall be entered in a Book or Books to be kept for that Purpoſe by the Clerk or Clerks to the ſaid Commiſſion, for which Entry the ſaid Clerk or Clerks ſhall be paid the Sum of thirteen Shillings and Four-pence, and no more, out of the ſaid Aſſeſſments, Rates, or Taxes: And that it ſhall and may be lawful for all and every Perſon or Perſons to whom any ſuch Mortgage or Aſſignment ſhall be made, or who ſhall be intitled to the Money thereby ſecured, by Indorſement, on his, her, or their Security or Securities, or otherwiſe, to aſſign or transfer his, her, or their Mortgage or Security, and Right to the Principal Money and Intereſt thereby ſecured; and that all ſuch Aſſignments or Tranſfers ſhall be notified to the Clerk or Clerks to the ſaid Commiſſion, within three Calendar Months next after the Date thereof; and the ſaid Clerk or Clerks ſhall cauſe an Entry or Memorial thereof to be made, containing the Date of the Aſſignment or Transfer, the Names of the Parties thereto, and the Sums of Money therein mentioned to be aſſigned or transferred, in the ſaid Book or Books to be kept for entering the original Mortgages or Aſſignments, for which he or they ſhall be paid the Sum of three Shillings and Four-pence out of the Aſſeſſments, Rates, or Taxes, and no more; and after ſuch Entries ſhall be made, ſuch Aſſignment or Transfer ſhall intitle ſuch Aſſignees to the Benefit thereof, and Payment thereon; and every ſuch Aſſignee, his or her Executors or Adminiſtrators, may in like Manner, from Time to Time, aſſign or transfer his, her, or their Right and Intereſt therein and thereto; and that all and every Perſon and Perſons to whom any ſuch Mortgage, Aſſignment, or Transfer, ſhall be made as aforeſaid, or ſhall legally come, ſhall be, in proportion to the Sum or Sums of Money therein mentioned, Creditors on the ſaid Aſſeſſments, Rates, and Taxes, in equal Degree one with another, and ſhall have no Preference in reſpect to the Priority of advancing any ſuch Money; and all Money ſo borrowed ſhall be applied for the ſeveral Purpoſes for which the ſaid Aſſeſſments, Rates, and Taxes, or Scots, not exceeding two Shillings and Sixpence *per* Acre in any one Year, are herein before directed to be raiſed, and to and for no other Uſe or Purpoſe whatſoever.

Commiſſioners impowered to borrow 3000 l.

and to aſſign the Rates as a Security.

Copies of Aſſignments to be entered in a Book.

Aſſignments may be tranſferred.

All Perſons advancing Money to be Creditors in equal Degree.

XVI. Provided always, and be it further enacted, That the ſaid Commiſſioners of Sewers ſhall, and they are hereby required to pay off and diſcharge the ſaid Sum or Sums of Money to be borrowed as aforeſaid, together with all Intereſt due for the ſame, before the Expiration of the ſaid Term of ſeven Years for which the ſaid Aſſeſſments, Rates, or Taxes, are to be raiſed, for diſcharging and paying off the ſame; and if at the End of the ſaid Term of ſeven Years there ſhall remain any Surplus of the ſaid Aſſeſſments, Rates, or Taxes, the ſame ſhall be applied for draining and improving the Lands within the ſaid *General Vallies*, in ſuch Manner as the ſaid Commiſſioners of Sewers ſhall think fit, and for no other Uſe or Purpoſe whatſoever.

Money borrowed to be paid off in leſs than ſeven Years.

XVII. And be it further enacted, That the ſaid Aſſeſſments, Rates, and Taxes, to be aſſeſſed and raiſed by virtue of this Act within the ſaid *General Vallies*, ſhall be charged and chargeable in Manner before mentioned with the Payment of ſuch Sum or Sums of Money ſo to be borrowed as aforeſaid, and the Intereſt thereof; and (upon Default of Payment of ſuch Principal Money and Intereſt) ſhall veſt in the reſpective Creditors, until the ſame ſhall be fully paid and ſatisfied, together with the Coſts and Charges occaſioned by the Non-payment thereof; and the ſaid Creditors reſpectively, their Executors, Adminiſtrators, and Aſſigns, ſhall, by virtue of this Act, have the ſame Powers, Rights, and Privileges, of raiſing and recovering the ſaid Aſſeſſments, Rates, and Taxes, from the Owners and Occupiers of the ſaid Lands and Grounds, for or in reſpect of ſuch Principal Money and Intereſt (if Default ſhall be made in Payment thereof) as the ſaid Commiſſioners of Sewers, or their Receiver or Receivers, Expenditor or Expenditors,

Rates to be chargeable with Money borrowed, &c.

Expenditors, Collector or Collectors, would have had in caſe the ſaid Principal Money and Intereſt had been regularly paid and ſatisfied.

Regulations to prevent prejudicing Sandwich-haven.

XVIII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners of Sewers ſhall, and they are hereby authoriſed and required forthwith to cauſe to be placed, and always to be continued, in the ſaid River *Stour*, within ten Yards of the upper End of the ſaid Cut or Drain, a Standard-mark, which ſhall be at the Height of nine Feet above the preſent Bed of the River, in the Middle of the Channel thereof, taken at a Medium of ten Yards above and ten Yards below the Mouth or upper End of the ſaid Cut or Drain; and that none of the Flood-gates, within the ſaid Cut or Drain, ſhall, at any Time, be drawn up or opened, until the Water in the River *Stour* ſhall have riſen over the Top of the ſaid Standard; and that whenever the Water in the ſaid River *Stour* ſhall be at or above that Height, the ſaid Floodgates, or any one or more of them, may be opened at one Hour at the ſooneſt after High-water at the lower End of the ſaid Cut or Drain next the Haven; and the ſaid Floodgates, or any of them, ſo opened, ſhall and may be ſo kept open for the Space of five Hours then next enſuing, and no longer, and ſo from Time to Time during each Ebb Tide whenever the Surface of the Water in the ſaid River *Stour* ſhall be ſo above the ſaid Standard-mark.

When the Floodgates may be opened.

XIX. Provided always, and be it further enacted by the Authority aforeſaid, That, at all Times hereafter, if, at the End of ſeven Hours, to be reckoned from the Time of High-water at the Mouth of the ſaid Cut or Drain next the ſaid Haven, the Water in the ſaid River *Stour* ſhall then be above the ſaid Standard-mark, all or any of the ſaid Floodgates ſhall and may be opened and drawn up at the then next Tide at the End of one Hour after High-water at the End of the ſaid Cut or Drain next the Haven, and the ſaid Floodgates ſhall and may be kept open and drawn up as aforeſaid for the Space of five Hours then next following, and ſo from Time to Time the ſaid Floodgates ſhall and may be opened and drawn up whenever the Water in the ſaid River ſhall be above the ſaid Standard-mark as aforeſaid; any Thing herein contained to the contrary hereof in any-wiſe notwithſtanding.

Commiſſioners to appoint a Perſon to manage the Floodgates, &c.

XX. And be it further enacted, That as ſoon as the ſaid Cut or Drain ſhall be made, and the ſaid Floodgates finiſhed and put down as aforeſaid, the ſaid Commiſſioners of Sewers ſhall, and they are hereby required to appoint a proper Perſon to have the Direction and Management of the ſaid Floodgates, and from Time to Time to remove or diſcharge ſuch Perſon, and appoint another in his Stead; and ſhall order and direct ſuch Perſon to take particular Care not to draw up, or to ſuffer the ſaid Floodgates to be drawn up, until the Surface of the Water in the ſaid River *Stour*, oppoſite the ſaid Standard-mark, ſhall have ariſen above the ſaid Standard-mark directed to be placed in the ſaid River as aforeſaid; and the ſaid Commiſſioners of Sewers ſhall allow the Perſon, ſo to be appointed, ſuch Salary for his Attendance and Trouble in his Office as they ſhall think fit: And if the Perſon appointed to have the Direction and Management of the ſaid Floodgates, or any other Perſon or Perſons whomſoever, ſhall draw up or open the ſaid Floodgates, or any or either of them, at any other Time or Times than herein before is directed, or ſhall keep them drawn up or opened longer than the Time herein before above preſcribed, every ſuch Perſon ſhall, for every ſuch Offence, being duly convicted thereof by the Oath of one or more Witneſs or Witneſſes, before any one or more Juſtice or Juſtices of the Peace for the ſaid County of *Kent*, forfeit and pay any Sum or Sums of Money not exceeding the Sum of five Pounds, as ſuch Juſtice or Juſtices ſhall determine; and in caſe ſuch Penalty ſhall not be immediately paid down on Demand, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices to commit every ſuch Offender or Offenders to the Houſe of Correction for the Eaſtern Parts of the ſaid County of *Kent*, for any Time not exceeding the Space of three Months from the Time of ſuch Conviction, or until ſuch Penalty or Penalties as aforeſaid ſhall be paid; which Penalty or Penalties, when recovered, ſhall be paid to the General Expenditor of the ſaid Commiſſioners, to be by him employed in ſuch Manner as the ſaid Commiſſioners of Sewers ſhall order and direct: Provided nevertheleſs, That if the ſaid Commiſſioners of Sewers ſhall make the ſaid Cut or Drain at any other Place than at or near the Salt-works at *Stonar* aforeſaid, ſuch Standard-mark ſhall be placed down in the ſaid River *Stour* above the ſaid Cut, at the ſame Medium, and in ſuch Manner, as it would have been if ſuch Medium had been taken at ten Yards above and ten Yards below the Place where the ſaid Cut is now intended to be made at or near the Salt-works at *Stonar* aforeſaid.

Penalty on Perſons drawing up Floodgates, &c. contrary to this Act.

Proviſo.

'XXI. And, in order to keep the Channel at the Mouth of the ſaid Cut or Drain free and open,' be it further enacted, That if any Ship or Veſſel, or other Nuiſance or Obſtruction, ſhall be placed, moored, or laid, in the ſaid Cut or Drain, or in *Sandwich-haven*, at the Mouth or Entrance of the ſaid Cut or Drain, or within ten Yards below the ſame, or, being ſo placed, moored, or laid, ſhall not be immediately removed, on Notice to be given by any Perſon or Perſons appointed by the ſaid Commiſſioners of Sewers for that Purpoſe; every Perſon having the Command of any ſuch Ship or Veſſel, and every other Perſon placing or continuing ſuch Nuiſance or Obſtruction at the Mouth or Entrance of the ſaid Cut or Drain, or within ten Yards below the ſame, after ſuch Notice ſhall have been given to him or them to remove the ſame, ſhall, for every ſuch Offence, forfeit and pay any Sum or Sums of Money not exceeding the Sum of twenty Pounds for every ſuch Offence, to be paid, applied, and diſpoſed of, as the ſaid Commiſſioners of Sewers ſhall order and direct.

Penalty on causing Obſtructions near the Mouth of the Drain.

Penalty on Perſons wilfully deſtroying the Works.

XXII. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who ſhall, at any Time or Times hereafter, unlawfully and wilfully or maliciouſly cut, throw down, burn, or otherwiſe deſtroy, any Mill, Building, Sluice, Engine, or Floodgate, making and erecting, or to be made or erected, in purſuance of this Act, for the draining and improving of any of the Lands and Grounds within the ſaid *General Vallies*, or the Bridge herein before directed to be built over the Cut or Drain intended to be made at or near the Salt-works at *Stonar* aforeſaid, and ſhall be thereof lawfully convicted, ſhall be guilty of Felony, and ſhall be liable to be tranſported as a Felon, for any Time not exceeding ſeven Years; but the Court, before whom ſuch Perſon or Perſons ſhall be convicted, may, in Mitigation of ſuch Puniſhment, if they ſhall think fit, award ſuch Sentence as the Law directs in Caſes of

Petit

Petit Larceny; and if any Perſon or Perſons ſhall dig or make any Pond or Watering-place in any of the ſaid Lands and Grounds, within the Diſtance of fifty Feet of the ſaid intended Cut or Drain at or near the Salt-works at *Stonar* aforeſaid, otherwiſe than in purſuance of the Powers of this Act, or ſhall wilfully ſtop, dam up, ſpoil, or damage, the intended Cut or Drain to be made at or near the Salt-works at *Stonar*, or the ſaid Standard-mark, or any Dam, Heading, Bridge, Tunnel, or other Work, which ſhall be making or erecting, or made or erected, for draining or improving the Lands and Grounds within the ſaid *General Vallies* in purſuance of this Act, or ſhall unlawfully, wantonly, or maliciouſly pull up or let down all, any, or either of the Floodgates to be made and put down within the ſaid intended Cut or Drain; all and every Perſon and Perſons offending in all, any, or either of the Caſes aforeſaid, and being thereof convicted before one or more of his Majeſty's Juſtices of the Peace for the ſaid County of *Kent*, or Mayor and Jurats of the Town and Port of *Sandwich*, or any one of them, for Crimes or Offences committed within their reſpective Juriſdiction, on the Oath of one or more credible Witneſs or Witneſſes, or on the Confeſſion of the Party or Parties ſo offending, ſhall forfeit and pay to the ſaid Commiſſioners of Sewers any Sum of Money not exceeding ten Pounds, nor leſs than forty Shillings, as the ſaid Juſtice or Juſtices, Mayor or Jurats, ſhall reſpectively adjudge and order; and the ſame ſhall be applied for ſuch Purpoſes as the ſaid Commiſſioners of Sewers ſhall order and direct: And in caſe the ſame ſhall not be forthwith paid on Demand, or ſufficient Security given for the Payment thereof, ſuch Juſtice or Juſtices, Mayor or Jurats, ſhall commit ſuch Offender or Offenders to the Houſe of Correction for the Eaſtern Parts of the ſaid County of *Kent*, or to the Common Gaol of *Sandwich*, for any Time not exceeding ſix Calendar Months, or until ſuch Penalty ſhall be paid.

If Penalties not paid on Demand, &c. Offenders to be committed.

XXIII. Provided always, and be it further enacted and declared by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to authoriſe or impower the ſaid Commiſſioners of Sewers to aſſeſs, rate, tax, or ſcot, any Lands, Tenements, Hereditaments, or Premiſes, which they were not authoriſed or impowered to aſſeſs, rate, tax, or ſcot, by the general Laws of Sewers before the paſſing of this Act, or to give any further or other Powers or Authorities to the ſaid Commiſſioners of Sewers than ſuch as are and are by this Act meant and intended to be given to them for draining and improving the ſeveral Lands and Grounds as aforeſaid within the ſaid *General Vallies* by the Cut and other Works authoriſed to be made, erected, or done, by virtue of this Act, and for building the ſaid Bridge over the intended Cut or Drain as aforeſaid, and for keeping the ſame from Time to Time in Repair.

This Act not to give the Commiſſioners any further Power than for draining the General Vallies.

XXIV. And be it further enacted by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures, by this Act impoſed or inflicted, the Manner of Recovery whereof is not herein before particularly directed, ſhall be recovered by Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hands and Seals of the ſaid Commiſſioners of Sewers, who are hereby authoriſed and impowered from Time to Time to iſſue all ſuch Warrants as ſhall be neceſſary for the Purpoſes aforeſaid: And in caſe ſufficient Diſtreſs ſhall not be found, it ſhall be lawful for the ſaid Commiſſioners of Sewers, by Warrant under their Hands and Seals, to commit ſuch Offender or Offenders to the Houſe of Correction for the Eaſtern Parts of the ſaid County of *Kent*, or Common Gaol of the ſaid County, there to remain, without Bail or Mainprize, for any Time not exceeding ſix Calendar Months, or until the ſaid Penalty ſhall be paid or compounded for; which Compoſition the ſaid Commiſſioners of Sewers are hereby impowered to make and receive: And that all ſuch Fines, Penalties, and Forfeitures, and all Compoſition-monies for the ſame, ſhall be paid into the Hands of the Expenditor or Expenditors of the Valley or Vallies where the ſame ſhall ariſe or happen, to be by him applied towards caſting, cleanſing, or draining, the Lands or Grounds within the ſame Valley or Vallies, or in ſuch other Manner as the ſaid Commiſſioners of Sewers ſhall order, direct, and appoint, agreeable to the Purpoſes of this Act.

Penalties and Forfeitures how to be recovered and applied.

XXV. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be raiſed or levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Default or Want of Form in any Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the Special Damage, in an Action upon the Caſe: But that no Plaintiff or Plaintiffs ſhall recover in any Action for any Irregularity, Treſpaſs, or wrongful Proceedings, if Tender of ſufficient Amends ſhall be made, by or on the Behalf of the Party or Parties who ſhall have committed, or cauſed to be committed, any ſuch Irregularity, Treſpaſs, or wrongful Proceedings, before ſuch Action brought; and in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum or Sums of Money as he or they ſhall ſee fit, whereupon ſuch Proceedings, or Orders, and Judgment, ſhall be had, made, and given, in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

Diſtreſs not to be deemed unlawful for Want of Form, &c.

Plaintiff not to recover, after Tender of Amends hath been made.

XXVI. And be it further enacted, That all Perſons who ſhall think themſelves aggrieved by any Order, Judgment, or other Proceeding, of any Juſtice or Juſtices of the Peace acting in the Execution of this Act, may appeal to the Juſtices of the Peace at the next General or Quarter Seſſion of the Peace to be holden for the Eaſtern Parts of the ſaid County of *Kent*; or in caſe any ſuch Complaint ſhall happen within ten Days of any General or Quarter Seſſion, then at the ſecond General or Quarter Seſſions after the Cauſe of ſuch Complaint ſhall have ariſen; the Perſon or Perſons ſo appealing firſt entering into a Recognizance, with two ſufficient Sureties, to the Satisfaction of ſome Juſtice of the Peace, to proſecute ſuch Appeal with Effect, and pay the Coſts which ſhall be aſcertained by the ſaid Juſtices in their ſaid General or Quarter Seſſion, in caſe ſuch Order or Judgment ſhall be affirmed; and the ſaid Juſtices, in their General or Quarter Seſſions, are hereby authoriſed and required to take Cognizance of all ſuch Appeals,

Perſons aggrieved may appeal to the Quarter Seſſions;

whoſe Determination ſhall be final,

Appeals, and to hear and determine the ſame, and give ſuch Coſts to either Party as they ſhall think reaſonable, and to make ſuch further Order therein as to them ſhall appear juſt; and their Determination therein ſhall be final and concluſive to all Parties, and ſhall not be removed or removeable by any Writ of *Certiorari*, or otherwiſe, into any of his Majeſty's Courts of Record at *Weſtminſter*, or elſewhere; but no Order or other Proceeding of any Juſtice or Juſtices of the Peace, had or made by virtue of this Act, ſhall be quaſhed or vacated for Want of Form only.

Writings to be without Stamps.

XXVII. And be it further enacted, That no Mortgage, Aſſignment, or other Security for the borrowing of Money, nor any Order, Nomination, Appointment, Contract, Agreement, Information, Conviction, Judgment, Warrant, or any other Writing whatſoever, under the Hand and Seal or Hands and Seals of the ſaid Commiſſioners of Sewers, or of any Juſtice or Juſtices of the Peace, nor the Transfer of any Mortgage or Security, nor any Bond taken from any Officer or his Sureties for the due Execution of his Office, nor any other Writing whatſoever, concerning the Execution of this Act, ſhall be charged with any Stamp-duty.

Expences of this Act how to be paid.

XXVIII. And be it further enacted, That all the Charges and Expences attending the obtaining and paſſing this Act, and all Charges and Expences already incurred, or to be incurred, for or on account thereof, ſhall be paid by the ſaid Commiſſioners of Sewers out of the firſt Monies which ſhall be raiſed or received by them by virtue of this Act.

Limitation of Actions.

XXIX. And be it further enacted, That if any Action or Suit or Information ſhall be commenced or proſecuted againſt any Perſon or Perſons for any Thing to be done in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within ſix Calendar Months next after the Fact committed, and not afterwards; and ſhall be laid and brought in the ſaid County of *Kent*, and not elſewhere; and the Defendant or Defendants in all ſuch Actions and Suits ſhall and may plead the General Iſſue; and if in Replevin, juſtify and avow by virtue of this Act, as Perſons acting by Authority of Commiſſioners of Sewers are enabled to do; and ſhall and may, at any Trial to be had thereupon, give this Act and the Special Matter in Evidence, and that the ſame was done in purſuance of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be commenced after the Time before limited, or ſhall be laid in any other County than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or forbear Proſecution, or diſcontinue his, her, or their Action or Actions, Suit or Suits, or if a Verdict ſhall paſs upon Demurrer, or otherwiſe Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants, Avowant or Avowants, ſhall recover Treble Coſts, and have the like Remedy for the ſame as in other Caſes where Coſts are awarded by Law.

General Iſſue.

Treble Coſts.

The Rate of 2 s. 6 d. per Acre, to be aſſeſſed for ſeven Years only.

XXX. And be it further enacted by the Authority aforeſaid, That, from and after the Term of ſeven Years, to be computed from the Time of paſſing this Act, ſo much of this Act as authoriſes and impowers the ſaid Commiſſioners of Sewers to aſſeſs, rate, tax, and ſcot, the Owners and Occupiers of Lands and Grounds within the ſaid *General Vallies* in any Sum or Sums of Money not exceeding the Sum of two Shillings and Sixpence *per* Acre in any one Year as aforeſaid, ſhall ceaſe, determine, and be abſolutely void: Provided nevertheleſs, That all the other Powers and Authorities hereby given, and all Penalties, Forfeitures, Puniſhments, Matters, and Things, contained in this Act, ſhall at all Times thereafter be and remain in full Force and Effect.

Saving the Rights of the Commiſſioners of Sewers.

XXXI. Provided always, and it is hereby declared, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to prejudice, leſſen, alter, or take away any of the former or other Rights, Privileges, Powers, or Authorities, of the ſaid Commiſſioners of Sewers within the Limits of their Commiſſion, by virtue of the general Laws relating to Sewers; but that the ſame ſhall remain, continue, and be in as full Force and Effect as if this Act had never been made.

Saving the Rights of the Mayor, &c. of Sandwich in the Haven and Harbour of Sandwich.

XXXII. Provided alſo, and it is hereby declared and enacted, That nothing in this Act contained ſhall prejudice, leſſen, or defeat the Right, Title, Intereſt, or Juriſdiction, of the Mayor, Jurats, and Commonalty of *Sandwich* for the Time being, every or any of them, of, in, to, or over, the Haven and Harbour of *Sandwich*; but that the ſaid Mayor, Jurats, and Commonalty, and their Succeſſors, and every of them, ſhall and may, from Time to Time, and at all Times hereafter, have, hold, and enjoy, all Royalties, Rights, Titles, Intereſts, Privileges, and Juriſdictions, in, to, and over, the ſaid Haven and Harbour of *Sandwich*, or incident, appendant, belonging, or appertaining thereto, in as full, ample, and beneficial Manner, to all Intents and Purpoſes, as they, every, any or either of them, had, held, or enjoyed, or ought to have held and enjoyed, before the paſſing this Act, or in caſe this Act had not been made; any Thing herein contained to the contrary notwithſtanding: Provided always, That nothing herein before contained ſhall extend, or be conſtrued to extend, to interrupt or hinder the Execution of this Act.

Public Act.

XXXIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Public Act; and all Judges, Juſtices, Sheriffs, and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

CAP. LXIII.

An Act for widening and improving ſeveral Streets in the Town of *Mancheſter*; and for opening new Streets or Paſſages within the ſaid Town.

CAP. LXIV.

An Act for draining, embanking, and preſerving, certain Fen Lands and Low Grounds called *The Parts* and *Alderlots*, in the Pariſhes of *Glatton* and *Holme*, in the County of *Huntingdon*.

" Boundary

" Boundary of the *Alderlots*. Boundary of the *Parts*. Commiſſioners appointed. Owners of more than " two Parts or Alderlots may appoint a Deputy for every two over and above. Firſt Meeting of Com- " miſſioners. Annual Meetings to be held. Owners of Lands to be aſſeſſed 20 *s.* an Acre every Year for " the firſt four Years. Application of the Money. Tax payable half-yearly. Owners may pay the " Tax for four Years at one Payment, *&c.* Tenants for Life may borrow Money for paying the Taxes; " and mortgage the Lands for Security. After the firſt four Years, Rates not to exceed 6 *s.* an Acre. " Application of the Rates. Commiſſioners impowered, when the Rates ſhall be reduced to 6 *s.* an Acre, " to borrow 800 *l.*; and to aſſign the Rates as a Security. The Rate of 6 *s.* an Acre, to be continued as " long as any Money ſhall be owing. Mortgages or Aſſignments to be numbered. Mortgages may be " transferred. Tax of 6 *s.* an Acre to be chargeable with the Payment of Money borrowed, *&c.* No " Money to be borrowed, unleſs five Commiſſioners preſent, *&c.* Expences of this Act how to be paid. " Method of recovering Rates. If Owners of Goods diſtrained do not replevy them within five Days, " they may be appraiſed and ſold. Tenants to pay the Rates, and deduct the ſame out of their Rent. " If Taxes are not paid within 30 Days after Demand, Defaulters to forfeit 2 *d.* for every Shilling in " Arrear, *&c.* Commiſſioners may take Earth from adjoining Lands, to make and maintain Banks, *&c.* " Commiſſioners may make or erect Drains, Mills, Bridges, *&c.* making Satisfaction for Damages. If " Parties cannot agree on the Sum, Quarter Seſſions to determine the ſame. Commiſſioners may alter " Banks. Mills may be erected, *&c.* Mr. *Dawes* and Mr. *Wright*, &c. to be repaid what Money they " have advanced. No Tax to be paid for High Lands. Method of determining what are High Lands. " Owners of Land within the *Alderlots* having no Mill, to drain by the Mills of the adjoining Lands, *&c.* " Penalty on damaging Banks, Mills, *&c.* Penalty on damaging Drains, Watercourſes, Bridges, *&c.* " Penalty on careleſly ſetting fire to Banks in burning Fen Lands. Penalty on cutting Turfs within a " certain Diſtance from the Banks; or making Watering-places, or Soak-dykes, *&c.* Forfeitures to " be paid to the Treaſurer, or levied by Diſtreſs, *&c.* No Buildings, *&c.* to be erected, or Trees " planted, within a certain Diſtance from the Banks. Penalties. Penalty on neglecting to ſcour Dykes, " and to make them of proper Depths, *&c.* Penalty on digging Turf, without having purchaſed off the " Taxes, *&c.* Mills and Engines to be inſured againſt Fire. Commiſſioners may appoint Officers; and " allow them Salaries. Officers to give Security. Inſpection to be had annually of Receipts and Diſ- " burſements. Treaſurer, *&c.* to attend with proper Accounts. Accounts, when paſſed, to be entered " in two Books, *&c.* Officers to account upon Oath. If Officers refuſe to account or to deliver Books, " *&c.* they may be committed. Proceedings to be entered in a Book, *&c.* No Order to be reverſed, un- " leſs a Majority conſent thereto, *&c.* Commiſſioners who are Juſtices may act as ſuch except where they " ſhall be intereſted. Five Commiſſioners may hold a Meeting, *&c.* Proceedings not to be removed by " *Certiorari*, &c. Where Plaintiff recovers, to be paid full Coſts. Plaintiff ſhall not recover after Ten- " der of Amends has been made. Penalties and Forfeitures how to be recovered and applied. Perſons " aggrieved may appeal to the Quarter Seſſions; whoſe Determination ſhall be final. Proceedings not to " be quaſhed for want of Form. Actions may be brought in the Names of the Commiſſioners, or " their Treaſurer, *&c.* Writings exempted from Stamp Duties. Five Commiſſioners, where no par- " ticular Number is appointed, may execute this Act. Penalty on Perſons acting as Commiſſioners not " being qualified. Three Days Notice to be given of Meetings. How Juſtices to proceed for Conviction " of Offenders. Rights of the Corporation of *Bedford Level*, reſerved. General Saving of Rights, except " with reſpect to imbanking, *&c.*"

CAP. LXV.

An Act for making the River *Soar* navigable, from the River *Trent* to *Biſhop's Meadow* within the Liberty of *Garenton*, in the County of *Leiceſter*; and for making and maintaining a navigable Cut or Canal from thence, near or up, and into *The Ruſhes*, at *Loughborough*, in the ſaid County.

" Former Act, 6 *Geo.* III. c. 94, recited. Former Act, in Part, repealed. Names of the Undertakers for " making the Navigation; who are united into a Company, and incorporated. Company may purchaſe " Lands. General Powers of the Company: They may make new Trenches, *&c*; build Dams, Locks, " Bridges, *&c.*; make or alter Ways and Paſſages; dig Clay, Gravel, *&c.*; make Towing-paths, Banks, " *&c.*; and contract with any Perſons for neceſſary Works in the Execution of this Act. Powers of the " former Act extended to this Act, except where repealed, *&c.* Company to provide Watering-places " for Cattle; and to make Arches, Drains, *&c.* where neceſſary. Lands may be entered to take Surveys, " *&c.* making Satisfaction for Damages. Bodies Politic, *&c.* impowered to ſell and convey Lands, *&c.* " Where Lands are ſeparated, ſo as to render Occupation inconvenient, the Remainder may be ſold or " exchanged, with Conſent of the Commiſſioners. Bodies Politic, *&c.* indemnified for what they ſhall " do by virtue of this Act. Contracts to be inrolled with the Clerk of the Peace. Copyhold Rights to be " preſerved. Commiſſioners appointed; who are to determine all Differences between Company of Pro- " prietors, and Owners of Lands, Mills, *&c.* In caſe Parties refuſe to ſubmit to the Determination of " the Commiſſioners, or ſhall be diſſatisfied therewith, *&c.* the Commiſſioners ſhall cauſe the Matters " to be inquired into by a Jury. Jurymen may be challenged, and Witneſſes examined. Jury to aſcer- " tain the Sums to be paid for Lands, *&c.* Value of Lands, *&c.* and Damages ſuſtained, to be ſeparated " in Verdicts. Company to proceed with the Canal, where Land-owners refuſe the Recompence offered; " who may apply to Commiſſioners, *&c.* Penalty on Sheriff, Coroner, *&c.* for Neglect of Duty. The " Expence of Jury, *&c.* by whom to be borne. Perſons requeſting a Jury, to enter into Bond to proſe- " cute. Commiſſioners not obliged to take Notice of Complaints till Application has been made to the " Company, *&c.* Penalty on Perſons giving falſe Evidence. On Payment or Tender of Purchaſe-money, " or Compenſation, Premiſes to be veſted in the Company; and may be immediately uſed for the Navi-

" gation. Determinations and Verdicts to be inrolled with the Clerk of the Peace; and deemed Re-
" cords; and thereupon all Eſtate, Intereſt, *&c.* to be veſted in the Company. Money paid to Corpo-
" rations to be laid out by them in Purchaſe of other Eſtates; and in the mean Time to be placed out at
" Intereſt. Commiſſioners to ſettle the Proportions of Money to be paid to the Tenants, *&c.* On De-
" fault of Payment by the Company, Half the Duties to be liable; or the Money may be recovered at
" Law. In caſe Damages and Coſts be not paid out of the Rates, the Effects of the Company to be liable.
" If Rents and Sums of Money ſhall not be paid, Half the Rates to be liable; or Company may be ſued
" at Law, *&c.* Penalty on Perſons maliciouſly damaging the Works. Penalty for obſtructing the Works.
" Lands, *&c.* purchaſed in purſuance of this Act veſted in the Company. Monies, Materials, *&c.* veſted
" in the Company. Company may raiſe 7,000 *l.* amongſt themſelves for making the Navigation. Ap-
" plication of the Money. The Money ſubſcribed to be divided into 70 Shares; which ſhall be deemed
" perſonal Eſtate. Proprietors to have a Vote for each Share, by Self or Proxy, as far as Seven Shares.
" If the aforeſaid Sum be not ſufficient, 3,000 *l.* more may be ſubſcribed; or Company may borrow the
" ſame, and aſſign the Navigation, *&c.* as a Security. Aſſignments to be entered in a Book. Aſſign-
" ments may be transferred. Transfers to be entered by the Clerk. Subſcribers to be paid Intereſt money
" in Preference to Dividends. Aſſignments to be conſidered as real Securities. Aſſignments not to con-
" fer the Right of voting. Intereſt of Money borrowed to be paid yearly; on Failure whereof Commiſ-
" ſioners to appoint a Receiver of the Rates, *&c.* Firſt General Aſſembly of Proprietors. A Committee
" to be choſen, to manage the Affairs of the Company for a Year, *&c.* Committee to be under the
" Controul of General Aſſembly. Ten Proprietors may call an occaſional General Meeting. The
" Committee to audit all Accounts of Diſburſements: and to make Calls on the Proprietors; which ſhall
" be applied by the Committee. How the Firſt Call may be recovered. Forfeitures on neglecting future
" Calls. No Advantage to be taken of Forfeitures, till declared at a General Aſſembly. Company may
" remove Committee-men, *&c.*; and make new Rules, Bye-laws, *&c.* Rules, Bye-laws, *&c* under
" Seal of the Company, to be binding on all Parties. Proviſion for Payment of Calls on Shares of Per-
" ſons who are dead or incapacitated. In caſe the deceaſed Owner does not leave Aſſets, other Perſons
" may be admitted; paying to the Repreſentatives the Sums theretofore advanced; or otherwiſe Com-
" pany may ſell the Share for the Benefit of the Repreſentatives. Proprietors may ſell their Shares. The
" Method of Sale, *&c.* Purchaſers of Shares not entitled to vote, till they have been Proprietors ſix
" Months. Exception. Shares may be transferred. No Perſon to ſell after Call made, till the Call is
" paid in. Liſt of Names and Places of Abode of Proprietors to be kept; for Inſpection of Proprietors.
" The Clerk of the Company to attend Meetings of Commiſſioners, and enter their Proceedings in
" Books; which ſhall be admitted as Evidence. Books, *&c.* to be locked up in Boxes, and kept where
" the Company direct. If Commiſſioners diſapprove of the Clerk, Company to appoint another, *&c.*
" Rates of Tonnage. Rates may be ſued for; or Goods or Veſſels ſeized and detained, *&c.* Maſters of
" Veſſels to give Account of their Lading. Penalty on Refuſal, or giving falſe Account. All Perſons
" may uſe the private Roads made by the Company, except Towing paths; alſo the Navigation, Wharfs,
" *&c.* on certain Conditions. The Company to ſet up Gates, Bridges, *&c.* If Fords ſpoiled, the Com-
" pany to provide other Methods of Paſſage. In caſe any of the Works are damaged by Floods, the Com-
" pany to repair the ſame immediately, *&c.* without any previous Treaty with Land-owners, on Account
" of Damage; making Compenſation afterwards. Lords of Manors, or Land-owners, may provide
" Wharfs, *&c* on their own Lands. Rate of Wharfage to be taken by Land-owners. Names of the
" Owners of Veſſels to be painted thereon. Veſſels to be meaſured by the Company and marked. Pe-
" nalty on Owners for Refuſal or Neglect. Commiſſioners to aſcertain Diſtances for mooring Veſſels.
" Millers, on receiving proper Notice, *&c.* are to draw up or ſhut down Cloughs when neceſſary for
" making the ſaid Navigation, *&c.* or for the Paſſage of any Veſſel; on Penalty of 20 *l.* Penalty on
" making Obſtructions by placing Veſſels. Veſſels ſunk to be weighed up forthwith. Penalty on floating
" Timber, or improperly loading Veſſels. Commiſſioners not to act where intereſted. Commiſſioners
" not to hold Places of Profit, or be otherwiſe intereſted in the Navigation. On Application of the Com-
" pany, or Owners of Lands, *&c.* any three Commiſſioners may appoint a General Meeting. Commiſ-
" ſioners may adjourn. All Meetings to be public, and Queſtions determined by a Majority. Three
" Commiſſioners may ſummon ſpecial Meetings upon Requeſt, for aſcertaining Damages. No Meeting
" effectual, unleſs previous Notice given of the Time, Place, and Buſineſs to be done. Meetings of
" Commiſſioners to ſettle Controverſies to be held at *Loughborough*. Penalties and Forfeitures how to be
" recovered. Diſtreſs not to be deemed unlawful for Want of Form. Damages done in getting Mate-
" rials, *&c.* to be paid for as ſoon as may be after finiſhing the Works. When purchaſed Lands are mort-
" gaged, Company may pay the Mortgage off, with Part of the Purchaſe-money; Mortgagee to give a
" Receipt for the ſame."

CAP. LXVI.

An Act for making and maintaining a navigable Canal, within and from certain Lands, belonging to *Thomas Talbot Foley* Eſquire, in the Pariſh of *Dudley*, in the County of *Worceſter*, to join and communicate with the *Stourbridge* Navigation, at a Place called *Black Delph*, upon *Penſnet-chace*, in the Pariſh of *Kingſwinford*, in the County of *Stafford*.

" Proprietors incorporated; and impowered to make a navigable Canal. Line of Canal deſcribed. Re-
" ſervoirs to be made, and Fire-engines erected. General Powers of the Proprietors. Proprietors to do
" as little Damage as may be, and to make Satisfaction for the ſame. Canal, *&c.* not to be extended
" within a Mile of the *Birmingham* Canal Navigation, *&c.* Reſervoirs not to be made in certain Places.
" Certain Waters not to be diverted for the Uſe of the Canal. Proprietors not to make uſe of any Water

" belonging to *Birmingham* Canal Navigation. Certain Waters that may be taken. Proprietors to erect " a Flood Weir for conveying ſuperfluous Water to the *New Pool*. Breadth of Canal, *&c.* reſtricted, " Proprietors may take Water from Mines; and make Reſervoirs, Trenches, *&c.* Owners of Fire- " engines, *&c.* to lift their Water into the Canal; the additional Expence whereof to be defrayed by " the Company. Penalty on Owners of Fire-engines refuſing or neglecting, after proper Notice. Bodies " Politic, *&c.* impowered to ſell and convey Lands. Where Lands ſhall be ſeparated into ſmall Parcels " by making the Canal, Bodies Politic, *&c.* may ſell the ſame. Bodies Politic, *&c.* indemnified for " what they ſhall do by virtue of this Act. Contracts, *&c.* to be inrolled by the Clerks of the Peace, and " admitted as Evidence. Commiſſioners appointed. Commiſſioners Powers. If the Company of Pro- " prietors, or Perſons intereſted in Lands, *&c.* ſhall refuſe to ſubmit to the Determination of Commiſ- " ſioners, or ſhall be diſſatisfied with the ſame, *&c.* a Jury to be impannelled. Jurymen may be chal- " lenged, and Witneſſes examined. Verdict of Jury, and Judgment of Commiſſioners, ſhall be binding " on all Perſons. Sheriff or Coroner making Default, to forfeit 20 *l.* and Jurymen or Witneſſes, 5 *l.* " Expences of Juries by whom to be paid. Perſons requeſting Juries to enter into Bond to proſecute, *&c.* " Application relating to Damages to be made to Proprietors before Complaint to Commiſſioners. Penalty " on giving falſe Evidence. Upon Payment or Tender of Monies agreed on, *&c.* Proprietors to enter on " Lands, *&c.* and make Canal. Verdicts, Judgments, *&c.* to be tranſmitted to the Clerk of the " Peace, and allowed good Evidence. On Payment of Money, and Entry of Verdicts, *&c.* Lands and " Tenements to be veſted in the Company of Proprietors. Purchaſe-monies to be paid to Bodies Politic, " *&c.* to be laid out to the ſame Uſes; and, till ſuch Purchaſes ſhall be made, to be placed out at Intereſt. " Commiſſioners to ſettle Proportion of Money to be paid to Perſons intereſted. In Default of Payment " of Damages, how they may be recovered. If Coſts and Damages not paid within four Months, " to be levied by Diſtreſs. Proceedings of Commiſſioners to be entered in a Book. Commiſſioners may " appoint a Clerk. Penalty on Perſons damaging or deſtroying the Works. Proprietors may raiſe " 7,000 *l.* Application thereof. Money when raiſed to be divided into 70 Shares; which ſhall be deemed " perſonal Eſtate. No one Perſon to have more than five Shares. Subſcribers to be paid 5 *per Cent.* till " the Works are completed. Subſcribers to have a Vote for each Share, either in Perſon or by Proxy. " Proprietors may raiſe a farther Sum of 5000 *l.* if neceſſary. New Subſcribers to be equally intereſted " with the original ones. At what Times General Aſſemblies are to be held. At firſt Meeting a Com- " mittee of nine Proprietors to be choſen. Any five Proprietors may call a ſpecial Meeting. Committee " ſubject to Controul of General Aſſembly, *&c* Company's Officers not to ſerve on Committees. Books " of Account to be kept, *&c.* If any General Aſſembly conſiſts of leſs than 23 Shares, a new one to " meet on that Day 3 Weeks Penalties on Abſentees from ſecond Meeting. Power of General Aſſem- " blies and Committees. Owners of Shares to pay their Proportions of Money called for, on Penalty of " 5 *l.* for every 100 *l.* and if not paid within 2 Months, Shares to be forfeited. Shares not to be forfeited " without perſonal Notice, *&c.* Treaſurer to give Security. Security to be inrolled with the Clerk of " the Peace, *&c* General Aſſemblies may remove Committee Men, and Officers, and make Bye-laws. " Offenders againſt Bye-laws, *&c.* may be fined not exceeding 5 *l.* In caſe of Death of Subſcriber, Ex- " ecutors, *&c.* may anſwer Calls, or in Default, Shares may be diſpoſed of. Purchaſers to pay Execu- " tors, *&c.* the Sums paid by deceaſed Owners. Proprietors may ſell their Shares: Mode of doing it. " No Sale of Shares pending Calls. Proprietors to appoint a Clerk; who ſhall, in a Book, enter the " Names and Places of Abode of Proprietors, *&c.* who may inſpect the ſame, at all convenient Times, " *gratis*. Penalty on Clerk for Refuſal. Proprietors impowered to take Rates, not exceeding 6 *d. per* " Ton. If Rates not paid on Demand, Company may ſue for the ſame; or Perſons appointed to receive " them may diſtrain Veſſel or Goods. Further Rates to be taken in certain Caſes. Certain Things ex- " empted from the Rates; provided they do not paſs through any Lock when the Water does not flow " over the Lock-weir. Perſons damaging the Canal, to make Satisfaction for the ſame. Proprietors may " alter Rates from Time to Time. No Reduction of the Rates to take Place without Conſent of the " Commiſſioners. Maſters of Boats, *&c.* to give an Account in Writing to the Collectors of Goods on " Board. Penalty on not giving a true Account, *&c.* What to be deemed a Ton of Timber, *&c.* Col- " lectors may weigh or meaſure Goods. Who to pay the Expences of weighing, *&c.* Navigation to be " free on Payment of Tolls. Proviſo, relating to ſmall Veſſels. Owners of adjoining Lands may uſe " Pleaſure-boats. Company to make Drains, *&c.* for Lands adjoining; and Watering-places for Cattle. " If Company neglect, after a Month's Notice, to make or cleanſe Arches, Drains, *&c.* Occupiers of " Lands may do it; who ſhall be reimburſed by the Company. Towing-paths to be fenced from the ad- " joining Lands. Company not to make the Canal, or any Trench, *&c.* acroſs any Highway, till they " have made proper Bridges, Arches, *&c.* If Company neglect, for 3 Months after the Time appointed " by the Commiſſioners, to ſeparate the Towing-paths, or to erect Gates, Bridges, *&c.* Occupiers of " adjacent Lands may do it; who ſhall be reimburſed by the Company. If Company make Default in " Payment, the Charge to be levied by Diſtreſs, *&c.* In caſe of Company's Failure to repair Rails, " Hedges, *&c.* Land-owners may do it; and may recover the Charges as before mentioned. Coals, *&c.* " to be found in digging the Canal, may be taken by Proprietors of Lands. Soughs may be made to " drain Mines, *&c.* Proprietors of Mines, *&c.* not to dig under any Tunnel, or within 20 Yards there- " of, without Conſent of Proprietors; nor to dig for Coal, Lime-ſtone, *&c.* within 12 Yards of the Ca- " nal, or Reſervoirs. Method of working Mines under Canal, *&c.* Method of diſcovering when Mines " are working contrary to this Act. How the Company to proceed in ſuch Caſe. Owners of Mines " lying under the Canal, *&c.* being deſirous of working the ſame, muſt apply to the Company for their " Permiſſion; who, if they refuſe, muſt make Compenſation to the Owners. If Parties cannot agree, " Commiſſioners or Jury to ſettle the Diſpute. Owners of Coal-mines, *&c.* within 1,000 Yards of the " Canal, may make Railways for conveying their Coals, *&c.* to the Canal, making Satisfaction for Da- " mages.

"mages. If Owners of Lands and Proprietors of Mines cannot agree, Commissioners to settle the Difference. Determination of the Commissioners subject to the Verdict of a Jury. Owners of Mines may make Cuts into the Canal, through their own Lands, under certain Restrictions. Lowermost Lock on Canal, not to be of less Fall than 10 Feet. Owners of Land may erect Gates, Bridges, &c. Company restrained from erecting or taking down Buildings, &c. except such as shall be on the Lands set out for the Navigation. Lords of Manors, or Land-owners, may erect Cranes, Warehouses, &c. on their own Land; and receive the Rates that shall be paid for the same. If Lords of Manors, &c. neglect to make such Erections, &c. for 12 Months after receiving proper Notice, Proprietors may do it, making Satisfaction for the same. Rates for Wharfage. Company may erect Cranes and Weighing-machines on any Wharf, if Owners refuse to erect the same. Weight of the Lading of Vessels to be marked, and their Numbers affixed on the Sides thereof, on Penalty of 40 *s.* Owners of Boats, &c. shall put their Names on the Outsides thereof, and shall permit them to be measured, on Penalty of 40 *s.* Boatmaster or Owners to be answerable for Damages done by the Crew. Proper Places to be made for Boats to turn or lie in. Penalty on Vessels lying so as to obstruct the Navigation. Vessels sunk in the Canal, to be weighed. Persons floating Timber, or overloading Vessels, &c. to forfeit 5 *l.* Penalty on Persons throwing Ballast, &c. into the Canal. Regulation for Vessels passing the Locks. Offenders to forfeit 40 *s.* each. Canal not to be under the Power of Commissioners of Sewers. If annual Rents, &c. are not paid within 21 Days after due, Commissioners may appoint a Person to receive the Rates, and pay the same; or otherwise Parties may distrain the Goods of the Company upon the Canal, Wharfs, &c. Reservation of Rights of Lords of Manors, &c. in relation to Mines, Minerals, and Quarries; and also in relation to the exclusive Right of Fishery. No Prejudice to be done to Canal, Towing-paths, &c. by fishing; and Company not to be accountable for Fish destroyed, &c. Persons on Board having Nets, &c. not being qualified, to forfeit 5 *l.* Masters of Vessels permitting the same, to forfeit 5 *l.* When Commissioners die, or refuse to act, new ones to be chosen. Quarter Sessions, in certain Cases, impowered to nominate new Commissioners. Commissioners not to act where interested. Their Qualification. Penalty on acting if not qualified. Commissioners to give 14 Days Notice of their Meetings. Commissioners not to act till they have taken an Oath. Commissioners who are Justices may act as such. No Commissioner to act as such while he possesses any Place of Profit, &c. How general Meetings of Commissioners are to be held. Duty of Commissioners when assembled. Special Meetings may be held for ascertaining Damages. All Meetings to be held within 2 Miles of the Canal. If Company neglect to make the Navigation for 10 Years, or disuse it for 5 Years, Lands to be conveyed to their former Owners, &c. If Company refuse to convey them, on Payment or Tender of Consideration-Money, then to revert to and be vested in their former Owners, &c. If Subscribers neglect to pay Subscriptions, Company may sue for the same. Expences of this Act how to be paid. Penalties and Forfeitures how to be recovered and applied. Writings to be without Stamps. Proceedings not to be quashed for Want of Form, &c. Distress not to be deemed unlawful for Want of Form, &c. Persons aggrieved may appeal to the Quarter Sessions."

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For dividing and incloſing the Open Fields and Waſte Grounds in the Pariſh of *Tetney* in the County of *Lincoln*, and for draining and improving Part of the ſaid Pariſh, 14 *Geo.* 3. *c.* 33.

Innkeepers.

The Innkeepers and Victuallers in the Hundred of *Godley* in *Surrey*, indemnified againſt certain Penalties, 14 *Geo.* 3. *c.* 60.

Inſolvent Debtors.

Relieved, 14 *Geo.* 3. *c.* 77. 16 *Geo.* 3. *c.* 38.

Inſurances.

No Inſurances to be made on Lives or Events, in which the Parties inſuring are not intereſted, 14 *Geo.* 3. *c.* 48.

Ireland.

1. The Importation of ſalted Beef, Pork, Bacon, and Butter, from *Ireland*, and from the *Britiſh* Dominions in *America*, allowed for a further Time, 14 *Geo.* 3. *c.* 9. So much as reſpects *Ireland* made perpetual, 16 *Geo.* 3. *c.* 8.
2. The 14 *Geo.* 3. *c.* 9. further continued, and extended to Potatoes and all kinds of Pulſe, 15 *Geo.* 3. *c.* 7.
3. The Bounties granted for the *Greenland* and Whale Fiſheries by 11 *Geo.* 3. *c.* 38. extended to *Ireland*, 15 *Geo.* 3. *c.* 31. § 21.
4. Rape Cakes may be imported from *Ireland* Duty free, 15 *Geo.* 3. *c.* 34. § 3.
5. May export Cloathing, *&c.* for the Uſe of Troops ſerving abroad on *Iriſh* Pay, 15 *Geo.* 3. *c.* 45. § 1.
6. Additional Bounty granted on Flax Seed imported into *Ireland*, 15 *Geo.* 3. *c.* 45. § 3. Extended to all Flax Seed the Growth of the *United Provinces* and the *Auſtrian Netherlands*, 16 *Geo* 3. *c.* 41.

For other Matters, ſee Drugs. 2. Mortgages.

K.

Kinghorn. See Scotland, 1.

Kingſton upon Hull. See Harbours, 1.

L.

Land Tax.

1. Land Tax granted for the Year 1774, 14 *Geo.* 3. *c.* 1.
2. Commiſſioners appointed, 14 *Geo.* 3. *c.* 17.
3. Land Tax for the Year 1775, 15 *Geo.* 3. *c.* 3.
4. Commiſſioners appointed, 15 *Geo.* 3. *c.* 26. Rectified, 16 *Geo.* 3. *c.* 14.
5. Land Tax for the Year 1776, 16 *Geo.* 3. *c.* 4.

Lincoln's Inn. See Chancery, 2.

Longitude.

1. All former Acts concerning the Longitude at Sea, repealed, 14 *Geo.* 3. *c.* 66. § 1.
2. New Rewards offered for further Diſcoveries, 14 *Geo.* 3. *c.* 66. § 2.
3. Propoſals how to be received, 14 *Geo.* 3. *c.* 66. § 5.

Lovat.

His Majeſty enabled to grant the Lands and Eſtate of the late *Simon* Lord *Lovat*, to Major-General *Fraſer*, on certain Terms and Conditions, 14 *Geo.* 3. *c.* 22.

Lunatics. See Madhouſes.

M.

Madhouſes.

1. Private Madhouſes to be licenced, 14 *Geo.* 3. *c.* 49. § 1. 22.
2. Who are to be Commiſſioners for licenſing Madhouſes in *London*, *Weſtminſter*, and County of *Middleſex*, 14 *Geo.* 3. *c.* 49. § 2.
3. Such Licence to be annual, and only for one Houſe, 14 *Geo.* 3. *c.* 49. § 9.
4. Licenſed Madhouſes to be inſpected by the Commiſſioners, 14 *Geo.* 3. *c.* 49. § 14.
5. Notice to be given when Patients are received, 14 *Geo.* 3. *c.* 49. § 21.
6. Licences to be granted in all Places beyond the County of *Middleſex*, by Juſtices at Quarter Seſſions, 14 *Geo.* 3, *c.* 49. § 23.
7. Such licenſed Madhouſes ſubject to Viſitation, 14 *Geo.* 3. *c.* 49. § 24.
8. This Act not to extend to public Hoſpitals, 14 *Geo.* 3. *c.* 49. § 30.

Malt.

1. The Duties on Malt, Mum, Cyder, and Perry, continued for the Service of the Year 1774, 14 *Geo.* 3. *c.* 2.
2. Continued for the Service of the Year 1775, 15 *Geo.* 3. *c.* 2.
3. And for the Year 1776, 16 *Geo.* 3. *c.* 1.

Manchester; See Playhouſes, 1. Paving, 23.

Manufactures.

1. Penalty of exporting Utenſils employed in the Cotton, Linen, Woollen, and Silk Manufactures, 14 *Geo.* 3. *c.* 71.
2. Manufacturers of Wool or Linen to receive for all Soap uſed by them, the Drawback on Soap made in this Kingdom, 14 *Geo.* 3. *c.* 73. § 15.

3. Repeal of so much of 14 *Geo.* 3. *c.* 71. as relates to Wool Cards, 15 *Geo.* 3. *c.* 5.

Marshes.

1. For amending and rendering more effectual the Act 30 *Geo.* 2. *c.* 36. for draining certain Fen Lands in the Townships of *March* and *Wimblington*, and in the Parish of *Upwell*, in the *Isle of Ely*, 14 *Geo.* 3. *c.* 16.
2. For amending and rendering more effectual several former Acts of Parliament, for draining the Lands called *Deeping Fens* in the County of *Lincoln*, 14 *Geo.* 3. *c.* 23.
3. For draining certain Fen Lands in the Parishes of *Ramsey*, *Bury*, *Wistow*, *Warboys*, *Somersham*, *Colne*, and *Pidley with Fenton*, in *Huntingdonshire*; and in the Parishes of *Chatteris* and *Doddington*, in the *Isle of Ely*, and County of *Cambridge*, 15 *Geo.* 3. *c.* 65.
4. For draining certain Lands in the Parishes of *Wisbech St. Peter's* and *Wisbech St. Mary's*, in the *Isle of Ely* and County of *Cambridge*, 15 *Geo.* 3. *c.* 66.
5. The Commissioners of Sewers in the Eastern Parts of the County of *Kent* enabled to drain and improve the *General Vallies*, 16 *Geo.* 3. *c.* 62.
6. For draining and embanking certain Fen Lands called the *Parts* and *Alderlots*, in *Huntingdonshire*, 16 *Geo.* 3. *c.* 64.

For other Matters, see **Bedford Level, and Inclosures.**

Mevagissey. See Harbours, 2.

Militia.

1. For defraying the Charge of paying and cloathing the Militia, 14 *Geo.* 3. *c.* 18. 15 *Geo.* 3. *c.* 8. 16 *Geo.* 3. *c.* 19.
2. May be called out and embodied in Cases of Rebellion, 16 *Geo.* 3. *c.* 3.

Money.

1. The Importation of light Silver Coin into *Great Britain* or *Ireland*, prohibited, 14 *Geo.* 3. *c.* 42. § 1. 16 *Geo.* 3. *c.* 64.
2. The Tender of Payments in Silver, according to its nominal Value, limited, 14 *Geo.* 3. *c.* 42. § 2. 16 *Geo.* 3. *c.* 64.
3. Diminished Gold Coin called in, 14 *Geo.* 3. *c.* 70.
4. For regulating and ascertaining the Weights used for Gold and Silver Coin, 14 *Geo.* 3. *c.* 92.
5. Fees allowed for stamping the Weights, 15 *Geo.* 3. *c.* 30.
6. A Sum allowed out of the Coinage Duty for prosecuting Offenders against the Laws relating to the Coin, 16 *Geo.* 3. *c.* 46.

Mortgages.

1. Mortgages, *&c.* of Lands in *Ireland* or the Colonies, executed in *Britain*, as valid as if executed in those Places respectively, without incurring the Penalties of 12 *Ann. st.* 2. *c.* 16. 14 *Geo.* 3. *c.* 79. § 1. Transfers of such Mortgages also, *idem*, § 2.
2. Persons borrowing Money on such Mortgages, exceeding the Value of the Lands, to forfeit treble the Sum borrowed, 14 *Geo.* 3. *c.* 79. § 4.
3. Such Mortgages to be registered in the Colony, *&c.* where the Lands lie, 14 *Geo.* 3. *c.* 79. § 5.

Mum. See Malt.

Mutiny. See Soldiers.

N.

Naturalization.

Clause to be added to all future Bills of Naturalization, 14 *Geo* 3. *c.* 84.

Newfoundland.

1. A limited Quantity of Biscuit and Pease permitted to be exported to the Island of *Newfoundland*, for the Benefit of the Fishery, 14 *Geo.* 3. *c.* 11.
2. The Bounty to be allowed upon, when in Force, 14 *Geo.* 3. *c.* 11. § 3.
3. What Persons are intitled to the Privilege of drying their Fish there, 15 *Geo.* 3. *c.* 31. § 4.
4. Provisions, and all Necessaries for Fishing, may be exported from *Ireland* and the *Isle of Man* to *Newfoundland*, being *British* or *Irish* Produce and Manufacture, 15 *Geo.* 3. *c.* 31. § 5.
5. Duty imposed on Spirituous Liquors imported there from the Colonies, 15 *Geo.* 3. *c.* 31. § 20.
6. Regulation of the Fees to be taken by Officers of the Customs in *Newfoundland*, 16 *Geo.* 3. *c.* 47. § 3.

For other Matters, see **Fisheries.**

North Passage.

1. Reward offered for the Discovery of a North Passage between the *Atlantic* and *Pacific* Oceans, 16 *Geo.* 3. *c.* 6. § 1.
2. Reward for approaching within one Degree of the North Pole, 16 *Geo.* 3. *c.* 6. § 2.

O.

Oaths.

1. Further Time allowed to Persons who have omitted to qualify themselves for Offices, 14 *Geo.* 3. *c.* 47. 15 *Geo.* 3. *c.* 17. 16 *Geo.* 3. *c.* 50.
2. Justices impowered to administer Oaths for levying Penalties and making Distress, in pursuance of Acts of Parliament, 15 *Geo.* 3. *c.* 39.

Oil.

The Duties on Rape-seed, or other Seed used for making Oil, reduced, 15 *Geo.* 3. *c.* 34.

P.

Papists.

Further Time granted for the Inrolment of Deeds and Wills made by Papists, 14 *Geo.* 3. *c.* 37.

Parliament.

1. The Acts 10 *Geo.* 3. *c.* 16. and 11 *Geo.* 3. *c.* 42. for regulating the Trials of controverted Elections, made perpetual, 14 *Geo.* 3. *c.* 15.
2. Certain former Acts relating to the Residence of Persons to be elected Members of Parliament, *&c.* repealed, 14 *Geo.* 3. *c.* 58.
3. Speaker to issue his Warrant during Recess, for electing Members in the Room of those who become Peers, in like manner as of Members deceased, 15 *Geo.* 3. *c.* 36.
4. May be assembled in fourteen Days in Cases of Rebellion, 16 *Geo.* 3. *c.* 3. § 2.

Paving, Lighting, Cleansing, and Watching.

1. For paving, *&c.* the Town of *Cardiff*, in *Glamorganshire*, 14 *Geo.* 3. *c.* 7.

2. To

2. To explain two Acts, the 10 and 12 *Geo.* 3. for paving, &c. the Town of *Plymouth*, 14 *Geo.* 3. *c.* 8.
3. For paving, &c. the Streets of *St. James's, Clerkenwell*, 14 *Geo.* 3. *c.* 24.
4. For paving, &c. the Streets of the *Old Artillery Ground*, in the Liberty of the *Tower of London*, 14 *Geo.* 3. *c.* 30.
5. For paving, &c. the City and Suburbs of *Hereford*, 14 *Geo.* 3. *c.* 38.
6. For paving, &c. *Grosvenor Square*, and for other Purposes, 14 *Geo.* 3. *c.* 52.
7. For making commodious Ways and Passages, and enlarging the Burial-ground, in the Parish of *St. Stephen, Bristol*, 14 *Geo.* 3. *c.* 55.
8. For widening Streets, opening Carriage-ways, &c. in *Southwark*, 14 *Geo.* 3. *c.* 75.
9. For better regulating the Nightly Watch in the City and Liberties of *Westminster*, 14 *Geo.* 3. *c.* 90.
10. For lighting and watching the Hamlet of *Highgate*, in the County of *Middlesex*, 15 *Geo.* 3. *c.* 43.
11. For paving, &c. *New Gravel-lane*, and other Streets in the Parish of *St. Paul, Shadwell*, not comprised in the Act 11 *Geo.* 3. *c.* 23. for paving *Rosemary-lane*, &c. 15 *Geo.* 3. *c.* 54.
12. For watering *Piccadilly* from the End of *Berkeley-street* to *Hyde-park Corner*, 15 *Geo.* 3. *c.* 57.
13. For lighting, watching, &c. the Streets, Lanes, and Roads, in the Parish of *Hampstead* in the County of *Middlesex*, 15 *Geo.* 3. *c.* 58.
14. For cleaning, lighting, watching, &c. the Parish of *St. George* in the County of *Middlesex*, 16 *Geo.* 3. *c.* 15.
15. For lighting, watching, &c. the Streets in the Borough of *Boston* in *Lincolnshire*, 16 *Geo.* 3. *c.* 25.
16. For lighting, watching, &c. the Villages of *Camberwell* and *Peckham*, 16 *Geo.* 3. *c.* 26.
17. For paving, &c. the Streets in the Borough of *Dorchester*, and preventing future Buildings from being thatched, 16 *Geo.* 3. *c.* 27.
18. For paving, &c. the Town of *Brecknock*, and supplying it with Water, 16 *Geo.* 3. *c.* 56.
19. For paving, &c. the Town of *Weymouth* and *Melcomb Regis*, 16 *Geo.* 3. *c.* 57.
20. The Act 12 *Geo.* 3. *c.* 18. for paving, &c. the Town of *Chatham*, explained and amended, 16 *Geo.* 3. *c.* 58.
21. For paving, &c. the Town of *Portsmouth*, 16 *Geo.* 3. *c.* 59.
22. The Act 8 *Geo.* 3. *c.* 33. for paving, &c. the Parish of *St. Leonard, Shoreditch*, explained and amended, 16 *Geo.* 3. *c.* 60.
23. For widening and improving the Streets of the Town of *Manchester*, 16 *Geo.* 3. *c.* 63.

For other Matters, see **Scotland**, 9.

Perry. See Malt.

Pilots.

1. For regulating Pilots, &c. in the Port of *Boston* in *Lincolnshire*, 16 *Geo.* 3. *c.* 23.
2. Regulations for Pilots in the Port of *Chester*, 16 *Geo.* 3. *c.* 61. § 33, &c.

Plantations.

1. The Trade of the Port of *Boston* in *New England*, suspended, 14 *Geo.* 3. *c.* 19. Repealed, 16 *Geo.* 3 *c.* 5. § 42.
2. For the impartial Administration of Justice in the Province of *Massachuset's Bay*, 14 *Geo.* 3. *c.* 39.
3. The Statutes 6 *Geo.* 3. c. 49. and 13 *Geo.* 3. c. 73. so far as relates to the establishing free Ports in the Island of *Jamaica*, farther continued, 14 *Geo.* 3. *c.* 41.
4. For the better regulating the Government of the Province of *Massachuset's Bay*, 14. *Geo.* 3. *c.* 45.
5. For the better providing suitable Quarters for Officers and Soldiers in his Majesty's Service in *North America*, 14 *Geo.* 3. *c.* 54.
6. For making more effectual Provision for the Government of the Province of *Quebec*, 14 *Geo.* 3. *c.* 83.
7. A Fund established for defraying the Administration of Civil Government in the Province of *Quebec*, 14 *Geo.* 3. c. 88. Explained and amended, 15 *Geo.* 3. *c.* 40.
8. The Trade of the Four *New England* Provinces restrained, and their *Newfoundland* Fishery prohibited, 15 *Geo.* 3. *c.* 10. Repealed, 16 *Geo.* 3. *c.* 5. § 42.
9. To restrain the Trade of the Colonies of *New Jersey, Pennsylvania, Maryland, Virginia*, and *South Carolina*, 15 *Geo.* 3. *c.* 18. Repealed, 16 *Geo.* 3. *c.* 5. § 42.
10. All Trade and Intercourse with the rebellious Colonies prohibited, 16 *Geo.* 3. *c.* 5. § 1.
11. Sole Property of all Prizes vested in the Captors, 16 *Geo.* 3. *c.* 5. § 3.
12. Judges in Admiralty Courts how to proceed in the Condemnation of Prizes, 16 *Geo.* 3. *c.* 5. § 5.

For other Matters, see **Corn, Ireland**, 1. **Mortgages, Soldiers**, 3, 4.

Playhouses.

1. For licensing a Playhouse in the Town of *Manchester*, 15 *Geo.* 3. *c.* 47.
2. A Fund established for the Relief of indigent Performers at *Drury-lane* Theatre, 16 *Geo.* 3. *c.* 13.
3. A charitable Fund established for the Performers at *Covent-Garden* Theatre, 16 *Geo.* 3. *c.* 31.

Plymouth. See Paving, 2.

Poor.

1. For the Relief and Employment of the Poor, for building a Workhouse, and providing a Burial Ground, for the Parish of *St. Leonard, Shoreditch*, 14 *Geo.* 3. *c.* 29. Explained and amended, 15 *Geo.* 3. *c.* 55.
2. For the better regulating the Poor, providing a Workhouse, &c. in the *Old Artillery-ground*, in the Liberty of the Tower of *London*, 14 *Geo.* 3. *c.* 30.
3. To explain, amend, and carry into Execution, Two Acts for erecting Hospitals, Workhouses, and for employing and maintaining the Poor, in the City of *Exeter*, 14 *Geo.* 3. *c.* 61.
4. For better governing and employing the Poor in the Parishes of *St. Giles in the Fields*, and *St. George's, Bloomsbury*, in the County of *Middlesex*, 14 *Geo.* 3. *c.* 62.
5. For providing a Workhouse, regulating the Poor, &c. of the Parish of *St. Saviour, Southwark*, 14 *Geo.* 3. *c.* 75.
6. For the better Relief and Employment of the Poor in the Hundreds of *East* and *West Flegg*, in the County of *Norfolk*, 15 *Geo.* 3. *c.* 13.
7. For building a Workhouse, relieving and employing the Poor in the Parish of *St. Mary le Bone*, in the County of *Middlesex*, 15 *Geo.* 3. *c.* 21.
8. For building a Workhouse, and employing the Poor of the Parish of *St. James, Clerkenwell*, 15 *Geo.* 3. *c.* 23.
9. Certain Persons incorporated for the Relief of poor Widows, and the Children of Clergymen, in the County of *Huntingdon*, 15 *Geo.* 3. *c.* 24.
10. For erecting a Workhouse, and providing an additional Burial-ground, for the Parish of *St. Paul's, Covent-Garden*, 15 *Geo.* 3. *c.* 50.
11. For the better Relief and Employment of the Poor, within the Hundreds of *Milford* and *Launditch*, in the County of *Norfolk*, 15 *Geo.* 3. *c.* 59.
12. For the better Relief and Employment of the Poor within the Hundred of *Forehoe*, in the County of *Norfolk*, 16 *Geo.* 3. *c.* 9.

13. For regulating the Poor, &c. of the Parish of *St. George*, in the County of *Middlesex*, 16 *Geo.* 3. *c.* 15.
14. Overseers of the Poor to return Answers upon Oath, to specified Questions relative to the State of the Poor, 16 *Geo.* 3. *c.* 40.
15. The Corporation of the Guardians of the Poor in the *Isle of Wight*, continued, and their Powers enlarged, 16 *Geo.* 3. *c.* 53.
16. The Statute 11 *Geo.* 3. *c.* 43. establishing Houses of Industry in the *Isle of Wight*, repealed, 16 *Geo.* 3. *c.* 53. § 87.
17. The Trustees of Charity Lands belonging to the Poor of *Salford*, in *Lancashire*, enabled to grant building Leases, 16 *Geo.* 3. *c.* 55.

Porcelain.

The Patent granted to *William Cookworthy*, of *Plymouth*, for making Porcelain, confirmed to *Richard Champion*, of *Bristol*, 15 *Geo.* 3. *c.* 52.

Portsmouth. See Paving, 21.

Prisoners.

1. For the Relief of Persons detained in Prison for their Fees, 14 *Geo.* 3. *c.* 20.
2. For preserving the Health of Prisoners, and preventing the Gaol Distemper, 14 *Geo.* 3. *c.* 59.

Prizes. See Plantations, 11, 12.

Q.

Quebec. See Plantations, 6, 7.

R.

Ramsden, Sir *John*. See Rivers, 1.

Rape-Seed.

1. The Duty on Rape-seed reduced, 15 *Geo.* 3. *c.* 34. § 1.
2. Rape-cakes may be imported from *Ireland* Duty-free, 15 *Geo.* 3. *c.* 34. § 3.

Rice.

Former Laws for the Exportation of Rice from the Provinces of *Carolina*, *Georgia*, *East* and *West Florida*, farther continued, 14 *Geo.* 3. *c.* 67.

Rivers.

1. For making a navigable Canal from the River *Calder* to the *King's Mill*, near *Huddersford*, in the West Riding of *Yorkshire*, 14 *Geo.* 3. *c.* 13.
2. For making a navigable Canal from the Harbour of *Bude*, in the County of *Cornwal*, to the River *Tamer*, 14 *Geo.* 3. *c.* 53.
3. For amending the 10 & 11 *W.* 3. *c.* 19. for making the *Air* and *Calder* navigable, 14 *Geo.* 3. *c.* 96.
4. To amend the 9 *Geo.* 3. *c.* 70. for making a navigable Canal from the *Coventry* Navigation to *Oxford*, 15 *Geo.* 3. *c.* 9.
5. For making a navigable Canal from certain Coal Mines in *Apedale*, to *Newcastle under Lyme*, 15 *Geo.* 3. *c.* 16.
6. To amend and render more effectual the 6 & 10 *Geo.* 3. for making a navigable Canal from the *Trent* to the *Mersey*, 15 *Geo.* 3. *c.* 20.
7. To amend the Statute 3 *Geo.* 2. *c.* 13. for making the *Stroudwater* navigable, 16 *Geo.* 3. *c.* 21.
8. For making a navigable Canal from *Stourbridge* in *Worcestershire*, to communicate with other Canals in *Worcestershire* and *Staffordshire*, 16 *Geo.* 3. *c.* 28.
9. The Proprietors of the Navigation from the *Trent* to the *Mersey*, enabled to make a navigable Canal from thence to *Froghall*, with certain Rail-ways, 16 *Geo.* 3. *c.* 32.
10. For making the River *Soar* navigable, and making a navigable Canal from thence to the Rushes at *Loughborough*, in the County of *Leicester*. 16 *Geo.* 3. *c.* 65.
11. For making a navigable Canal from certain Lands in the Parish of *Dudley*, in the County of *Worcester*, to communicate with the *Stourbridge* Navigation, 16 *Geo.* 3. *c.* 66.

For other Matters, see Thames.

S.

Sail-Cloth.

Former Laws for the Encouragement of making Sail-cloth in *Great Britain*, continued, 14 *Geo.* 3. *c.* 80.

Saint Aubyn, Sir *John*.

How Leases and Sale of his Lands at *Plymouth Dock*, for the Use of his Majesty, are to be made during his Minority, 14 *Geo.* 3. *c.* 50.

Saint James, Clerkenwell. See Paving, 3.

Saint Leonard, Shoreditch. See Poor, 1. Paving, 22.

Saint Mary le Bone. See Poor, 7.

Saint Paul's, Covent-Garden. See Poor, 10.

Saint Stephen, Bristol. See Paving, 7.

Schools.

Sales and Purchases made by the Governors of King *Edward* the Sixth's Grammar-school, at *Macclesfield*, confirmed, and farther Powers given, 14 *Geo.* 3. *c.* 51.

Scotland.

1. The Act 22 *Geo.* 2. *c.* 13. imposing a Duty on Ale and Beer in the Town of *Kinghorn*, farther continued, 14 *Geo.* 3. *c.* 28.
2. For repairing the Highways and Bridges in the County of *Fife*, 14 *Geo.* 3. *c.* 31.
3. For enabling the Bank of *Scotland* to increase their capital Stock, 14 *Geo.* 3. *c.* 32.
4. The Statute 25 *Geo.* 2. *c.* 41. for annexing forfeited Estates in the Crown, altered and amended, 14 *Geo.* 3. *c.* 65.
5. The Statute 16 *Geo.* 2. *c.* 11. regulating Elections of Members of Parliament, altered and amended, 14 *Geo.* 3. *c.* 81.
6. For altering, explaining, and amending, several Statutes respecting Colliers, Coal-bearers, and Salters, 15 *Geo.* 3. *c.* 28.
7. The *Mac Gregors* restored, 15 *Geo.* 3. *c.* 29.
8. The Statute 22 *Geo.* 2. *c.* 10. imposing an Excise on Beer and Ale in the Town of *Anstruther Easter*, farther continued, 15 *Geo.* 3. *c.* 48.
9. For extending the Duty of Two Pennies *Scots*, payable on every Pint of Ale or Beer in the Village of *Port Glasgow*, over the Town of *Newark*, for paving the said Towns, and for other Purposes, 15 *Geo.* 3. *c.* 60.
10. For repairing the Highways and Bridges in the Shire of *Argyle*, 15 *Geo.* 3. *c.* 63.

11. For

11. For enlarging the Term and Powers of former Acts, laying a Duty on Ale and Beer in the Town of *Dundee*, 16 *Geo.* 3. *c.* 16.
12. Natural-born Subjects may inherit and make their Titles, from Alien Parents, 16 *Geo.* 3. *c.* 52.

Seamen.

1. Repeal of the Clause 6 *Ann. c.* 37. § 37. exempting Seamen in *America* from the Press, 15 *Geo.* 3. *c.* 31. § 19.
2. Merchant-ships, &c. may be navigated by Three-fourths Foreigners for a limited Time, 16 *Geo.* 3. *c.* 20.

Ships.

The Term of Letters Patent granted to *Elizabeth Taylor* of *Southampton*, for the sole Use of Engines for making Blocks, Sheaves, and Pins, used in the Rigging of Ships, enlarged, 16 *Geo.* 3. *c.* 18.

For other Matters, see **Fisheries** and **North Passage.**

Silk.

So much of the Statute 8 *Geo.* 1. *c.* 15. as relates to the Encouragement of the Silk Manufacture, which has been continued from Time to Time by subsequent Acts, farther continued, 14 *Geo.* 3. *c.* 86. § 3.

Skins.

1. The free Importation of raw Hides and Skins from *Ireland*, and the *British* Plantations in *America*, farther continued, 14. *Geo.* 3. *c.* 86. § 11.
2. Seal Skins, caught by *British* Subjects, may be imported Duty free, 15 *Geo.* 3. *c.* 31. § 10.
3. Raw Goat Skins may be imported Duty-free, for a limited Time, 15 *Geo.* 3. *c.* 35.

Soap.

Manufacturers of Wool or Linen to receive for all Soap used by them, the Drawback on the Duties paid for Soap made in this Kingdom, 14 *Geo.* 3. *c.* 73. § 15.

Soldiers.

1. For punishing Mutiny and Desertion, 14 *Geo.* 3. *c.* 3. 15 *Geo.* 3. *c.* 6. 16 *Geo.* 3. *c.* 2.
2. For regulating the Marine Forces, while on Shore, 14 *Geo.* 3. *c.* 4. 15 *Geo.* 3. *c.* 4. 16 *Geo.* 3. *c.* 7.
3. The Acts for punishing Mutiny and Desertion, &c. in *America*, farther continued, 14 *Geo.* 3. *c.* 6.
4. The Mutiny Act, 15 *Geo.* 3. *c.* 6. amended and extended to *America*, 15 *Geo.* 3. *c.* 15. 16 *Geo.* 3. *c.* 11.

For other Matters, see **Plantations**, 5.

Somerset-House.

Necessary Powers granted for converting it into Public Offices, 15 *Geo.* 3. *c.* 33.

Southwark. See Poor.

Stamps.

1. Licence for keeping a Madhouse, pays 5 *s.* 14 *Geo.* 3. *c.* 49. § 8.
2. All Indentures, Bonds, &c. heretofore liable to a Shilling Stamp, to pay 1 *s.* more, 16 *Geo.* 3. *c.* 34. § 5.
3. Cards, *per* Pack, additional 2 *d.* 16 *Geo.* 3. *c.* 34. § 6.
4. On Newspapers additional Halfpenny, 16 *Geo.* 3. *c.* 34. § 7.

Steam-Engine.

The Property of a Steam-Engine secured to *James Watt*, the Inventor, 15 *Geo.* 3. *c.* 61.

Storrs.

So much of the Statute 2 *Geo.* 2. *c.* 35. as relates to the Premiums upon Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine, which has been continued from Time to Time, still farther continued, 14 *Geo.* 3. *c.* 86. § 6.

Swansea. See Wales, 1.

T.

Tallow.

Tallow, Hog's Lard, and Grease, may be imported Duty-free, 16 *Geo.* 3. *c.* 12.

Thames, River.

1. For improving and completing the Navigation of the River *Thames*, westward of *London* Bridge, 14 *Geo.* 3. *c.* 91.
2. To amend the 11 *Geo.* 3. for improving the Navigation of the *Thames* and *Isis*, from *London* to *Cricklade*, 15 *Geo.* 3. *c.* 11.

For other Matters, see **Transportation.**

Touchet, *Thomas.*

Intitled to the Benefit of the insolvent Debtors Act, 16 *Geo.* 3. *c.* 38. § 70.

Transportation.

1. Persons usually transported, may be kept to hard Labour in cleansing the River *Thames*, 16 *Geo.* 3. *c.* 43. § 1. or to hard Labour within the County where tried, *ibid.* § 10.
2. Persons convicted of Felony without Clergy, who shall obtain Mercy, on Condition of being committed to hard Labour, may receive such conditional Pardon from the Judges, 16 *Geo.* 3. *c.* 43. § 2.
3. How to be fed, 16 *Geo.* 3. *c.* 43. § 7.
4. How Offenders may be punished for Misbehaviour, 16 *Geo.* 3. *c.* 43. § 8.
5. Their Terms may be shortened on good Behaviour, 16 *Geo.* 3. *c.* 43. § 9.
6. Offenders how to be dismissed when their Terms of Confinement expire, 16 *Geo.* 3. *c.* 43. § 9.
7. Justices in every County to prepare Houses of Correction for the Reception of such Offenders, 16 *Geo.* 3. *c.* 43. § 13.
8. Penalty on rescuing Offenders ordered to hard Labour, 16 *Geo.* 3. *c.* 13. § 14. Penalty of Escape, *ibid.* § 15.
9. Overseers of the Places of Confinement to make Returns from Time to Time of the Persons in Custody, upon Oath, 16 *Geo.* 3. *c.* 43. § 19.
10. Penalties how to be recovered and applied, 16 *Geo.* 3. *c.* 43. § 20.

Turnpikes.

1. The Clause 13 *Geo.* 3. *c.* 84. § 12. repealed, 14 *Geo.* 3. *c.* 14. § 1.
2. Persons offending against that Clause indemnified, 14 *Geo.* 3. *c.* 14. § 2.
3. To explain and amend the Statute 13 *Geo.* 3. *c.* 84. so far as relates to the granting an additional Term of Five Years to Acts made for amending Turnpike Roads, 14 *Geo.* 3. *c.* 36.
4. The Clause 13. *Geo.* 3. *c.* 84. § 34. exempting Persons crossing Turnpike Roads from paying Toll at Side Gates, repealed, 14 *Geo.* 3. *c.* 57.
5. Repeal of so much of the Statute 13 *Geo.* 3. *c.* 84. as imposes additional Tolls on Waggons carrying extra Weight, and permitting

mitting Carriages, after weighing, to be drawn by an unlimited Number of Horſes, 14 *Geo.* 3. *c.* 82. § 1.

6. Additional Tolls to be taken hereafter for extra Weight, 14 *Geo.* 3. *c.* 82. § 2.
7. Carriages employed in Huſbandry, not to be weighed, 14 *Geo.* 3. *c.* 82. § 3.
8. Truſtees, within Ten Miles of *London*, may lower ſuch additional Tolls, 14 *Geo.* 3. *c.* 82. § 4.
9. Waggons, &c. upon Rollers, exempted from Tolls for Five Years, 14 *Geo.* 3. *c.* 82. § 5.
10. The Clauſe 13 *Geo.* 3. *c.* 84. § 69. requiring the Tire of Waggon Wheels to be counterſunk and flat, repealed, 16 *Geo.* 3. *c.* 39. § 1.
11. The Clauſe 13 *Geo.* 3. *c.* 84. § 25. reſpecting Six Inch Wheels, explained, 16 *Geo.* 3. *c.* 39. § 2.
12. The Clauſe 13 *Geo.* 3. *c.* 84. § 23. ſubjecting Carriages with Wheels leſs than Six Inches in Width, to double Tolls, ſuſpended, 16 *Geo.* 3. *c.* 44. § 1.
13. Leſſees of Tolls may be releaſed from their Contracts, at the End of the current Year, 16 *Geo.* 3. *c.* 44. § 2.

Turpentine. See **Fire**, 1.

Tweed. See **Fiſheries**, 9.

W.

Wales.

For fixing and regulating a public Market for the Sale of Meat, at *Swanſea*, in *Glamorganſhire*, 14 *Geo.* 3. *c.* 27.

Weymouth. See **Paving**, 19.

Wight, Iſle of. See **Poor**, 15, 16.

Woollen Manufactures.

1. For preventing Fraud and Embezzlement by Perſons employed in the Woolen Manufactures, 14 *Geo.* 3. *c.* 25.
2. The Puniſhment inflicted by 22 *Geo.* 2. *c.* 27. on reeling falſe or ſhort Yarn, repealed, and other Penalties enacted, 14 *Geo.* 3. *c.* 44. This Act explained and amended, 15 *Geo.* 3. *c.* 14.
3. Penalty on exporting Utenſils employed in the Woolen Manufactures, 14 *Geo.* 3. *c.* 71.

Y.

Yarn. See **Woollen Manufactures**, 2.

END OF THE TWELFTH VOLUME.

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